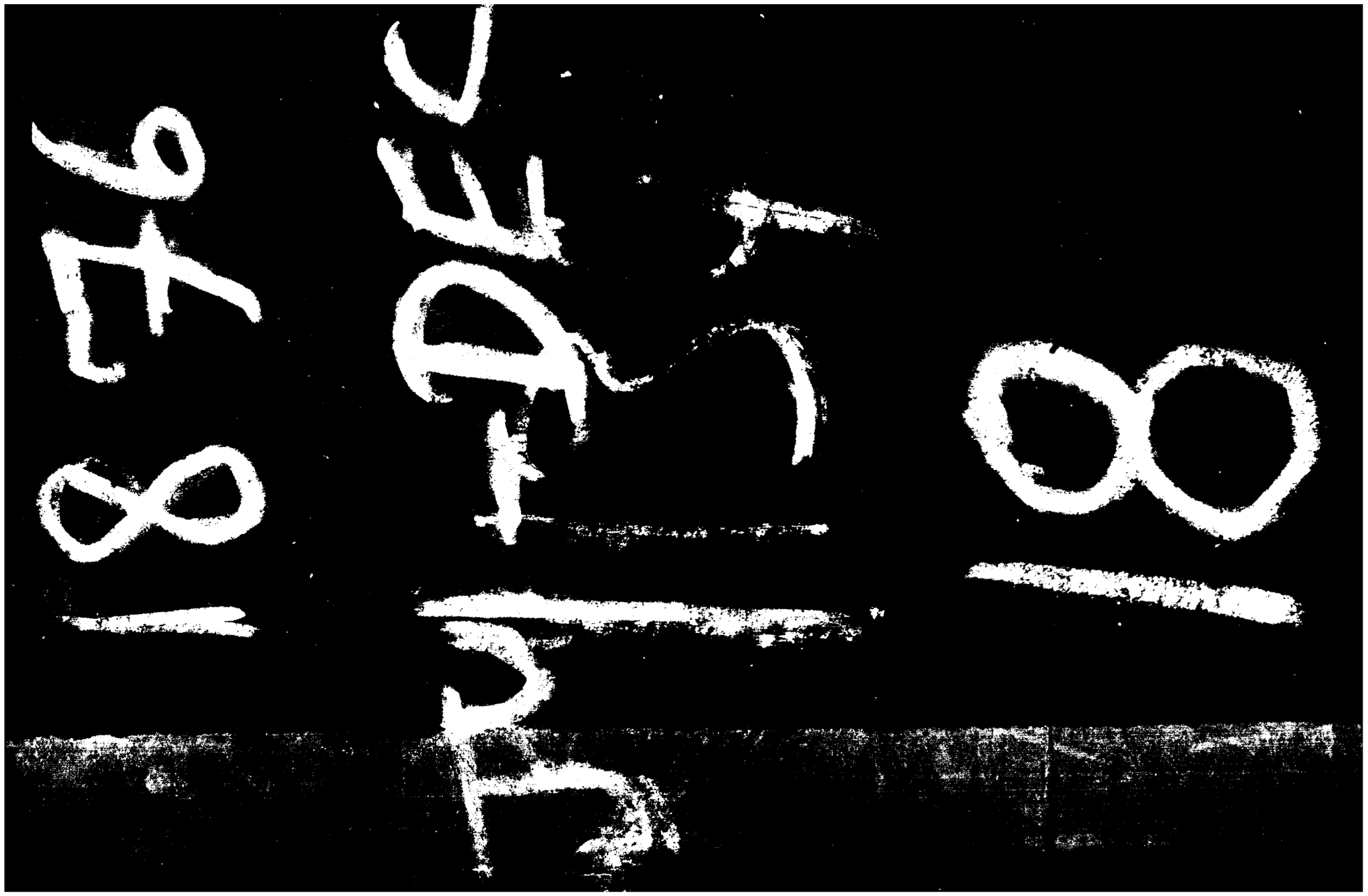
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☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 29th June 1876.

No. 420.—*Appointment.*—Captain H. R. Spearman, Assistant Commissioner of the 1st Grade and Officiating Deputy Commissioner of the 4th Grade in British Burma, to officiate as Deputy Commissioner of the 3rd Grade, with effect from the 18th April last, during the absence on furlough of Mr. S. F. A. Smith, C. S., or until further orders.

No. 422.—*Appointments.*—Babu Nobin Kristo Bose, Extra Assistant Commissioner, II Class, in the Central Provinces, to be Extra Assistant Commissioner, I Class, *vice* Mr. D. A. Cameron, retired:

Gur Prashad, Extra Assistant Commissioner, III Class, to be Extra Assistant Commissioner, II Class, *vice* Babu Nobin Kristo Bose:

Vasudeo Balal Kher, Extra Assistant Commissioner, IV Class, to be Extra Assistant Commissioner, III Class, *vice* Gur Prashad:

Syud Hussain Ali to be Extra Assistant Commissioner, IV Class.

No. 424.—The following promotions are made in the British Burma Commission with effect from 1st March 1876:—

Lieutenant-Colonel E. B. Sladen, Deputy Commissioner 2nd Grade and Officiating Commissioner of Arakan, to be Commissioner of Arakan:

Lieutenant-Colonel A. R. McMahon, Deputy Commissioner 3rd (Officiating 2nd) Grade, to be Deputy Commissioner 2nd Grade:

Captain G. A. Strover, Deputy Commissioner 4th Grade, to be Deputy Commissioner 3rd Grade.

The 30th June 1876.

No. 428.—*Appointments.*—Mr. B. Stainforth, District Superintendent of Police, 5th Grade in Oudh, to be District Superintendent of Police 4th Grade, with effect from the 26th February last, *vice* Mr. J. E. Burton, deceased:

Mr. H. A. F. Smith, Assistant District Superintendent of Police, to be District Superintendent 5th Grade, *vice* Mr. Stainforth.

No. 430.—*Appointments.*—Major C. F. Sharpe, District Superintendent of Police, 2nd Grade in Oudh, to be District Superintendent of Police 1st Grade with effect from the 25th April last, *vice* Colonel DeS. Barrow, promoted:

Captain M. Tweedie, District Superintendent, 3rd Grade, to be District Superintendent 2nd Grade, *vice* Major Sharpe.

Major M. M. Procter, District Superintendent, 4th Grade, to be District Superintendent 3rd Grade, *vice* Captain Tweedie:

Mr. D. Cargill, District Superintendent, 5th Grade, to be District Superintendent 4th Grade, *vice* Major Procter:

Mr. G. J. Low, Assistant District Superintendent of Police, to be District Superintendent 5th Grade, *vice* Mr. Cargill.

JUDICIAL.

The 29th June 1876.

No. 1058.—In exercise of the power conferred by Section 10, Act VI of 1871, the Governor General in Council is pleased to invest Babu Gooroo Prosad Das, Officiating Extra Assistant Commissioner in Assam, with the powers of a Munsif within the limits of the sub-division of Mangaldai in the District of Darrang, during the absence of Babu Dina Nath Sen.

ECCLESIASTICAL.

***The 27th June* 1876.**

No. 230.—**The Reverend A. G. A. Robarts, M.A., a Junior Chaplain on the Bengal Ecclesiastical Establishment, reported his arrival in Calcutta on the 10th instant.**

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.

CUSTOMS AND SALT.

Simla, the 30th June 1876.

No. 156.—The following Rules made by the Governor General in Council in exercise of the powers conferred by "The Inland Customs Act, 1875," are published under Section 30 of the said Act, and shall take effect from the 1st August 1876:—

THE INLAND CUSTOMS RULES, 1876.

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CHAPTER I.

OF THE CUSTOMS LINE AND ZONE BETWEEN THE NORTHERN FRONTIER OF THE PANJAB AND THE FRONTIER OF BIRAR; AND OF EXPORT AND IMPORT ALONG THE SAME.

A.—Definition of the line and zone.

Definition of line and zone.

1. The Governor General in Council is pleased to direct that the existing Customs line with its present defences extending from the northern frontier of the Panjáb to the frontier of Birár near Burhanpur shall be maintained.

It commences in the north near Torbela on the left bank of the Indus, where that river debouches from the Himalayas, and thence goes south in a direction parallel with the river to a point near Kinjar. Along this portion of the line the Customs-zone shall extend on the western side from the chain of posts to a distance of ten miles on the river side, except that it shall not include any territory lying on the right bank of the Indus, and on the eastern side to a distance of five miles.

From Kinjar the line proceeds to the east and south to near Mailsi. Along this portion the zone shall extend from the line to a distance of ten miles on the southern side and of five miles on the northern side, and shall further extend on its northern side where it crosses the Chenab so as to include that river to a point one mile above Shershah.

From Mailsi the line proceeds to the east in a direction parallel with the Sutlej to a point nearly opposite Fazilka, where it crosses the river. Along this portion the zone shall extend on the southern side from the line to a distance of ten miles on the river side, except that it shall not include any territory lying on the left bank of the Sutlej, and on the northern side to a distance of five miles.

Where the line crosses the river the zone shall extend five miles up and ten miles down stream.

After crossing the Sutlej the line proceeds to the south near the western frontier of British territory until it crosses the Nárbada. It then turns to the south-west, and running in a direction almost parallel with the Great Indian Peninsula Railway, terminates beyond Burhanpur on the frontier of Birár. Throughout this portion the zone shall extend from the line to the frontier, or to a distance of ten miles if the frontier be beyond that distance on one side and to a distance of five miles on the other, and shall further extend on its eastern side,

(*a*) at Garhi Harsaru, so as to include the line of the Rájputána State Railway between that and Delhi and the area occupied by the said Railway at Delhi,

(*b*) at Bichpuri, so as to include the line of the Rájputána State Railway between that and Agra and the area occupied by the said Railway at Agra.

B.—General Rules.

Traffic across line restricted to fixed points.

2. No person shall himself pass or shall transport any article, or conduct any animal, vehicle or vessel across the Customs line except at such points as may from time to time be determined by the Commissioner of Inland Customs.

"Trade-post."

A Customs post established at any point of the line declared open for the passage of any dutiable article is hereinafter called a "trade-post."

Power to search persons and things crossing the line.

3. All persons and things crossing or being taken across the Customs line may be searched by, or by order of, any Customs officer on duty.

Whenever it is necessary to cause a woman to be searched, the search shall be conducted with strict regard to the habits and customs of the country.

Duties leviable.

4. On all salt imported (except salt imported under the provisions of rules forty-one to forty-seven) and on all sugar exported at any point south of the district of Rawalpindi, the maximum duties mentioned in section five of the Act shall be levied:

Power to make rules as to free import or export of one ser.

Provided that the Commissioner of Inland Customs may from time to time make rules permitting any person to export sugar or import salt not exceeding one ser in weight free of duty at such points of the line and at such times and subject to such limitations and restrictions as to the said Commissioner may seem fit.

'Refined sugar' defined.

5. 'Refined sugar' shall, for the purposes of section five of the Act, include any saccharine produce to which any process beyond mere boiling has been applied with a view to cleaning or granulating it. It shall also include the confectionery called batásha and gindaura and the like.

'Unrefined sugar' defined.

6. 'Unrefined sugar' means saccharine produce to which no process beyond mere boiling has been applied for the purpose of cleaning or granulating it, such as gur, ráb, and the like.

Prohibition of possession of salt within the Customs-zone.

7. Except salt exempted from duty under the proviso to rule four, and salt covered by a *rawanna*, pass, certificate, or *dákhila* as afterwards in this chapter provided,

no person shall have any salt in his possession within the Customs-zone.

Duty to be paid before import or export, and *dákhila* issued.

8. Except as is in these rules otherwise provided, any person wishing to import salt or to export sugar on which duty is payable under rule four, shall first pay the duty leviable thereon into any such Government treasury or tahsíl as the Local Government may from time to time appoint, and shall receive in return a *dákhila* or receipt.

Fractions of quarter maunds shall be paid for as full quarter maunds.

Presentation of *dákhila* with *darkhást*.

9. He shall present the *dákhila* with a written requisition or *darkhást* to the Collector of Inland Customs at one of the following Custom Houses, that is to say, Mooltan, Hissar, Delhi, Agra, Jhansi, Saugor or Hoshangabad.

Grant of *rawanna*.

10. The Collector to whom the *darkhást* and *dákhila* are presented shall give to the applicant a Customs-pass or *rawanna* signed by himself and sealed in his presence.

Period of currency of *rawanna*.

11. The *rawanna* shall be current and valid for such period not being less than five days or more than six weeks as the Commissioner of Inland Customs may from time to time prescribe.

The period of currency shall count from the day on which the *rawanna* is delivered to the applicant (that day being included and being noted on the face of the *rawanna*) to sunset of the day on which it expires.

Rawanna invalid after period of currency has expired.

After the period of currency of a *rawanna* has elapsed, the *rawanna* shall cease to be valid or of any effect whatever, unless the period be extended in the manner hereinafter prescribed.

Dutiable goods crossing line to be accompanied by invoice and *rawanna*.

12. Every despatch of dutiable goods crossing the line shall be accompanied by an invoice and by the *rawanna* or *rawannas* by which such despatch is covered.

The Commissioner of Inland Customs may from time to time make rules to limit the number of *rawannas* which may be used to cover the goods included in a single invoice, and the quantity of goods to be covered by a single *rawanna*.

Procedure at trade-posts.

13. When dutiable goods arrive at a trade-post on the Customs line for the purpose of crossing it, the *rawanna* covering the despatch shall be presented by the trader or his agent to the officer in charge of the post, who will satisfy himself that it is a genuine document, and that its currency has not expired, and will then proceed to examine and superintend the weighment of the despatch.

He may either weigh the entire despatch or such proportion of it as may be prescribed by rules to be issued from time to time by the Commissioner of Inland Customs.

He shall compare the despatches with the accompanying invoices which shall be presented to him.

Procedure on excess being found on partial weighment.

14. If only a portion of the despatch is weighed, and any excess is found over the quantities in the invoice, the weight of the whole despatch may in the discretion of the Customs officer be calculated proportionately.

Trader may claim weighment of a larger portion of despatch.

15. The trader, if dissatisfied, may claim weighment of a larger portion of the despatch; but if he claims weighment of more than half, and the excess turns out on weighment to be not less than that calculated under rule fourteen, he shall ordinarily be deemed to have forfeited all claim to have the penalties incurred by him mitigated in the manner allowed by rule twenty.

Registry and return of *rawanna*.

16. If the goods are found to correspond with the accompanying *rawanna* in all essential particulars, the *rawanna* shall be returned to the trader or his agent after being registered by the officer and endorsed for clearance.

Passing goods.

The goods shall then be allowed to proceed to their destination:

Provided that when a *rawanna* has been returned to the trader duly endorsed for clearance under this rule more than seven days previous to the expiry of its period, such *rawanna* shall cease to be valid on the expiry of seven days from the date on which it was so returned unless the officer in charge of the beat by an order endorsed upon it allows it to run on for its full period or any portion thereof.

Supervision of goods passing along line before crossing.

17. When dutiable goods pass along the line of posts before crossing it, they shall be accompanied by a Customs-peon from post to post.

In this case previous intimation of the coming of the goods to the line must be given by the trader or his agent to the officer in charge of the trade-post through which the goods are intended to be passed.

Rectification of minor particulars in the *rawanna*.

18. If previous to the utilization of the *rawanna* any minor particulars in it require rectification, such as description of carriage, owner's name, post by which the goods are to pass, &c., the trader or his agent, before bringing his goods to the said post, must apply for such rectification to the officer in charge thereof.

If the officer has reason to suspect any fraud, he may refuse to pass the goods except under security equivalent to their value together with the duty payable upon them, and shall refer the case for final orders to the Collector.

Penalty for error in minor particulars remaining unrectified.

19. If the despatch differs in minor particulars which have not been rectified in the manner prescribed in rule eighteen, the whole despatch shall be again liable to the payment of an amount not exceeding five per cent. of the original duty, and shall on such payment be passed, an entry being made on the *rawanna* that the payment has been levied as a penalty for infraction of rule, which infraction should be specified by the officer in his own handwriting.

Procedure and penalties in case of excess found on weighment.

20. If on weighment of the goods they are found to exceed the quantity entered in the *rawanna*, the following practice shall, as a

general rule, be observed by the officer in charge of the post:—

(*a*) If the excess is not more than one per cent., he shall allow the despatch to pass:

(*b*) If the excess is more than one and not more than five per cent., he shall charge the whole excess with single duty:

(*c*) If the excess is more than five and not more than ten per cent., he shall charge the whole excess with double duty, the additional duty being levied as a penalty:

(*d*) If the excess is more than ten and not more than fifteen per cent., he shall charge the whole excess with single duty, and shall, moreover, charge the whole despatch with an additional single duty by way of penalty:

(*e*) If the excess is more than fifteen per cent., or in any case if there be reason to suspect fraud, he shall institute proceedings with a view to confiscation.

In calculating duty or penalties under this rule, fractions of a ser shall be charged as one ser.

No refund of duty on deficiency.

21. If the goods be found to be less than the quantity specified in the *rawanna*, the owner shall have no claim to refund of duty on the deficiency.

Divisions of goods under despatch.

22. If the owner of a *rawanna* desires to divide the despatch of the goods covered by the *rawanna*, he shall apply to the Collector who issued the *rawanna*.

The Collector shall issue as many partition or *atráfi rawannas* as may be required, and cancel and resume the original *rawanna*.

Renewal of *rawannas* when export or import is postponed.

23. If any delay takes place in the exportation or importation of goods for which a *rawanna* has been issued, the Collector by whom such *rawanna* was issued may, in his discretion, but subject to such restrictions as the Commissioner of Inland Customs may from time to time impose, renew it at any time not more than six months from the date of original issue. If an application for renewal is made later than one week before the expiration of the original *rawanna*, it shall be complied with only on the applicant paying a fee of one-twentieth of the duty paid for such original *rawanna*.

The currency of the fresh *rawanna* shall not exceed the limits prescribed under rule eleven.

Extension of *rawannas* in case of salt delayed within the zone.

24. Persons desiring to deposit or keep salt within the limits of the Customs-zone for a period exceeding that for which their *rawannas* are current, may obtain an extension of their currency for a period not exceeding six months, calculated from the date of original issue, by making application to the Collector or officer of the beat one week before the expiration of the original term of such *rawannas*.

Procedure on application for extension under rule 24.

25. On such application being made, the officer of the beat shall ascertain whether the despatch is covered by the *rawanna*; and on being satisfied that such is the case, shall endorse the *rawanna*, and note on its back the place of intended deposit and the period for which its extension is required.

Superscription by Collector.

26. The *rawanna* so endorsed shall be sent to the Collector, who, if he grants the application, shall superscribe thereon the period for which it is extended and the date on which the superscription will cease to have effect.

Delivery to applicant.

The *rawanna* thus superscribed, signed and sealed by the Collector shall be delivered to the applicant either at the Customs House or through the officer of the beat, as may be desired by the applicant.

Further renewals and extensions.

27. No extension shall be granted for a period beyond the term of six months from the date of original issue, and no renewal shall be granted after six months from the said date, except on clear grounds of necessity, in order to save the owners of the goods from unmerited loss; and then only with the permission, previously obtained, of the Commissioner of Inland Customs.

Removal of deposited salt.

28. When it is desired to remove any portion of the salt deposited under the preceding rules from the place of deposit to any other place, whether within or without the zone, application shall be made to the officer of the beat at the nearest post, who will write off the quantity to be removed on the back of the original *rawanna* covering the goods, and if the quantity exceeds one ser, will grant a pass, signed and sealed by himself, to protect so much of the article to its destination.

Discretion to dispense with formalities for deposit.

29. When the place of deposit of salt is situated more than three miles from the Customs line, the Collector shall have discretion, subject to any restrictions imposed by the Commissioner, to allow of such deposit without the formalities prescribed in rules twenty-four to twenty-eight.

Renewal or extension in respect of a portion of the goods.

30. If renewal or extension be required in respect of a portion only of the goods, partition *rawannas* must be issued, as provided in rule twenty-two.

Grant of duplicates of lost *rawannas*.

31. When a *rawanna* is lost or destroyed, the person to whom it was granted may make application to the Collector for a duplicate, and with his application shall deposit with the Collector an amount equivalent to the duty paid for the original *rawanna, plus* one-twentieth of the same as a fee. The Collector may thereupon grant a duplicate *rawanna*.

On the expiry of the currency of the original *rawanna*, if it has not been utilised, the duty so deposited shall be refunded. The extra one-twentieth shall be retained and credited to Government, unless the Collector thinks fit to refund the whole or any portion of it.

Relaxation of rules in favour of goods in small quantities for consumption near the line.

32. Persons wishing to import salt or export sugar in quantities not exceeding five sers for private consumption or for villages on or adjacent to the line, may apply to any officer in charge of a trade-post for a certificate, which shall be granted by such officer on payment of single duty and shall have the force of a *rawanna*.

If any person imports salt or exports sugar in quantities not exceeding five sers without first obtaining such certificate, he may, when there is no attempt at fraud, be granted a certificate by the said officer on payment of double duty.

In certificates granted under this rule duty shall be charged as on five sers.

Import or export of salt or sugar not exceeding a maund.

33. Persons wishing to import salt or export sugar in quantities not exceeding one maund may pay the duty in such neighbouring tahsíls as may be indicated for the purpose by the Local Government, and shall receive *dákhilas* for the amount so paid.

On presentation of these *dákhilas* to the officer in charge of the trade-post, he shall proceed to examine and weigh the goods and to deal with them in the same manner as in the case of goods accompanied by a *rawanna*. Fractions of quarter maunds shall be paid for as full quarter maunds. The goods shall be passed under certificates granted by the officer in charge of the post.

Issue of certificates by officers authorized by Government of India.

34. Under the authority of the Government of India other officers, whether Customs officers or not, may grant certificates on the presentation of treasury *dákhilas* for the passing of dutiable goods to any amount through trade-posts.

Certificates granted under this rule shall be treated in all respects as *rawannas*.

Bonded warehouses.

35. When a bonded warehouse is established within the Customs-zone, the Commissioner of Inland Customs may permit salt to be imported and deposited in such warehouse without pre-payment of duty, on such conditions as he may think fit.

C.—Special Rule for the export of sugar by the Sindh, Panjáb and Delhi Railway, viá Mooltan and the Chenab River.

Collection of duty on sugar for export by rail *viá* Mooltan.

36. Under arrangements made with the Railway Companies, the duty on sugar booked for export *viá* Mooltan and the Chenab river, may be collected at the booking-station by the Station-master or other railway officer.

The certificate of the said officer shall accompany the goods and be presented to the Customs officer before the goods are loaded on the Sindh, Panjáb and Delhi Railway Company's steamers on the Chenab. The Customs officer shall examine and compare the goods with the certificate, and may accept the weighment of the Railway Company, or may weigh the goods or any portion of them. Should the goods not correspond with the certificate, they shall be dealt with under the previous rules as in similar cases at trade-posts on the Customs line.

D.—Special Rules for the import of salt and export of sugar by the State Railways.

Examination and passing of goods imported or exported by Rájputána Railway.

37. The examination and passing of salt imported and sugar exported by the Rájputána (State) Railway may take place at Agra and Delhi instead of at the trade-posts through which the goods cross the Customs-barrier, namely, Bichpuri and Garhi Harsaru respectively.

In this case such precautions shall be taken for the safe custody of the dutiable goods while on the railway in the Customs-zone as shall be determined from time to time by the Commissioner of Inland Customs.

Collection of duty on sugar booked "through" for export by rail.

38. Under arrangements made with the Railway Companies concerned, the duty on sugar booked "through" for export from other railways to cross the Inland Customs line by the Rájputána (State) Railway or Holkar (State) Railway, may be collected at the booking-station by the Station-master or other railway officer.

The certificate of the said officer shall accompany the sugar and be presented to the Customs officer at Agra, Delhi or Khandwa, as the case may be. The Customs officers shall examine and compare the goods with the certificate and may accept the weighment of the railway, or may weigh the goods or any portion of them before they are reloaded into the State Railway wagons.

Passing of sugar so booked "through" without pre-payment of duty.

39. Whenever sugar is booked "through" from other railways for export by the State Railways, if no *rawanna* or railway certificate is presented to the Customs officer at Agra, Delhi or Khandwa, as the case may be, or if the amount of duty shown by an accompanying *rawanna* or railway certificate to have been paid is less than the full duty leviable on the goods, the goods may nevertheless be allowed to be reloaded into the State Railway wagons and forwarded to their destination, on the State Railway Station-master at the reloading station giving to the Customs officer a written acknowledgment of the fact.

Detention of dutiable goods until payment of duty and charges.

40. Any consignment of dutiable goods imported or exported under these rules without pre-payment of full duty will be detained at the delivery railway station until the amount of duty payable, together with all railway charges due thereon, is paid by the consignee or his agent.

Effect of non-payment.

If such duty and charges are not paid within one month, notice shall be sent to the Collector of Customs, who may order the goods to be sold under section nine of the Act.

E.—Of the import of salt from the Bombay Presidency and of the Inland Customs mileage-duty on salt so imported.

Mileage-duty on salt.

41. The import duty on salt shall be levied by way of a mileage-rate on—

(*a*) salt imported from the Presidency of Bombay into any part of the territories under the administration of the Chief Commissioner of the Central Provinces, and

(*b*) salt which, having been so imported, is afterwards moved from one place to another in those territories.

Rates of such duty.

42. The rates of such duty per maund shall be in accordance with schedules A and B hereto annexed.

These rates (when levied by railway officers as an addition to the freight) shall be levied on the same quantities and subject to the same conditions as those on and under which the freight is charged by the Railway Company.

43. Salt shall not be booked for stations in the Central Provinces from the Bombay, Baroda and Central India Railway, except at the Kharaghora, Bhynder and Bassein stations.

Booking-stations for salt on the Bombay, Baroda and Central India Railway.

44. The weighments of salt booked at these three stations and at stations on the Great Indian Peninsula line for stations in the Central Provinces shall be conducted by Customs officers, who shall keep for each booking-station a register of all salt so booked.

Weighments of salt at these and other booking-stations.

45. No salt shall be loaded into a railway wagon for despatch to any station in the Central Provinces until the entry referring to it has been made in the register by the Customs officer and signed by the Station-master.

Salt to be registered before loading on railway wagon.

46. Rule forty-five shall not apply to salt booked from Kharaghora, the duty on which shall be levied by the Bombay Customs officer at Kharaghora before the salt is despatched.

Rule 45 not to apply in certain cases.

47. Excesses of salt discovered at the delivery-station over the quantity booked for despatch and entered in the register shall be dealt with as excesses at trade-posts on the Customs line.

Treatment of excess delivered over quantity booked.

CHAPTER II.

OF THE MANUFACTURE OF SALT.

48. No salt shall be manufactured in any part of the territories mentioned in the third clause of section one of the Act, except—

Where salt may be manufactured.

(*a*) in such portion of the said territories as lies on the right bank of the Indus;

(*b*) in saltpetre refineries as provided in chapter III;

(*c*) in the mahâls mentioned in rule forty-nine.

49. The manufacture of salt is authorized subject to the conditions, next hereinafter prescribed, in the following *mahâls*, that is to say:—

Mahâls in which manufacture of salt is authorized.

In the Gurgaon district.—The *Noh* mahâl, comprising the villages of Noh, Firozpur, Salaheri, Salambha, Kherla, Untka Bans, Mâlâb, Fazilpur and Bari.

In the Gurgaon and Rohtak districts.—The *Sultânpur* mahâl, comprising the villages of Sultânpur, Sayyadpur, Mahmudpur, Balpur, Sadhrana, Kaliâbâs, Mobarikpur, Basirpur, Zâhidpur and Sailana.

50. On all salt manufactured in either of the said mahâls there shall be levied a duty of rupees three per maund of 3,200 tolas.

Duty on salt manufactured.

51. Any person wishing to manufacture salt in the said mahâls may apply to the Collector of Customs for a license.

Application for license to manufacture salt.

In case of refusal an appeal shall lie to the Commissioner of Inland Customs, whose orders shall be final.

The license shall be in the form given in schedule C hereto annexed.

52. The manufacture of salt, and the storage and sale of the salt manufactured shall be carried on in conformity with the conditions of the license, and under the personal supervision of the Inland Customs establishment.

Manufacture, storage and sale of salt.

53. No salt shall be removed from the place of manufacture (or after storage from the place of storage) to any other place in the mahâl in which it has been manufactured, except under the written authority of the Inland Customs officer in charge of the works, and all salt removed under such authority shall be measured or weighed previous to removal in the presence of one or more peons of the Inland Customs Department.

Removal of salt from factory or store-house.

54. No salt shall be removed from the area of the mahâl in which it has been manufactured, unless covered by a *rawanna* certifying that the duty of rupees three per maund has been paid on it.

Removal from limits of mahâl.

55. Previous to removal from the mahâl the salt shall be re-weighed in the presence of the Inland Customs officer in charge of the works in the same manner as salt is required to be weighed at a trade-post on the Customs line, and the rules for the passing of dutiable goods on such line shall be applicable to the passing of such salt.

Re-weighment before removal.

Rules for passing.

56. The Commissioner of Inland Customs may sanction an abatement for dryage of the salt not exceeding five per cent.

Abatement for dryage.

57. Licenses may be cancelled by the Collector, giving one month's notice, or on the application of the licensee.

Cancelment of licenses.

In the case of cancelment of license for infringement of its conditions, no notice shall be necessary.

58. Within the limits of the mahâls mentioned in rule forty-nine, no person shall have salt exceeding one ser in weight in his possession, or shall sell any salt without a license from the Collectorof Customs.

Possession and sale of salt within limits of mahâls.

59. Nothing contained in this chapter shall apply to the manufacture of salt by or on behalf of the Government.

This chapter not to apply to manufacture by Government.

CHAPTER III.

OF THE MANUFACTURE AND REFINEMENT OF SALTPETRE AND THE EDUCTION OF SALT THEREFROM.

60. No substance included under the term 'saltpetre' in section three of the Act shall be manufactured or refined, and no salt shall be educed therefrom, except under and in accordance with the conditions of a license as hereinafter prescribed.

Manufacture and refinement of saltpetre to be under license.

61. Applications for licenses shall be made to the Inland Customs Inspector in charge of the circle in which the works are situated, who may grant the application on receipt of the prescribed license-fee.

Application for license.

In case of refusal, an appeal shall lie to the Assistant Commissioner of Inland Customs, and from his orders to the Commissioner of Inland Customs, whose decision shall be final.

Appeal from refusal.

62. No license shall be granted for the manufacture of crude saltpetre, or any of the other substances included under the term 'saltpetre' in the Act, unless the licensing officer is satisfied that the soil in the vicinity of the place of manufacture and the soil from which the said crude saltpetre or other substance is to be produced does not contain such a percentage of chloride of sodium as to render the manufacture a source of danger to the salt-revenue, and unless the works are so situated that they can, without difficulty, be supervised by the Inland Customs Department.

Condition precedent to issue of license for manufacture of crude saltpetre, &c.

63. As a general rule no refinery shall be licensed until the parties applying have satisfied the licensing officer that they are prepared to produce within the period of the license not less than two hundred maunds of refined saltpetre.

Conditions precedent to issue of license for refinery.

64. No refinery shall be licensed until the parties applying have satisfied the licensing officer that the refinery buildings and premises are so constructed and surrounded by a wall as to afford full security for the levy of the duty on salt educed therein.

Same continued.

65. The following fees shall be levied in prepayment for licenses for each description of works:—

Fees for licenses.

	Rs.
For the manufacture and refining of saltpetre, including the eduction of salt therefrom	50
For the manufacture of sulphate of soda (khárí)	10
For the manufacture of any other substance included under the term 'saltpetre' in section three of the Act ...	2

66. The license for the manufacture of crude saltpetre, or other substance included in the term 'saltpetre' in the Act, to be granted to persons not licensed to refine the saltpetre or educe salt, shall be in the form given in schedule D hereto annexed.

Form of license for manufacture of crude saltpetre.

67. The license for the manufacture and refinement of saltpetre and for the eduction of salt therefrom shall be in the form given in schedule E, or, when a composition is fixed under rule seventy-six, in that given in schedule F hereto annexed.

Form of license for refinement of saltpetre and eduction of salt.

68. The Inspector granting a license under this chapter may add any further conditions to the license which appear to him necessary for the protection of the Government revenue. If the applicant is dissatisfied, an appeal shall lie as provided in rule sixty-one.

Further conditions in license.

69. All licenses granted under this chapter shall be for a period ending on or before the 31st July following the date of their issue, and shall on expiry be returned to the Inspector.

Date of expiry of licenses.

70. Duplicates of licenses lost or destroyed during the period of their currency may be obtained on payment of one-quarter of the original license-fee.

Issue of duplicates of licenses lost or destroyed.

71. Any licensee shall produce his license for inspection when called upon to do so by any officer of the Inland Customs Department not below the rank of Sub-Inspector or subordinate deputed by him for the purpose.

Obligation to produce license.

72. All licensed works and all premises connected therewith shall be open at all times by day or night to the inspection of any such officer or subordinate deputed by him for the purpose.

Licensed works to be open to inspection.

73. All diaries, registers, books of account, and the like connected with the business of licensed works shall at all times be open to the inspection of any such officer or of any subordinate deputed by him for the purpose.

Books and accounts to be open to inspection.

74. On all salt educed in the manufacture or refinement of saltpetre there shall be levied a duty of rupees three per maund of 3,200 tolas.

Duty on salt educed in refining.

All such salt shall, except as provided in rule seventy-six, be daily weighed and placed in a bonded store-house, under lock and key, which key shall remain in possession of the Customs officer attached to the refinery.

Weighment, storage and custody of salt educed.

It shall be in the discretion of the Inspector or Sub-Inspector from time to time to cause such salt to be weighed in his presence and removed from the bonded store-house. The licensee shall within twenty-four hours subsequent to such weighment and before the removal of the salt pay the duty leviable thereon.

75. When salt has thus been weighed and the duty paid, it shall, with all possible despatch, be removed to a distance of more than one hundred yards from any part of the refinery-premises under a pass signed by the said Inspector or Sub-Inspector.

Removal from premises.

The pass shall be current for such period, not exceeding twenty-four hours, as may be deemed necessary for the removal of the salt.

Pass.

A pass shall not be granted for a less quantity than twenty maunds, except for the purpose of emptying the store-house.

Quantity for which pass may be granted.

76. The Assistant Commissioner of Inland Customs may, subject to the control of the Commissioner, sanction the payment, by the owner of a refinery, of a compositionfor the duty on all salt educed and imported during any one year.

Composition for duty.

In this case no interference will be exercised on the removal of the salt, except in accordance with the terms of the license.

77. Except as hereinbefore provided, or with the permission of the Assistant Commissioner of Inland Customs, no person shall possess any salt at any place within the limits of, or within one hundred yards from the nearest point of, any saltpetre manufactory or refinery and its appurtenances.

Possession of salt within manufactory limits.

78. If any work licensed under this chapter ceases during the period of the license to carry on effective working, the licensing officer may close such work, and suspend the license until the licensee is prepared to resume effective working.

Suspension of license if work ceases.

CHAPTER IV.

OF THE POSSESSION AND SALE OF SALT IN THE VICINITY OF THE SIND-SAGAR AND KALABAGH MINES.

79. The area defined for the purposes of section ten, clause (*f*) of the Act, round each mine or salt-bed of the Sind-Sagár Doab and of Kalabagh shall extend to a distance of ten miles from the boundary of such mine or bed on all sides, except that it shall not include any territory lying on the left bank of the Jhelum.

"Protected areas."

Such an area is hereinafter termed a "protected area."

80. No person shall possess any salt within a protected area unless accompanied by a *rawanna* or certificate covering the same, as hereinafter provided. This rule does not apply to the possession on the right bank of the Indus of gray salt the produce of the Kohat and Banu districts.

Possession of salt within such areas.

81. Any person wishing to purchase salt from the mines shall first pay the price into any such Government treasury or tahsíl as the Local Government may from time to time appoint, and shall receive in return a *dákhila* or receipt.

Issue of *dákhila* to purchaser of salt.

82. He shall present the *dákhila* with a written requisition or *darkhást* to the Collector of Inland Customs of the Panjáb mines division, and the Collector shall thereupon grant a *rawanna* signed by himself and sealed in his presence.

Presentation of *dákhila* with *darkhást*.

Grant of *rawanna*.

83. The *rawanna* shall be current and valid for such period not being less than five days or more than six weeks, as the Commissioner of Inland Customs may from time to time prescribe.

Period of currency of *rawanna*.

But when a *rawanna* is presented at the mines and the salt is ready for delivery and is tendered to the holder more than seven days previous to the expiry of such period, such *rawanna* shall cease to be valid on the expiry of seven days from the date on which the salt has been tendered, unless the officer of the store by an order endorsed upon it allows it to run on for its full period or any portion thereof.

The period of currency shall count from the day on which the *rawanna* is delivered to the applicant, that day being included and being noted on the face of the *rawanna*.

84. The Commissioner of Inland Customs may from time to time make rules to limit the number of *rawannas* with reference to the quantity of salt to be delivered to any person at one time, and may fix the *minimum* quantity of salt to be covered by a single *rawanna*.

Limitation of number of *rawannas*

85. On a *rawanna* being presented at the mines and salt being issued thereunder, the Patrol, or Assistant Patrol, before allowing such salt to leave the store, shall ascertain that such *rawanna* is still in force and covers the amount of salt being issued; and shall then endorse such *rawanna* and return it to the purchaser.

Examination and endorsement of *rawanna* at the mines.

86. When on the application of a purchaser salt is got ready for delivery and is tendered to him, he shall remove it that same day to a distance of at least one mile from the store, unless the officer in charge of the store by an order endorsed on the *rawanna* permits him to keep it within a shorter distance.

Removal of salt delivered to purchaser.

87. If a purchaser desires to divide the despatch of goods covered by the *rawanna*, he shall apply to the Collector who issued the *rawanna*, and the Collector shall issue as many partition or *atráfi rawannas* as may be required, and cancel and resume the original *rawanna*.

Divisions of goods under despatch.

88. If anything occurs to prevent the purchaser taking delivery of the salt at the mines in time to remove it from the protected area before the expiry of his *rawanna*, the Collector may in his discretion, but subject to such restrictions as the Commissioner of Inland Customs may from time to time impose, renew such *rawanna* at any time not more than six months from the date of original issue. If application for renewal is made later than one week before the expiration of the original *rawanna*, it shall be complied with only on the applicant paying a fee of one-twentieth of the price originally paid.

Renewal of *rawanna*.

The currency of the fresh *rawanna* shall not exceed the limits prescribed under rule eighty-three.

89. If renewal be required in respect of a portion only of the goods, partition *rawannas* must be issued, as provided in rule eighty-seven.

Renewal in respect of a portion of the goods.

90. Applications for renewal except as provided in rules eighty-eight and eighty-nine, shall be forwarded for the orders of the Commissioner of Inland Customs, who may, to protect traders from unmerited loss, authorize such further renewals as he may deem fit.

Further renewal.

91. The deposit of salt for retail sale to the people inhabiting a protected area may, subject to any conditions prescribed by the Commissioner of Inland Customs, be permitted at any place within the limits of such area approved of by the Collector. The *rawanna* designed to cover such deposit shall be endorsed by the Collector for that purpose, and shall remain in force for a period not exceeding four months.

Deposit of salt for retail within the protected area.

92. Every person retailing salt under such a *rawanna* shall keep a register of sales daily written up, and shall give to each purchaser a certificate stating the date of sale, the name of such purchaser, and the quantity purchased.

Procedure in retailing salt.

93. A certificate given under rule ninety-two shall cover the salt sold under it while in the possession of the purchaser as if it were a *rawanna*.

Effect of certificate of retail sale.

94. When a *rawanna* is lost or destroyed, the person to whom it was granted may make application to the Collector for a duplicate, and with his application shall deposit with the Collector an amount equivalent to that paid for the original *rawanna*, *plus* five per cent. on the same as a fee. The Collector may thereupon grant a duplicate *rawanna*.

Grant of duplicates of lost *rawannas*.

On the expiry of the currency of the original *rawanna*, if it has not been utilised, the amount paid for such *rawanna* shall be refunded. The extra five per cent. shall be retained and credited to Government, unless the Collector thinks fit to refund the whole or any portion of it.

95. When any salt is stopped for examination within the protected area by a Customs officer, the *rawanna* covering the despatch shall be presented by the trader or his agent to such officer, who will satisfy himself that it is a genuine document, and that its currency has not expired, and may then proceed to examine and superintend the weighment of the despatch.

Procedure on stoppage for examination.

He may weigh at the Government scales either the entire despatch or such proportion of it as may be prescribed from time to time by rules to be issued by the Commissioner of Inland Customs.

96. If only a portion of the despatch is weighed, and any excess is found over the quantities in the *rawanna*, the weight of the whole despatch may unless the trader objects, be calculated proportionately.

Procedure on excess being found on partial weighment.

97. If on weighment of the salt it is found to exceed the quantity entered in the *rawanna*, the following practice shall, as a general rule, be observed by the officer in charge of the post:—

Procedure and penalties in case of excess found on weighment.

(*a*) If the excess is not more than one per cent., he shall allow the despatch to pass:

(*b*) If the excess is more than one and not more than five per cent., he shall, on submitting his report under section 21 of the Act, recommend that the despatch be released on the trader paying a sum equal to double the Government price of the excess:

(*c*) If the excess is more than five per cent. or, in any case, if there be reason to suspect fraud, he shall recommend confiscation.

CHAPTER V.

OF THE SEIZURE, DISPOSAL OR DESTRUCTION OF THINGS LIABLE TO BE SEIZED OR DESTROYED UNDER THE ACT.

98. When anything is seized and detained under the Act or the rules made under the Act, it shall not be released until all duty, penalties and charges due on account thereof have been paid by the owner to the Inland Customs officer who is in possession of such thing.

Release of things seized or reported for confiscation.

If the thing is reported for confiscation, it shall not be released unless orders for the release are received from competent authority.

99. If an animal is so seized and detained, the owner shall provide for its due care and keep, in default of which the animal may be sold to defray charges.

Provision for keep of animals seized.

100. If orders are received from competent authority for the release of anything seized and detained, and no duty or penalty is payable in respect of such thing, it shall at once be given up to the owner or his agent, on his paying all charges incurred.

Procedure on receipt of order for release where no duty or penalty is payable.

101. Should no one be present to receive the thing released, the officer of Inland Customs in charge shall do his best to give notice to the owner of the order of release, and shall cause a similar notice to be affixed on the Customs-premises and at the Collector's office.

Notice to absent owner.

If within two calendar months from the date of the notice no person entitled to receive the thing claims it and pay all charges incurred, it shall be sold, and the proceeds placed in deposit.

Sale of things unclaimed.

After a further period of two calendar months the money shall be forfeited to Her Majesty.

Lapse of proceeds to Government.

102. If any duty is leviable, or penalty is imposed by competent authority, in respect of the thing seized, unless such duty or penalty, together with all charges incurred, be paid within three days of the receipt of the orders of competent authority for release subject to such payment, the thing shall be sold, and from the proceeds, the duty, penalty and charges shall be deducted, and the balance made over to the owner or his agent.

Procedure where any duty or penalty is payable.

Should no one be present to receive the money, notice, as under rule one hundred and one, shall be given, the money being kept in deposit for two calendar months.

Notice to owner of surplus proceeds of sale.

If not claimed within this period, it shall be forfeited to Her Majesty.

Lapse to Government.

103. When orders are received from competent authority for the confiscation of anything seized and detained, it shall, with all convenient despatch, be sold or destroyed as the Collector of Inland Customs may direct.

Sale or destruction of things confiscated.

If dutiable goods are so sold, and the importation or exportation of such goods is not prohibited, no duty shall be charged on their being imported or exported by the purchaser.

Permission to import or export dutiable goods so sold.

104. When a Magistrate orders the confiscation of works, materials or implements, under section eleven of the Act, they shall be sold or destroyed by dismantling or otherwise under the orders of the Collector of Inland Customs.

Sale or destruction of works and materials confiscated.

CHAPTER VI.

SUBSIDIARY RULES.

105. The Commissioner of Inland Customs may make subsidiary rules and prescribe all forms necessary for the administration of the Act and these rules.

Power to make subsidiary rules and prescribe forms.

SCHEDULE A.—(*See Rule 42.*)

Schedule of Inland Customs Duty per maund of Salt despatched to Stations in the Central Provinces on the Jabalpur Branch of the Great Indian Peninsula Railway.

FROM	TO	Burkhanpur.	Chándní.	Mándwa.	Dongargáon.	Khandwa, or Holkar State Railway.	Jáwar.	Bír.	Harsúd.	Khirkiáa.	Bhiringí.	Harda.	Timarní.	Pagdhal.	Sioní.	Dharam-Kundí.	Deolería.	Itárs.	Rampur.	Bagra.	Semrí.	Sohágpur.	Pipária.	Bankheri.	Babái.	Gidawára.	Sihora, late Bohaní.	Karelí.	Narsingpur.	Karak-Bel.	Chindwára.	Shahpura.	Mirgani.	Jubalpur or beyond.
		A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	Rs. A. P.	Rs. A. P.
River and all stations west of River		0 9	1 6	1 11	2 5	3	3 10	4 6	5 5	5 10	6 4	6 11	7 6	7 11	8 6	8 9	9 3	9 8	10 1	10 8	11 2	11 7	12 2	12 11	13 5	13 13	14 5	14 14	15 7	15 15	1 0 1	1 0 9	1 1 3	1 2 0	1 2 8
	Burhánpur	...	0 8	1 2	1 8	2	3 1	3 9	4 5	5 1	5 7	6 3	6 9	7 3	7 9	8 1	8 7	9 1	9 7	10 1	10 7	11 1	11 7	12 1	12 7	13 1	13 7	14 1	14 7	15 1	1 0 1	1 0 8	1 1 3	1 1 11
	Chándní	...	0 6	1 0	1 6	1 10	2 5	3 1	3 8	4 5	4 10	5 7	6 0	6 6	7 1	7 6	8 0	8 5	8 10	9 4	9 9	10 3	10 8	11 2	11 7	12 1	12 6	13 0	13 5	14 0	14 4	14 10	15 5	15 11	1 0 6
	Mándwa *	...	0 6	1 0	1 4	1 11	2 7	3 3	3 9	4 5	5 1	5 7	6 1	6 7	7 1	7 7	8 1	8 7	9 1	9 7	10 1	10 7	11 1	11 7	12 1	12 7	13 1	13 7	14 1	14 7	15 1	15 7	1 0 1	1 0 7	1 1 1
	Dongargáon	...	0	11	1 6	2 1	2 10	3 5	3 11	4 5	4 11	5 5	5 11	6 5	6 11	7 5	7 11	8 5	8 11	9 5	9 11	10 5	10 11	11 5	11 11	12 5	12 11	13 5	13 11	14 5	14 11	15 5	15 11	1 0 5	1 1 0
	Khandwa	...	0 7		1 3	1 11	2 7	3 0	3 6	4 2	4 8	5 4	5 10	6 4	6 10	7 4	7 10	8 4	8 10	9 4	9 10	10 4	10 10	11 4	11 10	12 4	12 10	13 4	13 10	14 4	14 10	15 4	15 10	1 0 4	1 0 10
	Jáwar	...	0 8		1 5	2 0	2 5	3 2	3 8	4 4	4 10	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6	1 2 0
	Bír	...	0 8		1 4	1 10	2 6	3 2	3 7	4 3	4 9	5 5	6 0	6 6	7 1	7 7	8 2	8 8	9 3	9 9	10 4	10 10	11 5	12 0	12 6	13 1	13 7	14 2	14 8	15 3	15 9	1 0 4	1 0 10	1 1 5	1 1 11
	Harsúd	...	0 8		1 4	1 10	2 6	3 2	3 7	4 3	4 9	5 5	6 0	6 6	7 1	7 7	8 2	8 8	9 3	9 9	10 4	10 10	11 5	12 0	12 6	13 1	13 7	14 2	14 8	15 3	15 9	1 0 4	1 0 10	1 1 5	1 1 11
	Khirkiáa	...	0 8		1 2	1 8	2 3	2 11	3 5	4 1	4 7	5 2	5 8	6 3	6 9	7 4	7 10	8 5	8 11	9 6	10 1	10 7	11 2	11 8	12 3	12 9	13 4	13 10	14 5	15 0	15 6	1 0 1	1 0 7	1 1 2	1 1 8
	Bhiringí	...	0 6		1 1	1 7	2 1	2 8	3 2	3 8	4 3	4 9	5 4	5 10	6 5	6 11	7 6	8 1	8 7	9 2	9 8	10 3	10 9	11 4	11 10	12 5	13 0	13 6	14 1	14 7	15 2	15 8	1 0 3	1 0 9	1 1 4
	Harda	...	0 6		1 0	1 6	2 0	2 6	3 1	3 7	4 2	4 8	5 3	5 9	6 4	6 10	7 5	8 0	8 6	9 1	9 7	10 2	10 8	11 3	11 9	12 4	13 0	13 5	14 0	14 6	15 1	15 7	1 0 2	1 0 8	1 1 3
	Timarní	...	0 6		1 0	1 6	2 0	2 6	3 1	3 7	4 2	4 8	5 3	5 9	6 4	6 10	7 5	8 0	8 6	9 1	9 7	10 2	10 8	11 3	11 9	12 4	13 0	13 5	14 0	14 6	15 1	15 7	1 0 2	1 0 8	1 1 3
	Pagdhal	...	0 6		1 0	1 6	2 0	2 6	3 1	3 7	4 2	4 8	5 3	5 9	6 4	6 10	7 5	8 0	8 6	9 1	9 7	10 2	10 8	11 3	11 9	12 4	13 0	13 5	14 0	14 6	15 1	15 7	1 0 2	1 0 8	1 1 3
	Sioní	...	0 7		1 1	1 7	2 1	2 8	3 2	3 8	4 3	4 9	5 4	5 10	6 5	6 11	7 6	8 1	8 7	9 2	9 8	10 3	10 9	11 4	11 10	12 5	13 0	13 6	14 1	14 7	15 2	15 8	1 0 3	1 0 9	1 1 4
	Dharam-Kundí	...	0 4		0 10	1 4	1 10	2 4	2 10	3 4	3 10	4 4	4 10	5 4	5 10	6 4	6 10	7 4	7 10	8 4	8 10	9 4	9 10	10 4	10 10	11 4	11 10	12 4	12 10	13 4	13 10	14 4	14 10	15 4	15 10
	Deolería	...	0 6		1 0	1 6	2 0	2 6	3 1	3 7	4 2	4 8	5 3	5 9	6 4	6 10	7 5	8 0	8 6	9 1	9 7	10 2	10 8	11 3	11 9	12 4	13 0	13 5	14 0	14 6	15 1	15 7	1 0 2	1 0 8	1 1 3
	Itárs	...	0 6		1 0	1 6	2 0	2 6	3 1	3 7	4 2	4 8	5 3	5 9	6 4	6 10	7 5	8 0	8 6	9 1	9 7	10 2	10 8	11 3	11 9	12 4	13 0	13 5	14 0	14 6	15 1	15 7	1 0 2	1 0 8	1 1 3
	Rampur	...	0 5		1 0	1 6	1 10	2 5	3 0	3 6	4 1	4 7	5 2	5 8	6 3	6 9	7 4	7 10	8 5	9 0	9 6	10 1	10 7	11 2	11 8	12 3	12 9	13 4	13 10	14 5	15 0	15 6	1 0 1	1 0 7	1 1 2
	Bagra	...	0 7		1 1	1 6	2 1	2 6	3 2	3 8	4 3	4 9	5 4	5 10	6 5	6 11	7 6	8 1	8 7	9 2	9 8	10 3	10 9	11 4	11 10	12 5	13 0	13 6	14 1	14 7	15 2	15 8	1 0 3	1 0 9	1 1 4
	Semrí	...	0 6		0 11	1 6	2 1	2 8	3 2	3 8	4 3	4 9	5 4	5 10	6 5	6 11	7 6	8 1	8 7	9 2	9 8	10 3	10 9	11 4	11 10	12 5	13 0	13 6	14 1	14 7	15 2	15 8	1 0 3	1 0 9	1 1 4
	Sohágpur	...	0 5		1 1	1 6	2 3	2 11	3 7	4 2	4 8	5 3	5 9	6 4	6 11	7 5	8 0	8 6	9 1	9 7	10 2	10 8	11 3	11 9	12 4	13 0	13 5	14 0	14 6	15 1	15 7	1 0 2	1 0 8	1 1 3	1 1 9
	Pipária	...	0 8		1 1	1 6	2 1	2 8	3 2	3 8	4 3	4 9	5 4	5 10	6 5	6 11	7 6	8 1	8 7	9 2	9 8	10 3	10 9	11 4	11 10	12 5	13 0	13 6	14 1	14 7	15 2	15 8	1 0 3	1 0 9	1 1 4
	Bankheri	...	0 9		1 3	1 10	2 4	2 10	3 5	4 0	4 6	5 1	5 7	6 2	6 8	7 3	7 9	8 4	8 10	9 5	10 0	10 6	11 1	11 7	12 2	12 8	13 3	13 9	14 4	14 10	15 5	15 11	1 0 6	1 1 0	1 1 5
	Babái	...	0 7		1 2	1 8	2 3	2 9	3 4	3 10	4 5	5 0	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6
	Gidawára	...	0 7		1 2	1 8	2 3	2 9	3 4	3 10	4 5	5 0	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6
	Sihora, late Bohaní	...	0 6	1 1	1 8	2 3	2 9	3 4	3 10	4 5	5 0	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6	1 2 0
	Karelí	...	0 7	1 3	1 8	2 3	2 9	3 4	3 10	4 5	5 0	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6	1 2 0
	Narsingpur	...	0 8		1 2	1 8	2 3	2 9	3 4	3 10	4 5	5 0	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6	1 2 0
	Karak-Bel	...	0 6		1 2	1 8	2 3	2 9	3 4	3 10	4 5	5 0	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6	1 2 0
	Chindwára	...	0 8		1 2	1 8	2 3	2 9	3 4	3 10	4 5	5 0	5 6	6 1	6 7	7 2	7 8	8 3	8 9	9 4	9 10	10 5	11 0	11 6	12 1	12 7	13 2	13 8	14 3	14 9	15 4	15 10	1 0 5	1 0 11	1 1 6	1 2 0
	Shahpura	...	0 10		1 5	1 11	2 7	3 2	3 8	4 3	4 9	5 4	5 10	6 5	6 11	7 6	8 1	8 7	9 2	9 8	10 3	10 9	11 4	11 10	12 5	13 0	13 6	14 1	14 7	15 2	15 8	1 0 3	1 0 9	1 1 4	1 1 10
	Mirgani	...	0 7		1 0	1 6	2 1	2 7	3 1	3 8	4 3	4 8	5 3	5 10	6 4	6 10	7 5	8 0	8 6	9 1	9 7	10 2	10 8	11 3	11 9	12 4	13 0	13 5	14 0	14 6	15 1	15 7	1 0 2	1 0 8	1 1 3	1 1 9

Note.—If the duty on any despatch of salt includes a fraction of an anna, such fraction, if less than half an anna, will be remitted, and if equal to or exceeding half an anna, will be taken as one anna.

SCHEDULE B.—(*See Rule* 42.)

Schedule of Inland Customs Duty per maund of Salt despatched to Stations in the Central Provinces on the Nágpur Branch of the Great Indian Peninsula Railway.

FROM	TO	Phulgáon, late Kowtah.	Daigáon.	Wardha or Branch.	Paunar.	Sindi.	Bori.	Nágpur.
		A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.
Nargaon and all stations west of Nargaon		7 11	8 5	8 10	9 3	9 10	10 5	11 3
Khankir		7 7	8 1	8 6	8 11	9 6	10 1	10 11
Malkapur		7 4	7 10	8 2	8 8	9 2	9 10	10 8
Biswa		6 10	7 4	7 10	8 2	8 9	9 4	10 2
Nandura, late Neemagáon		6 5	6 11	7 4	7 10	8 4	8 11	9 10
Shegáon		5 8	6 2	6 7	7 0	7 7	8 2	9 0
Páras		5 2	5 8	6 1	6 6	7 1	7 8	8 6
Akola		4 6	5 0	5 5	5 10	6 5	7 1	7 10
Borgáon		3 11	4 5	4 10	5 4	5 10	6 5	7 4
Murtizapur		3 4	3 10	4 3	4 8	5 3	5 10	6
Mohona		2 11	3 5	3 11	4 4	4 11	5 6	6 4
Kuran		2 7	3 1	3 6	3 11	4 6	5 1	5 11
Chundur		1 2	1 8	2 1	2 6	3 1	3 8	4 6
Dámangáon		0 8	1 1	1 7	2 0	2 7	3 2	4 0
	Phulgáon, late Kowtah ..	0 6	0 11	1 5	1 11	2 7	3 5	
	Daigáon ..		0 5	0 11	1 5	2 1	2 11	
	Wardha, or Branch ..			0 5	1 0	1 7	2 5	
	Paunar ..				0 7	1 2	2 0	
	Sindi ..					0 8	1 5	
	Bori ...						0 10	

Note.—If the duty on any despatch of salt includ action of an anna, such fraction, if less than half an anna, will be remitted, and if equal to or exceeding half an anna, will be taken as one anna.

SCHEDULE C.—(*See Rule* 51.)

FORM OF LICENSE TO MANUFACTURE SALT.

License to manufacture, store and sell salt at in the district of

is hereby granted to (*here mention names of licensees and their agents, if any*) under the following conditions, the infraction of any of which shall involve penalties under Act VIII of 1875, and the suspension or cancelment of this license:—

1*st.*—That the rules prescribed by the Governor General in Council under the said Act, and any subsidiary rules which may be issued by the Commissioner of Inland Customs, shall be strictly observed by the licensee, his agents and servants.

2*nd.*—That none but good salt capable, in the judgment of the Inland Customs officer in charge of the works, of bearing the Government duty of rupees three per maund shall be manufactured. All inferior salt shall be thrown back for redissolution in the salt-wells or pans in the presence of such officer.

3*rd.*—That a penalty of rupees six per maund shall be paid by the licensee for all salt stolen or made away with, either from the place of manufacture or storage, whether with or without his knowledge, and that, until such penalty be paid, the licensee shall not sell or remove any salt from the place of manufacture or of storage.

4*th.*—That the licensee shall maintain such number of chaukídárs or watchmen to guard his salt as may be deemed necessary by the said officer.

5*th.*—That salt shall be manufactured and stored at no places other than those designated in the sketch-map attached to this license, without the consent in writing of the Collector of Customs.

This license shall have effect from the date hereof until cancelled.

DISTRICT
Dated } *Collector of Inland Customs.*

SCHEDULE D.—(*See Rule* 66.)

FORM OF LICENSE TO MANUFACTURE CRUDE SALTPETRE, &c.

License to manufacture (*here mention the substance*) at in the district of is hereby granted to (*here name licensees and their agents, if any*) under the following conditions, the infraction of any of which shall involve penalties under Act VIII of 1875, and the suspension or cancelment of this license:—

1*st.*—That the rules prescribed by the Governor General in Council under the said Act, and any subsidiary rules which may be issued by the Commissioner of Inland Customs, shall be strictly observed by the licensee, his agents and servants.

2*nd.*—That the licensee shall not separate any salt from the materials used or from the (*here mention the substance for which the license is granted*) manufactured by him or manufacture any other saline substance but that for which this license is granted [*add in the licenses for crude saltpetre*, or use any process for refining the same].

3*rd.*—That the plant specified below shall not be altered, or the locality of the works changed, without the written sanction of the Inspector of Inland Customs.

The works for which this license is granted contain the following plant (*here specify the details of the plant*), and the approximate amount of to be manufactured within the period of the license is maunds.

This license shall have effect from the date hereof to the 18 .

CIRCLE
DISTRICT
Dated } *Inspr., Inland Customs.*

SCHEDULE E.—(*See Rule* 67.)

FORM OF LICENSE TO MANUFACTURE AND REFINE SALTPETRE AND EDUCE SALT THEREFROM.

License to manufacture and to refine saltpetre, and to separate and purify salt educed therefrom, at in the district of , is hereby granted to (*here mention names of licensees and their agents, if any*) under the following conditions, the infraction of any of which shall involve penalties under Act VIII of 1875, and the suspension or cancelment of this license:—

1*st.*—That the rules prescribed by the Governor General in Council under the said Act, and any subsidiary rules which may be issued by the Commissioner of Inland Customs, shall be strictly observed by the licensee and his agents and servants.

2*nd.*—That the refinery buildings and surrounding walls shall be kept in good repair to the satisfaction of the Inspector of Inland Customs, and so as to afford full security for the Government revenue.

3*rd.*—That the number of pans and boilers specified below shall not be altered without the written sanction of the Inspector of Inland Customs.

4*th.*—That the licensee shall maintain a daily register showing the quantity of crude saltpetre purchased or manufactured, of the saltpetre refined therefrom, and of the salt educed, and of the quantities of any of these substances which may be sold and removed from the refinery.

5*th.*—That the licensee shall not bring into the refinery any saline substance except the following, that is to say:—

(*a*) crude saltpetre containing less than per cent., or

(*b*) nitrous earth containing less than per cent. of chloride of sodium.

6*th.*—That no saline substance shall be removed from the refinery except refined saltpetre, or salt educed therefrom, except under the written sanction of the Inspector, Inland Customs, and on payment, in excess of the sums mentioned in this license, of rupees three per maund of such substance.

The refinery for which this license is granted contains pans and boilers, and the approximate amount of saltpetre intended to be refined during the period of the license is maunds.

This license shall have effect from the date hereof to the 18 .

CIRCLE
DISTRICT
Dated } *Inspr., Inland Customs.*

SCHEDULE F.—(*See Rule* 67.)

FORM OF LICENSE TO MANUFACTURE AND REFINE SALTPETRE AND EDUCE SALT THEREFROM UNDER A COMPOSITION.

License to manufacture and refine saltpetre, and to separate and purify salt educed therefrom, at in the district of , is hereby granted (*here mention names of licensees and their agents, if any*) under the following conditions, the infraction of any of which shall involve penalties under Act VIII of 1875, and the suspension or cancelment of this license:—

1*st.*—That the rules prescribed by the Governor General in Council under the said Act, and any subsidiary rules which may be issued by the Commissioner of Inland Customs, shall be strictly observed by the licensee and his agents and servants.

2*nd.*—That the refinery buildings and surrounding walls shall be kept in good repair to the satisfaction of the Inspector of Inland Customs, and so as to afford full security for the Government revenue.

3*rd.*—That the number of pans and boilers specified below shall not be altered without the written sanction of the Inspector of Inland Customs.

4*th.*—That the licensee shall maintain a daily register showing the quantity of crude saltpetre purchased or manufactured, of the saltpetre refined therefrom, and of the salt educed, and of the quantities of any of these substances which may be sold and removed from the refinery.

5th.—That the licensee shall pay Rs. in the following instalments:—

Rs.	on the	18 .
Do.	on the	18 .
Do.	on the	18 .
Do.	on the	18 .

6th.—That the licensee shall produce no salt except such as may be educed from the crude saltpetre brought into or manufactured in the refinery.

7th.—That the licensee shall inform the Inspector when the quantity of saltpetre mentioned below as the approximate quantity to be refined within the period of the license has been completed, after which no more saltpetre shall be refined except on the payment of such further sum and in such instalments as may be agreed upon by the licensee and the Inspector, the same to be endorsed on this license.

8th.—That the licensee, in case of the cancelment of this license, shall pay up all dues to the date of cancelment, and shall have no claim to any refund of money which may have been paid by him under this license.

9th.—That the licensee shall not bring into the refinery any saline substance except the following, that is to say:—

(*a*) crude saltpetre containing less than per cent., or

(*b*) nitrous earth containing less than per cent. of chloride of sodium.

10th.—That no saline substance shall be removed from the refinery except refined saltpetre, or salt educed therefrom, except under the written sanction of the Inspector, Inland Customs, and on payment, in excess of the sums mentioned in this license, of rupees three per maund of such substance.

The refinery for which this license is granted contains pans and boilers, and the approximate amount of saltpetre intended to be refined during the period of the license is maunds.

This license shall have effect from the date hereof to the 18 .

CIRCLE
DISTRICT
Dated

Inspector,
Inland Customs.

STATISTICS.

The 23rd June 1876.

***No.* 869.—It is hereby notified, for General information and guidance, that the spelling of the names of the more important places in Bengal has been fixed by the Lieutenant-Governor and approved by the Government of India as shown in the list given below, and this spelling should be strictly adhered to in future:—**

LIST SHOWING THE SPELLING OF THE MORE NOTEWORTHY PLACES, TOWNS, RIVERS, &c., IN BENGAL.

Names which have acquired a fixed spelling.

Atcheepore.	Begoo Serai.	Comillah.	Hazáribágh.
Adjai.	Behar.	Contai.	Himalaya.
Alipore.	Behea.	Caragolah.	Hooghly.
Arrah.	Belghurriah.	Cossimbazar.	Hooghly Point.
Arrareah.	Bettiah.	Cossipore.	Intally.
Aurungabad.	Bhubooah.	Cuttack.	Jamoona.
Bagirhat.	Bhuddruck.	Cutwa.	Jehanabad.
Bogree.	Bhágalpur.	Cooch Behar.	Jajpore.
Bogoola.	Bhagiruthee.	Comercolly.	Jellinghee.
Bogra.	Bhowanipore.	Dukhin Shabazpore.	Jellasore.
Berhampore.	Bhulloah *alias* Noakholly.	Dum-Dum.	Jalpáiguri.*
Boinchee.		Damoodur.	Jamoosee.
Backergunge.	Beerbhoom.	Dinapore.	Jungypore.
Bukhtiarpore.	Bauleah.	Durbhunga.	Jessore.
Bankipore.	Brahmunberiah.	Darjeeling.	Jhenidah.
Baxa.	Brahmaputra.	Dehree.	Kurhurbaree.
Buxar.	Bood-bood.	Deoghur.	Kurseong.
Balasore.	Chybassa.	Dacca.	Kidderpore.
Bally.	Chogdah.	Diamond Harbour or Kalagáchhia.	Khoolna.
Ballygunge.	Chumparun.		Koosee.
Bongong.	Chandernagore.	Dinagepore.	Kissengunge.
Bankoora.	Chittagong.	Furreedpore.	Kishnaghur.
Barnagore.	Chittagong Hill Tracts.	Futwah.	Kooshtea.
Barrackpore.	Chupra.	Fenny.	Luckeeserai.
Baraset.	Chota Nagpore.	Gogra.	Lohardugga.
Burdwan.	Chota Fenny.	Gunduk.	Madareepore.
Barh.	Chitpore.	Ganges.	Muddehpoora.
Barbee.	Chinsurah.	Gya.	Mudhoobunnee.
Burrisal.	Chooadangah.	Ghatal.	Magoora.
Barripore.	Cox's Bazar.	Goalundo.	Mahanuddy.
Busseerhat.	Colgong.	Howrah.	Mysadul.
Bowsee.	Culna.	Hajeepore.	Maldah.

* *N. B.*—The real popular spelling is Julpigoree.

Manbhoom.
Manickgunge.
Matabhanga.
Mutla.
Mymensingh.
Midnapore.
Megna.
Meherpore.
Mokameh.
Motiharee.
Monghyr.
Moonsheegunge.
Moorshedabad.
Mozufferpore.
Narail.
Nattore.
Nuddea.
Nya Doomka.
Noakholly khal.
Noakholly or Bhullooah.
Nishchindeepore.
Oolaberiah.
Orissa.
Pubna.
Pudda.
Palamow.
Plassey.
Pundooah.
Punkabaree.
Patna.
Patooakhally.
Piplee.
Perozepore.
Poonpoon.
Pooree.
Purneah.
Purulia.
Rajmehal.
Rampore Boaleah.
Rampore Haut.
Ranchee.
Rungli Rungliot.
Rungpore.
Raneegunge.
Russa.
Revelgunge.
Rohtas.
Roopnarayan.
Sahebgunge.
Sodepore.
Sonthal Pergunnahs.
Sarun.
Sasseram.
Satkhira.
Shahabad.
Shahzadpore.
Sungu.
Santipore.
Sherghotty.
Seebpore.
Silye.
Sealdah.
Serampore
Soory.
Singhbhoom.
Serajgunj.
Sitakoond.
Seetamurhee.
Sewan or Aliganj.
Soane.
Sonepore.
Segowlie.
Sultangunge.
Soopole.
Tajpore.
Tollygunge.
Tumlook.
Tirhoot.
Teesta.
Tittaghur.
Tipperah.

PART I.

Names of Rivers, Hills, Lakes, Marshes, and other Natural Features.

Adhwára.
Afzalpur.
A'gunmukhi.
A'lamgiri.
Alanka.
A'mbajhári.
Amánat.
A'mua.
A'nchlakháli.
A'ndhármánik.
A'rgara.
A'riálkhán.
Athárabánki.
A'trai.
Ausána.
A'yela.
Ayodhya.
Badarpur.
Badhátigáng.
Bádura.
Bádurdona.
Bágán.
Bágdaha.
Bágdob.
Bágha.
Bághmári.
Bághnadi.
Bágkháli.
Bágmati.
Baishákhi.
Bájitpur.
Bájurbhág.
Bakreshwar.
Báksapahár.
Balán.
Bálásan.
Baleshwar.
Bálu.
Bámna or Sápleja.
Bámninadi.
Banganga.
Bángáli.
Bángáljola
Bangasamudra.
Bangopaságar.
Bánka.
Bánkmundi.
Banshi.
Bánshlai.
Barábar.
Barabila.
Barad Padauna.
Baragáng.
Barákar.
Baral.
Báranai.
Baranála.
Bara Fenny.
Bárásia.
Bariár dála.
Barkal Tán.
Barunái.
Basgi.
Batáne.
Baya.
Bihárináth.
Behula.
Belauri.
Betiárbíl.
Betna.
Bhadra.
Bhalua.
Bhairab.
Bhairwa.
Bhándárdaha.
Bhárgabi.
Bhabániganjkhál.
Bhedra.
Bhola.
Bhunya bánksbál.
Bhuria.
Bhuthi.
Bidyádhari.
Bighái.
Biláichhari Tán.
Bíl-bári.
Bíl-báril.
Bíl-mákhasa.
Binjái.
Birái.
Biráldaha.
Birupa.
Bishgáchha.
Bishkháli.
Bodái.
Bodma.
Bonabári.
Bráhmani.
Brahmjoni.
Budhabalanga.
Buramantreshwar.
Burha.
Burhnadi.
Burigáng.
Buriganga.
Burishwar.
Chaitanpur or Ráyjama.
Chalan.
Chánda.
Chandaghánti.
Chándái.
Chándan.
Chandana.
Chándni.
Chandrabhága.
Chandrabati.
Chanu Tán.
Chanwaria.
Chápila.
Chaprásikhál.
Chapri.
Chárái.
Chátra.
Chiko.
Chháibhánga.
Chhai chál Tán.
Chhálái.
Chhatni.
Chhen Náia Tán.
Chhilnia khál.
Chhobakuri.
Chilka.
China.
Chinidánga.
Chiraián.
Chitrotpala.
Chúnakháli.
Dadua.
Dákátia.
Dákátianadi.
Dalma.
Dalu.
Damana.
Dánpur.
Dánra.
Dáokoba.
Daratána.
Dardha.
Dáus.
Daya.
Dehuwa.
Demágri Tán.
Denán.
Deuli.
Devinadi.
Dhabalgiri.
Dharlla.
Dhanu.
Dhanua.
Dhos.
Dhauka.
Dhimra.
Dhoa.
Dholsamudra.
Dhuriaghata.
Dhurunga.
Dígha.
Dígha mohána.
Dolang.
Daur.
Dudua.
Duhia.

Durgáwati.
Dwárkeshwar.
Dwárka.
Enral.
Gadádhar.
Gadái.
Gájburu.
Gájikháli.
Galadia.
Galghasia.
Gandaki.
Gandhamádan.
Gandheshwari.
Gangani.
Gangua.
Garai.
Gaubachhwa.
Gaunikia.
Genguti.
Ghaghri.
Ghátbile.
Ghora-utra.
Gobri.
Godáwari.
Gohuán.
Golándi.
Gomati.
Gonásika.
Gop.
Gorai.
Gorúra.
Goyathwa.
Guldaha.
Gumáni.
Guntiakháli.
Gur.
Gurái.
Guyái.
Háguria.
Hálda.
Haldi.
Hálti.
Háodabíl.
Háoragáng.
Hardi.
Harida.
Haringháta.
Haripur.
Háriagádi.
Harinía.
Hátianadi.
Hemda.
Hila.
Hilna.
Hilsamári.
Hingla.
Ichchhámati.
Ilsa.
Itauwán.
Jábakháli.
Jabbarálikhál.
Jágeshwar.
Jaldháka.
Jaleshwari.
Jalpái.
Jalwár.
Jámira.
Jamuna.
Jangal Mahal.

Jaráin.
Jateshwar.
Jayanti.
Jaypánda.
Jenápur.
Jharhi.
Jhim.
Jiwachh.
Jhinái.
Jiudhar chaunr.
Jugiadhála.
Jwalangi.
Kábarjhil.
Káchhálán.
Káchhálán Tlang.
Kadána.
Kaindá Tán.
Kain Tán.
Kájái.
Kájibácha.
Kákradaha.
Káleji.
Kálijái.
Kálindi.
Káljáni.
Kámdol.
Kamla.
Kanágur.
Kánáisar.
Kanaka.
Kánchametia.
Kánchana.
Kánkái.
Kánki buru.
Kánsái.
Kansári.
Kánsho.
Kánta.
Kántábia.
Kántapukur.
Kapilás.
Kapotákha.
Káptai.
Karamnása.
Karanti.
Karatoa.
Kardia.
Kareh.
Karkari.
Karnaphuli.
Káro.
Kathautia.
Káthjori.
Káthle.
Kaucha.
Kauwakol.
Káb.
Kayera.
Keliaghái.
Kendara.
Kendupátna.
Khari.
Kharia.
Kharkái.
Kharsua.
Khetair.
Khirkhiria.
Kholpetua.
Khudia.

Khuksia.
Kiokrá dán.
Kochila.
Koil.
Koiláman.
Kujhi.
Kola.
Korái.
Konár.
Konra.
Kopái.
Korwán.
Kothilwa.
Kudra.
Kuhíra.
Kukri.
Kukurnahi.
Kumár.
Kumári.
Kumhri.
Kunti.
Kunur.
Kupha.
Kurumi.
Kusbhadra.
Kushái.
Kushambi.
Kusumi.
Labana.
Lábhánga.
Ladha.
Lagarghichcha.
Lágoa.
Lakhandeh.
Lakhmírdona.
Lakhmía.
Lamta.
Lilájan.
Lílájan.
Lohajanga.
Lugu.
Mádhnagar.
Madhukháli.
Madhukhola.
Madhumati.
Madhu Tán.
Mahábal.
Mahá bináyaka.
Mahágiri.
Mahánadi.
Mahánc.
Maher.
Maheshkháli.
Máhi.
Mahua garhi.
Mainádui.
Maiyani.
Májdighi.
Majgaon.
Málancha.
Malayagiri.
Mámdipára.
Mánás.
Mandákini.
Mandár.
Mandár Mohána.
Mangala.
Manikáman.
Mánsái.

Mansínghi.
Maricháp.
Maridán.
Márkanda.
Mashábil.
Mátamahari.
Mayna Mati.
Mayurákhi or Mayúr.
Meghásani.
Minachh.
Morhar.
Motijharna.
Motri.
Moyulá Bhanja.
Mujnai.
Muliapahár.
Nabaganga.
Nádái.
Nágar.
Nákádahabil.
Nákkáti.
Nalchirár dona.
Nandakuja.
Nárada.
Naráj.
Náráyanpur.
Narsunda.
Naya bhángani.
Ningan.
Non.
Nunái.
Nunbil.
Nunia.
Nunnadi.
Ohipum Tán.
Pábla.
Páda.
Padmabíla.
Padmabíla.
Pahára.
Páika.
Páikpára.
Paimár.
Pákambar or Súlemán.
Pálsa.
Pánái.
Panár.
Panchadhár.
Panchakot.
Panchánai.
Panchánayi.
Pancharatner tek.
Pánga.
Pángási.
Pánguchhi.
Pángua.
Panwár.
Páoda.
Páráng.
Pareshnáth.
Parwán.
Pashar.
Pátikona.
Pátro.
Pawai.
Phalgu.
Pharingáchhi.
Phároyá Tán.
Phega.

Phulhatta.
Phuljuri.
Pichhabani.
Piáli.
Práchi.
Pretshíla.
Punarbhaba.
Rohuáman.
Rainkhán.
Ráipurkhál.
Rákshi.
Raktadaha.
Rámshíla.
Rana.
Rangbi.
Rangapur.
Rangit.
Rannadi.
Rasulpur.
Ratanpur.
Raua.
Ráychánd.
Ráy dák.
Ráymangal.
Regu.
Reng tán.
Rohini.
Roro.
Ruia.
Rúpsháha.
Sakri.

Sálandi.
Sáli.
Sáligrám.
Sália.
Sálnadi.
Samanga.
Sandár.
Sandip nadi.
Sanjái.
Sankosh.
Sántail.
Santál khál.
Santosh.
Sápleja.
Sápuamundi.
Sara.
Saraswati.
Sarispur.
Sarpái.
Sártá.
Saunra.
Shailadhukri.
Shankara.
Shánllyágari.
Shápur.
Shabachalla.
Sháil.
Shibasháha.
Shola Mohána.
Shukna.
Shunkar.

Shuria.
Shurshuni.
Shushunia.
Siddheshwari.
Siddhirdona.
Sikán.
Sinchula.
Singárdaha.
Singimári.
Sinre.
Siringashira.
Sisák Tlang.
Sitái.
Sítakund.
Sítakundpahár.
Sitapahár.
Solári.
Someshwari.
Sona.
Sonabáju.
Sonái.
Sonakuri.
Suarpahri.
Sudhárám or *Noakholly* or *Bhullooah* khál.
Sugi.
Suknai.
Sumesar.
Sundh.
Sundi.
Sunti.

Sutua.
Subarnrekha.
Suwara.
Tal Baraila.
Talini Tán.
Tálma.
Tamaka.
Tán talai.
Tarág.
Tarsand Chaunr.
Tatko.
Tel.
Telkár.
Tepra.
Thákuráni.
Thora.
Tiljúga.
Tirmohán.
Titás.
Tiur.
Tokrabándha.
Torsá.
Tribeni.
Tunrukacha.
Tupain Tán.
Turágiri.
Turka.
Tuthi.
Yandan.

PART II.

Names of Districts, Sub-Divisions, and Pergunnahs, &c.

A'bartak.
Abhaypur.
Adhárupea.
Aghára.
Ahiás.
Ahilwára.
A'his.
Ahuri.
Akbarnagar.
Akbarpur.
Akbarpur Ráni.
A'lápsingha.
A'lápur.
A'li.
Alti.
Amarthu.
Ambohatta.
Ambár.
Ambikánagar.
Amolmotia.
Amírabad.
A'mrul.
Anábartak.
A'nandpur.
Ancha.
Andar.
Andhári.
Angul.
A'nkura.
Antarodh.
Apila.
A'rmala.

Arso.
Arwal.
Ashja.
Astaran.
Asureshwar.
Atari.
Athás.
A'thgar.
A'thkhanta.
A'thmallik.
A'tia.
Atri.
Azímabad.
Babra Sarkár *Tirhoot.*
Babra Tappa *Chumparun.*
Babra Zillah Turki.
Bachhaur.
Bádebhusári.
Bágda.
Bághmundi.
Bahádurpur.
Bahás.
Báherimutha.
Baburupa.
Baikuntpur.
Bajrakot.
Bájurás Muhabbatpur.
Bájurás Názirpur.
Bákirabad.
Bála.
Bál.
Bálagachh.

Balarámpur.
Balbhadrapur.
Balihár.
Balia.
Báliapál.
Bálkhanda.
Balthar.
Balua Gondauli.
Bálubisi.
Bánchás.
Banchásh.
Bándáikhára.
Bandarbán.
Bándgaon.
Bangaon Jáygir.
Bangaon Khálisa.
Bánka.
Bankhandi.
Bánksái.
Báokhanda.
Bára.
Barabáju.
Bárágaon.
Baráhabhúm.
Barakánjhála.
Barai.
Barail.
Baramba.
Bárán.
Bárbekpur.
Barbaria.
Bárdiála.

Bárgán.
Bárpára.
Barsot.
Barua.
Baruán.
Barwár.
Basantpur.
Basotra.
Basta.
Batsara.
Bátura.
Baud.
Bráhmanbai.
Bayanan.
Begunkudar.
Belwa.
Benáhár.
Benuán.
Benapanjar.
Bilpatta.
Berai.
Bhabta.
Bhadwar.
Bhála.
Bhalka.
Bhanjabhum.
Bháonra.
Bharwára.
Bhátibári.
Bhaunr.
Bheda.
Bhelái diha.

Bhelorachor.
Bhiláwar.
Bhímpur.
Bhográi.
Bhojpur.
Bhúsári.
Bikrampur.
Bilauja.
Bírkul.
Birkul.
Bisalkhanda.
Bisára Chakla Garjaul.
Bisthazári.
Biswak.
Bocháha.
Boda.
Bolpur.
Bráhmanbhum.
Burigangal.
Chai.
Chainpur.
Chaingawan.
Chakái.
Chak Diláwari.
Chak Ismáilpur.
Chakmani.
Chámorchi.
Chándalái.
Chándan Bhuka.
Chandankaturia.
Cháudwa.
Changara.
Chánki.
Champa.
Chaubár.
Chaudand.
Chauddakulat.
Chaugaon.
Chaukákhetri.
Chauráshi.
Chaunsathipara.
Chausa.
Chelyáma.
Chengmári.
Chenpur.
Chhai.
Chhanua.
Chharara.
Chhátna.
Chhedra.
Chhindabáju.
Chhotakáujiála.
Chináso.
Chiránd.
Chirkánwan.
Chitulia.
Churabhándár.
Cuttack haweli.
Dakhner.
Dálar.
Dálijoda.
Dáman-i-koh.
Damárkhanda.
Dampara.
Dangsi.
Dáura Sakhwára.
Dántan.
Dantára.
Danwár.
Darada.
Darin Mauleshwar.
Darpan.
Dáshmalan.
Daulata.
Degan.
Derabisi.
Deoráj.
Dhámin.
Dhámnagar.
Dharampur.
Dharaur.
Dharhara.
Dhenkánál.
Dhodhan Bagra.
Diara Ghiáspur.
Dibyasinghaprasád.
Digha.
Diharakpur.
Diláwarpur.
Diláwarpur.
Dinára.
Dinháta.
Dolgrám.
Doro.
Dugni.
Duhosuho.
Dumarkunda.
Dubrájpur.
Duár.
Fakhrabad.
Farrukhpur.
Fatehpur Singhia.
Fateh Jangpur.
Gadahsand.
Gadpada.
Gandito.
Gagra.
Gangapada.
Gangarámpur.
Gansar.
Garbeta.
Garer hát.
Garh cháwand.
Garhi.
Gaur.
Gayhátta.
Ghágradámarpur.
Ghiáspur.
Godda.
Goh.
Gola.
Gopála.
Gopálganj.
Gopálpur.
Gopináthpur.
Goria.
Gobindpur.
Govindpur.
Gowa.
Gumgar.
Gumon.
Gurári.
Hamídpur.
Hándiál.
Hándwa.
Harida manda.
Harihara.
Hariharpur.
Harispur.
Hatandha.
Háti.
Hátimanda.
Haweli.
Haweli *Durbhunga*.
Hávi.
Hazártakki.
Házradi.
Heshla.
Hindol.
Hirni.
Holang.
Husainsháhi.
Huzurapur.
Icha.
Ikil.
Imádpur.
Ináyatnagar.
Islámpur.
Jabdi.
Jáfarabad.
Jagatsingpur.
Jahangíra.
Jahángirabad.
Jakhalpur.
Jákhar.
Jalamútha.
Jalanga.
Jamálpur.
Jamhauli.
Jamuni.
Jangipur.
Japla.
Jarel.
Jarra.
Jaynagar.
Jayapur.
Jaypur
Jaytára.
Jhálda.
Jhária.
Jiasindu.
Jodh.
Kábar.
Kadab.
Kádwa.
Káema.
Kágmári.
Kajra.
Káligaon Kálisafa.
Kalijori.
Kálindi Bálsái.
Kalkala.
Kalyánpur Kuwári.
Kamardáchor.
Kanchikbanda.
Kándara.
Kándi.
Kánhauli.
Kanika.
Kánkjaul.
Kánsaipár.
Karanpara.
Karimul.
Káshijora.
Kásimpur.
Kasma.
Kasmár.
Kátármalla.
Káte.
Káthiár.
Kátia.
Kátrás.
Káziháta.
Kedár.
Kendrapára.
Kenri.
Keonjhar.
Keonrdáchor.
Kera.
Keruál khanda.
Khadda.
Khália juri.
Khand.
Khaudi.
Khantapára.
Kharagdiha.
Khargpur.
Kharsand.
Kharsánwa.
Khárba.
Khás-táluk.
Khirhi.
Khalra.
Killa-káema.
Killa-patna.
Killa-mangalpur.
Kishorganj.
Kodarma.
Kokuakhanda.
Kolhán.
Koraikela.
Korlo.
Kuhunda.
Kuilapál.
Kujan.
Kukrul.
Kumárpur.
Kumra.
Kunda.
Kundahitkareya.
Kundi.
Kurái.
Kurikhái.
Kusapala.
Kusmandal.
Kutumba.
Laduári.
Lákda.
Lakhanpur.
Lakhmipur.
Lálbág.
Lálbazar.
Lambái.
Lángaleshwar.
Lankágar.
Laskarpur.
Laowán.
Ludurka.
Mádári.
Madhawal.
Madhupur.
Mahál.
Mahalla Sarkár Tirhoot.
Máhál masrud.
Muhammadabad.
Muhammadpur.

Maher.
Maheshkhál.
Máhínagar.
Mahind.
Mahishára.
Majhauwa.
Majhua.
Májnamutha.
Maker.
Mukímabad.
Makráin.
Makundaprasád.
Málánchi.
Málda.
Maldáchor.
Máldwár.
Malhnigopál.
Máliára.
Malki.
Málud.
Mándo.
Maner.
Mánik Chak.
Mánikpatna.
Manjari.
Mánjhi.
Mánpur.
Mánra.
Manora.
Maraghát.
Marhal.
Marichpur.
Markacho.
Masaurhi.
Masdi.
Masjidpur.
Mátha.
Mátabhánga.
Mútakidabad.
Mútakidnagar.
Mútakidpatna.
Mayadapur.
Mayanachor.
Mayurbhanja.
Mehmangáchhi.
Mehsi.
Mekhaliganj.
Mirgoda.
Mukarrabpur.
Morwahkalán.
Morwahkhurd.
Mukhra.
Mukundpur.
Mulgán.
Nagar kiári.
Náhakhanda.
Naipur.
Náli Chánda.
Nánpur.
Nápuchar.
Nárájol.
Náráyangar.
Nargá.
Narhan.
Narhat.
Náridigar.
Narsinghpur.
Nasirujiál.
Náthpur.
Nayabad.
Nayágar.
Nayagar.
Netrakona.
Neulbisi.
Nisankhpurkudha.
Nizámpur.
Nizámuddinpur-Bagra.
Nonaur.
Notan.
Nowáda.
Okri.
Olás.
Oldhár.
Olha.
Ormánji.
Pachahi.
Pachhikot.
Pachchhimbhigo.
Pachlakh.
Pachmukhi.
Padampur.
Padri.
Páena.
Páenda.
Pahra.
Paláni.
Palma.
Pálnahara.
Pándra.
Pánikhanda.
Pára.
Parbatpára.
Parihárpur Jabdi.
Parihárpur Rágho.
Párikud.
Pasai.
Paschimduái.
Patáspur.
Patgrám.
Patirám.
Patjirwa.
Pátia.
Pátkum.
Patnitala.
Pawai.
Poyakháli.
Pawánr.
Páyer.
Phálakáta.
Pharkia.
Phulbári.
Phulwári.
Phulkusama.
Pilich.
Pindáruch.
Pingi.
Pírganj.
Piaro.
Poráhát.
Prahárpur Mawás.
Pratápbáju.
Pukuria.
Purbadnái.
Purabbhigo.
Ráhán.
Ráipur.
Rajarámpur.
Rajganj.
Rajgir.
Rajpur Soharia.
Rákáb.
Rámcháwand.
Rámganj.
Rámgir.
Rámpur.
Ranabi áoán.
Ránaghat.
Randia Orgoda.
Rangamátia.
Rániganj.
Ranpur.
Rárh.
Ratti.
Rávdom.
Roh.
Ruknpur.
Rúma.
Sabang.
Ságardi.
Sáhabad.
Sáhebnagar.
Sáibir.
Saídabad.
Sáila.
Sakharabádi.
Sakhwa.
Salemabad.
Salempur.
Salempur Mahua.
Samalpur.
Samái.
Sándha.
Sanaut.
Sarai Hamíd.
Saragara.
Saraikela.
Saraisa.
Saraswati.
Sardam.
Sártháchor.
Saharni.
Sáthi.
Sathiári.
Sátmalan.
Semraun.
Senáot.
Sháhpur.
Sháhjahánpur.
Sherpur.
Shershahabad.
Shujanagar.
Shyámsundarpur.
Sihora.
Simlápál.
Singhala.
Singhúl.
Singhpur.
Sipáh.
Sirauna.
Sirain.
Siris.
Siádi.
Sonábáju.
Sonaul.
Soso.
Srípur.
Sudhárám.
Sugaon.
Suhán.
Sujamutha.
Sujanagar.
Sukinda.
Sultanabad.
Sultanagar.
Sultanganj.
Sunghra.
Sunhat.
Supur.
Súrajgarh.
Súrajpur.
Susanga.
Táhirpur.
Tájpur.
Talasban.
Tálcher.
Tapankhanda.
Tappa-Kanman.
Tappa-Bhatsalla.
Tappa-Khánzádpur.
Tappa-Bárkup.
Tappa-Manihári.
Tappa-Sárath, *Deoghur*.
Tappa-Bayás.
Tappa-Chápila.
Tappa-Kusambi.
Tarayáni.
Taraf-dakhinjoár.
Tárágunia.
Tarson.
Tartua.
Tegáchhi.
Tigiria.
Tikan.
Tilakcháund.
Tilra.
Tiliagarhi.
Tirakhardah.
Tiran.
Tirsut.
Tisánia.
Torán.
Tulandar.
Tundi.
Tuphánganj.
Tuasátpára.
Utihár.
Utikan.
Visunpur.
Wasla.
Yogeshwar.
Zafarsháhi.
Zainabad.
Zainsháhi.

PART III.

List of the names of Villages, Towns, &c.

A'damdighi.
Adápur.
A'garpára.
Ahmadpur.
Ahílasthán.
Ajaibganj.
Akbarpur.
A'kra.
A'lamdánga.
A'lamganj.
Alihát.
A'lphadánga.
A'lwakhuwa.
Amarpur.
A'mdahar.
A'mi.
A'mlasadarpur.
Amritabazar.
Anantapur.
A'ndua.
A'ngária.
A'ntpur.
A'nulia.
A'nismáli.
A'ranghára.
A'ráni.
Aranji.
Arári.
A'rdi.
Arírái.
A'rsadpur.
A'sansol.
A'sásuni.
Asko.
Asúrgarh.
Athárabánki.
A'tma.
A'toári.
A'usgrám.
Ajodhya.
Ba anta.
Bábupur.
Badalgáchhi.
Bádiakháli.
Bádu.
Báduria.
Baga.
Bagaha.
Bághár pára.
Bághai tángi.
Bágh mundi.
Bágh Jáfar Khán.
Bágnapára.
Bagodar.
Bágundi.
Bahádurganj.
Baharagura.
Báhár banda.
Bahera.
Baidya náth.
Baidyapur.
Bairiperi.
Bairishákh pála.
Baitaghára.
Bairia.
Bájitpur.
Bákirganj.
Bakhshi bazar.
Bakhtiárpur.
Bakreshwar.
Balanga.
Balarámpur.
Báliehandrapur.
Bálikuda.
Bálipátna.
Bálisháhi.
Balia.
Báliakándi.
Bálsi.
Bálumáth.
Bámandánga.
Bámangháta.
Bámankunda.
Bamhani.
Bánága.
Banbania.
Bánchhapára.
Bándái Khára.
Bangachhatra.
Bangaon.
Bángaria.
Bangeshwardí.
Banhugli.
Bánibaha.
Bánkipur.
Banmálipur.
Bánpur.
Bára.
Bánshra.
Barabári.
Barabila.
Báráchati.
Baradiha.
Báragaon.
Baráhabhum.
Barahakatha.
Baráigaon.
Baraitali mela.
Barákar.
Bárapur.
Barauli.
Barbigha.
Báresánr.
Bargaon.
Bárgoda.
Barhaia.
Barhanpur.
Barharwa.
Bárikpur.
Bárun.
Barisha.
Bariárpur.
Barkudi.
Barkul.
Bároya.
Barwe.
Basantiapur.
Basantia.
Basantpur.
Basárh.
Báshatti.
Basia.
Básudevpur.
Bá-udebpur.
Bátásan.
Bátíka.
Battala.
Betia.
Báura.
Begampur.
Begunia.
Behála.
Beláganj.
Belanti.
Beláwa.
Belda.
Belgáchhi.
Beliaghára.
Beliaghára.
Belka Nabábganj.
Beniapukur.
Bhábanháti.
Bhádáliá.
Bhadro.
Bhagabánpur.
Bhairosthán.
Bhálluka.
Bhaluni or Jakhni.
Bhándírban.
Bhánga.
Bhángar.
Bhántiári.
Bhárasimuliá.
Bharkata.
Bhátgaon.
Bháturia.
Bhabániganj.
Bhelái pahári.
Bhimer jangal.
Bhímnagar.
Bhitarbanda.
Bhotmári.
Bhurha.
Bhushana.
Bhutgeria.
Bideipur.
Bidubazar.
Bidyánandakáti.
Bihta.
Bijápur.
Bikram.
Bilái chhari.
Bilchhi.
Binjhárpur.
Binpára.
Binpur.
Biranási.
Birát:
Bírbandar.
Birchandrapur.
Bírnagur or Ula.
Biru.
Bishnugar.
Bisrámpur.
Boda.
Bodh *Gya*.
Bodhkhána.
Bolpur.
Brahmagiri.
Brahmapur.
Budh hátta.
Bundu.
Buriganj.
Byatánga.
Cannington.
Chadya Bariárpur.
Chaital.
Chákái.
Chákaltor.
Chakardharpur.
Chakla Fatehpur.
Chakla Kájirhát.
Chakmanjo.
Chálán mári.
Champágar.
Champanagar.
Chánchra.
Chándkháli.
Chandanpukur.
Chandawa.
Chandaka.
Chándra.
Chandrakona.
Chanduria.
Chámpaháti.
Cháoncha.
Chápra.
Chárghát.
Chás.
Chatra.
Chaugáchha.
Chauk kalán.
Chaukshikárpur.
Cháulkhola.
Chaumukh.
Chetla.
Chhágalnáia.
Chhangiri.
Chhatarpur.
Chhátna.
Chhatraganj.
Chilmári.
Chingribáta.
Chirkunda.
Choreya.
Chorpáran.
Chutia.
Cox's Bazar.
Dáinháti.
Dalsingh Sarai.
Daltonganj.
Damsang.
Dámurhuda.
Dángahát.
Dántan.
Danubán.
Darauli.
Daryapur.
Daroáni.
Dasisanáth.

Dáspur.
Dattapukur.
Dáudnagar.
Daulatganj.
Daulatpur.
Debra.
Delán.
Deluti
Demágri.
Deora.
Depál.
Deo.
Deokuli.
Deokund.
Deopur.
Deori.
Deotan.
Deodha.
Debhát.
Debhatta.
Debiganj.
Debipur.
Dháka.
Dhákuria.
Dhámásh.
Dhámdaha.
Dhámnagar.
Dhámra.
Dhándia.
Dhangáin.
Dhápa.
Dhargaon.
Dharhara.
Dharmashála.
Dhaulpura.
Dhekha.
Dhobágháta.
Dhunat.
Dhupguri.
Dhurheta.
Dhuria.
Diganga.
Dígha.
Dighi.
Dighwára.
Dimla.
Dingra.
Dírghanagar.
Diwánmahalla.
Dobi.
Doranda.
Doriganj.
Dulia Dashgán.
Dumardíh.
Dumarichati.
Dumraon.
Dumuria.
Durgapur.
Durgáwati.
Dubcháuchia.
Dubrájpur.
Egra.
Ekteshwar.
Enriadaha.
Ersama.
Fakírer Takia.
Fakírganj.
Fakírhát.
Fatehpur.
Fort Glo'ster.
Gabkunda.
Gadkháli.
Gáighára.
Gaisal.
Gajhandi.
Gangajalgháti.
Gángani.
Gangaságar.
Gángur.
Gángura.
Gángnagar.
Gánrapota.
Gánre.
Gángsára.
Gánwán.
Garden Reach.
Garhwa.
Garia.
Garkha.
Gaur.
Gaura.
Gaurándi.
Gauripur.
Gaurnagar.
Gayabári.
Gázirhát.
Geno kháli.
Gháteshwara.
Ghátsila.
Ghogha.
Ghoramára.
Ghoranji.
Ghordia.
Ghose.
Ghoshpára.
Gidhaur.
Giridíh.
Giriyak.
Giria.
Girjasthán.
Gobardánga.
Gobindganj.
Godagári.
Godna.
Goghát.
Gogri
Gohail.
Goháltor.
Gohira.
Gokh.
Gola.
Goldinganj.
Golra hát.
Gomia.
Gop.
Gopálganj.
Gopálnagar.
Gopálpur.
Gopiballabhpur.
Gopináthpur.
Gosáinmath.
Goswámi Durgapur.
Goth Khola.
Gobindaganj.
Gobindapur.
Guálpukhar.
Gumái.
Gumon.
Gondwára.
Gupteshwar.
Guátali.
Hábra.
Hájiganj.
Haldibári.
Haldipada.
Hálisahar.
Hálsa.
Hánskháli.
Hansuwa.
Hunterganj.
Hántra.
Hardah.
Harihargani.
Harinákunda.
Harishankarpur.
Harishchandrapur.
Harnaut.
Hároa.
Harpur Goanár.
Hasanabad.
Henria.
Hili.
Hilsa.
Himságar.
Husainabad.
Hulásganj.
Humar.
Hathuwa.
Ichágar.
Ichák.
Ichhápur.
Idrákpur.
Ikbálpur.
Iksári.
Ilámbazar.
Imámganj.
Indás.
Islámpur.
Ishwaripur.
Itkhori.
Jádabpur.
Jagadíshpur.
Jagái.
Jagannáthdighi.
Jagannáthpur.
Jagati.
Jáguli.
Jála.
Jalapahár.
Jaldháka.
Jalpesh.
Jamálpur.
Jamor.
Jámtára.
Janípur.
Jankinagar.
Jankia.
Jányála.
Jarada.
Jaridíh.
Jaripada.
Jaria.
Jaynagar.
Jaypur.
Jayrági.
Jayrámpur.
Jhálda.
Jharia.
Jhárta.
Jirát.
Jíbannagar.
Jobra.
Jonha.
Jorbángála.
Junput.
Jwolibánda.
Kachua.
Kadamgáchhi.
Kadamrasúl.
Kádwa.
Káipara.
Kájirhát.
Kajra.
Kakhri.
Kákina.
Kákrachor.
Káksa.
Kalápadar.
Kalaroa.
Kalasmuhán.
Káliganj.
Káligháť.
Kálikapur.
Kálikatala.
Kálinagar.
Kalinga.
Kálinpon.
Kália.
Káliaganj.
Kalmijor.
Kálupol.
Kamalásthán.
Kámárdánga.
Kámárjáni.
Kánáipur.
Kanásh.
Kánchannagar.
Kánchrapára.
Kándara.
Káuhachati.
Kánjalia.
Kankabati.
Kántabária.
Kántáltala.
Káphala.
Kapileshwar.
Kapileshwarsthán.
Kapilmuni.
Karái bári.
Karanjadia.
Karidha.
Karímpur.
Karmala.
Kasba.
Kasba A'múr.
Káshipur.
Kásiáni.
Kasmár
Katasáhi.
Kátdaha.
Katra.
Katauria.
Kauwákol.
Kábilpur.
Kedárkunda.
Kelnakushi.

Kendálo.
Kenduli.
Kesaria.
Keshabpur.
Keshiári.
Keshnagar.
Keshpur.
Keshmi.
Ketugrám or Keugaon.
Khagra.
Khajauli.
Khwájakalán.
Khájri.
Khájura.
Khajuri.
Khanda ghosh.
Khándarpára.
Khanditar.
Kharagdiha.
Khardaha.
Khargpur.
Kharinási.
Kharkhár.
Khástáluk.
Khatbin sáhi.
Khayrásol.
Khetlál.
Khizrsarai.
Khoksa.
Kholakháli.
Khunta.
Khunti.
Khupi.
Khurchhuta.
Khuyár.
Kíchak.
Kishanpur.
Kishorganj.
Kísko.
Kodarma.
Kohol.
Koilo.
Koilwar.
Kokpára.
Kola.
Kolebira.
Konrakdi.
Korái.
Koráme.
Kosida.
Kotáldí.
Kotalpur.
Kotbhajáni.
Kotchándpur.
Kotgasht.
Krishnánandapur.
Krishnái.
Kuchiakol.
Kukraháti.
Kulághát.
Kulia.
Kultikri.
Kumárganj.
Kundi.
Kunjabangar.
Kunja Ghoraghát.
Kupari.
Kurangasásan.
Kurji.
Kurulgáchhi.
Kutku.
Kuánpál.
Lachhibág.
Ládna.
Láhal.
Láksám.
Lakhmipása.
Lálbág.
Lálganj.
Lumsdenabad.
Latáki.
Látehár.
Leda.
Lodhma.
Lodikatra.
Lohágara.
Lukmánpur.
Madanganj.
Madanpur.
Madhepur.
Madhuban.
Madhupur.
Maghra.
Magra.
Magrahát.
Muhammadpur.
Mahánetánr.
Máhánga.
Maharajpur.
Maharajganj.
Maheshbáthán.
Maheshmunda.
Maheshpur.
Maheshtala.
Muhibb Alípur.
Máhiganj.
Mahidharpur.
Mahirwa.
Mahuwa.
Májhiat án.
Maksúdpur.
Malanga.
Málipota.
Málsalámi.
Manátu.
Mánda.
Mánbazar.
Mandleswari.
Mangalbári.
Mangalkot.
Mangalpur.
Mánikbazar.
Mánikpur.
Máníktala.
Manirámpur.
Manibgar.
Maniári.
Manka.
Mánkar.
Mánkulmanihári.
Manoharpur.
Manteshwar.
Mantha.
Mántir.
Marichákándi.
Marichápali.
Mársaghái.
Masaurhi.
Mashrak.
Maslandapur.
Masnudíh.
Másta.
Matgoda.
Mathurapur.
Mátigara.
Matiári.
Mátlakháli.
Mato.
Mayamantapur.
Mayna.
Maynaguri.
Mayúreshwar.
Mehdiganj.
Mehnár.
Mejia.
Metiaburuj.
Metiári.
Mihiján.
Minákhán.
Mirápára.
Mirzapur.
Mithakua.
Mughalpura.
Mohanpur.
Mokámtala.
Mollához.
Mollárpur.
Molpur.
Morelganj.
Morna.
Moár.
Mud point.
Muktipur.
Mulápál.
Mundamuhán.
Munshiganj.
Muragáchha.
Murárai.
Murgiyatongari.
Nabínagar.
Nagar.
Nagarnausa.
Nágeshwari.
Nágpur.
Naiháti.
Nairi.
Nákásipára.
Nákeshwarbári.
Naldánga.
Nalháti.
Nalkuli.
Nalta.
Námshu.
Nandala.
Nandigrám.
Naoháta.
Naokhila.
Naubatpur.
Nawádih.
Nápu.
Narghát.
Náráyandánri.
Náráyanganj.
Náráyanpur.
Nasírabad.
Naudiha.
Nauni.
Nawabganj.
Nayabasti.
Nayagrám.
Nayapára.
Neguán.
Nilakhi.
Nimapara.
Nimiaghát.
Nirmala.
Nirsha.
Nisbetganj.
Niamatpur.
Nizámat (palace).
Nizámtala.
Nohátta.
Nokha.
Noáda.
Núrnagar.
Nuágan.
Nuapará.
Obra.
Olábhar.
Onda.
Ongári.
Orasingha.
Orderly bazar.
Oália.
Oá igachha.
Pachamba.
Pagár.
Páika.
Pakri.
Paláshbári.
Pálganjo.
Pálkot.
Palma.
Palta.
Pánagar.
Panchabibi.
Panchapali.
Pancha pota.
Pánchat.
Pánch pukuria.
Pánga.
Pánighata.
Páníháti.
Pánki.
Pángsa.
Páneskura.
Parsa.
Pársibazar.
Páru.
Patámundái.
Pátan.
Páthgrám.
Pátiládaha.
Pátrasáer.
Pátuli.
Páwapuri.
Páyrabanda.
Peri.
Pesam.
Petarbár.
Phálakáta.
Phalta.
Phánsi deoa.
Phoranbári.
Phulhata.
Phulkumár.

Phultala.
Piljanga.
Pingla.
Pirbabor.
Pírgáchha.
Pírganj.
Pírpainti.
Pobi.
Porádaha.
Potna.
Pratáp.
Pratápganj.
Pratápnagar.
Pundíl.
Púnra.
Pureni.
Púrbasthali.
Puthia.
Putina.
Rádhanagar.
Rafiganj.
Raghunáthpur.
Ráháma.
Ráhe.
Ráipur.
Rajakhál.
Rajapur.
Rajarhát.
Rajauli.
Rajbári.
Rájgán.
Rajganj.
Rajghát.
Rajgir.
Rajgrám.
Rajíbpur.
Rajnagar.
Rajpur.
Rámbág.
Rámbhadrapur.
Rámgar.
Rámgarh.
Rámkunda.
Rámnagar.
Rámságar.
Rámtírath.
Rangit.
Ráona.
Rasálpur.
Rásmancha.
Rasol.
Ratha-purushottampur.
Ráutara.
Ráydíh.
Ráygrám.
Remuna.
Rohini.
Rohuwa.
Ruknpur.
Roran.
Roseiha.
Rukunádeipur.
Sadar bazar.
Sadarpur.
Sádhuháti.
Sádikpur.
Sádullahpur.
Ságar.
Sahár.
Sáhebganj.
Sáinpur.
Sáinta.
Saifganj.
Sákhária.
Sakrej.
Sákulipur.
Sálbani.
Sálepur.
Sálikha.
Sáltora.
Samágol.
Sámukpota.
Sangari.
Sánpadar.
Sántrapur.
Sárangajori.
Saráng oi.
Sardeipur.
Sardiha.
Sargán.
Sarhátta.
Sarmehra.
Sarisha.
Sársha.
Satgaon.
Sáth bárla.
Satir hát.
Sátpáti.
Sát saika.
Sáturi.
Sauráth.
Salímabad.
Senháti.
Senpahári.
Sergar.
Sháhbandar.
Sháhakund.
Sháhpur.
Shaikhpura.
Shailakupa.
Sháora.
Shániakándi.
Shatrujitpur.
Sherpur.
Shikárpur.
Shiláidaha.
Shimulia.
Shírsha.
Shiuhar.
Shibganj.
Shivnár.
Shiwrájpur.
Shribáti.
Shridharpur.
Shrikhanda.
Shrikol.
Shrikrishnapur.
Shripur.
Shukrguzári.
Shámdihi.
Shámganj.
Shámnagar.
Sibhok.
Sidhhát.
Sikti.
Siko.
Sildá.
Silhauri.
Síli.
Siliguri.
Simaria.
Simlápál.
Simulia.
Simultala.
Singheshwarthán.
Singla.
Singra.
Sinti.
Shírámpur.
Sitakund.
Sítakunda.
Sítarámpur.
Sonáda.
Sonadánga.
Sonakháli.
Sonamukhi.
Sonárpur.
Sonmai.
Soro.
Subhalára.
Sudhárám or Noakholly or Bhullooah.
Suganpur.
Sukhjora.
Sultanganj.
Sultanpur.
Sultanpurghat.
Sunákhala.
Sundalpur.
Sundarganj.
Sundarpur.
Supur.
Surul.
Sutaháta.
Suvarnapur.
Subarnapur.
Swarupganj.
Swarupnagar.
Swaruppur.
Táki.
Tála.
Táldanda.
Táldángara.
Tálgán.
Tálma.
Talnagar.
Tálpada.
Tálpukur.
Táleágara.
Tamár.
Tángi.
Tankapáni.
Tapasi.
Tapoban.
Táraobandi.
Tárakeshwar.
Tárakot.
Tegra.
Tehta.
Tehatta.
Teispur.
Telangabazar.
Telangapenth.
Telikud.
Telisáer.
Tengra.
Tenrakháli.
Tentulia.
Tepa.
Terohál.
Tikári.
Tíko.
Tiljala.
Tinpahár.
Tirbeni.
Topchánchi.
Torpa.
Tribeni.
Tulasichára.
Tulasighát.
Tulasiháta.
Tulasipur.
Turkaulia.
Tundi.
Udási.
Udayagiri.
Ukhara.
Ula or Bírnagar.
Ulipur.
Ultadánga.
Umga or Madanpur.
Untári.
Vishnupur.
Watganj.
Wazirganj.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 28th June 1876.

No. 71*J.*—Under the provisions of Section I, Act III of 1864 (an Act to give the Government certain powers with respect to Foreigners), the Governor General in Council is pleased to authorize the Chief Commissioner of Ajmere for the time being to exercise the powers vested by that Act in a Local Government.

POLITICAL.

The 30th June 1876.

No. 1551*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the temporary appointment of Mr. V. Bienenfeld as Acting Vice-Consul for Italy at Aden.

GENERAL.

The 30th June 1876.

No. 1380*G.*—*Appointment.*—Mr. C. B. Saunders, C.B., to be Chief Commissioner of Mysore and Coorg, with effect from the date of assuming charge of that office.

No. 1381*G.*—With reference to Notification No. 2575G, dated 24th December 1875, Colonel Sir R. J. Meade, K.C.S.I., is confirmed in the appointment of Resident at Hyderabad.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 30th June 1876.

No. 1273.—Babu Rajaninath Ráy, M.A., is appointed to officiate as Assistant to the Accountant General, Bombay.

Mr. H. S. Groves, B.A., is appointed to officiate as Assistant to the Accountant General, Madras.

No. 1345.—Mr. C. R. Kiernander is appointed to officiate as Deputy Accountant General, North-Western Provinces, during the absence of Mr. A. Anthony on privilege leave, or until further orders.

No. 1353.—*Cash balances in the Government Treasuries in India on the last day of the month of May* 1876, *compared with those on the same date in* 1875 *and* 1874 :—

	1874.	1875.	1876.
	Rs.	Rs.	Rs.
Govt. of India	1,97,02,996	3,42,47,646	3,69,29,068
Bengal ...	1,84,59,474	1,94,72,020	1,61,53,367
Assam ...	14,08,673	29,89,390	36,44,510
British Burmah	16,94,044	49,24,402	37,66,442
N.-W. Provinces	1,45,39,642	1,95,22,358	2,10,65,087
Oudh ...	42,69,170	49,67,464	58,33,208
Punjab ...	1,03,46,925	1,03,31,125	1,07,32,056
Bombay ...	2,29,60,182	2,23,07,701	3,99,78,396
Central Provs.	53,63,934	54,17,943	50,50,832
Madras ...	2,38,83,395	2,88,53,939	2,86,84,317
TOTAL ...	12,26,28,435	15,30,33,988	17,18,37,283

LEAVE AND ALLOWANCES.

The 30th June 1876.

No. 1290.—The Governor General in Council directs that the following be substituted for Exception (1) under Section 25 of the Acting Allowance Code :—

Exception (1).—When a Subordinate Judicial Officer is placed in charge of a District Judge's Office, or when an Officer is placed in charge of a Political Agency, the charge allowance is fixed at Rs. 150 a month.

No. 1304.—The Governor General in Council directs that the following be inserted under Section 24 of the Civil Leave Code :—

3 (*a*).—A local allowance may be drawn by an Officer on privilege leave provided that it is not drawn by his *locum tenens*.

The Governor General in Council also directs that the following be added to the end of Rule 2 under Section 7 (*d*) of the Civil Leave Code :—

(*But see Rule* 3 (*a*) *under Section* 24.)

No. 1333.—The Governor General in Council directs that the following rule be inserted in Chapter VIII of the Civil Leave Code :—

2 (*a*).—One day's joining time is allowed to an Officer transferred from one Office to another at the same station.

MINT AND CURRENCY.

The 30th June 1876.

No. 1354.—*Statement of the Silver received and coined in the Mints of Calcutta and Bombay in May* 1876.

	Calcutta.			Bombay.		
	Bullion or Coin received during the month, valued in Rupees.		Coined and examined during the month, valued in Rupees.	Bullion or Coin received during the month, valued in Rupees.		Coined and examined during the month, valued in Rupees.
	Government.	Merchants.		Government.	Merchants.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In May 1876	2,356	6,39,363	5,21,177	34	49,95,580	39,99,000

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 24th June 1876.

No. 690 *of* 1876.—Appointment—

HYDERABAD CONTINGENT.

3rd Infantry.

Lieutenant H. M. Mason, 45th Foot, Officiating 2nd Wing Subaltern, 27th Madras Native Infantry, and now a candidate for the Bengal Staff Corps, to be Wing Subaltern, on probation, *vice* Lieutenant W. J. B. Bird, appointed to the 4th Cavalry.

No. 691 *of* 1876.—The following promotions are made in the undermentioned Corps of the Native Army :—

10th Regiment of Native Infantry.

Subadar Ramchurn Sing, to be Subadar-Major, *vice* Mehtab Sing, "Bahadoor," deceased.

Jemadar Resaul Sing, to be Subadar, *vice* Subadar-Major Mehtab Sing, "Bahadoor," deceased.
Color Havildar Lulleet Sing, to be Jemadar, *vice* Resaul Sing, promoted.
} From 3rd March 1876.

The 27th June 1876.

No. 692 *of* 1876.—The following extract from list No. 9, dated 2nd June 1876, received from the India Office, is published for general information :—

Permitted to return to duty.

Major B. Cracroft, Staff Corps.
Major C. P. Hunter, Staff Corps.
Surgeon-Major R. F. Hutchinson.

Granted extensions of leave.

Surgeon-Major F. Carter, 6 months, medical certificate.
Conductor C. Glover, 3 „ „ „
Surgeon-Major A. A. Mantell, 6 months „ „
Surgeon-Major J. B. Scriven, 5 „ „ „
Captain J. A. Temple, S.C., 6 months, private affairs.

Retirement.

Surgeon-Major G. K. Poole, 7th May 1876.

The 28th June 1876.

No. 693 *of* 1876.—Appointment—

Army Remount Department.

With reference to the retirement of Staff Veterinary Surgeon W. Thacker, notified in the *London Gazette* of the 16th May 1876, and republished in General Order by His Excellency the Commander-in-Chief in India, dated 14th June 1876, the Governor General in Council is pleased to reappoint Mr. Thacker to be Remount Agent at the Presidency, with effect from the latter date.

No. 694 *of* 1876.—Surgeon A. H. Kelly, officiating in medical charge, Corps of Guides (Queen's Own), Punjab Frontier Force, is confirmed in that appointment, *vice* Surgeon-Major S. C. Courtney.

No. 695 *of* 1876.—The undermentioned Officers have reported their return from England :—

Lieutenant-Colonel (Brevet Colonel) J. J. O'Bryen, Bengal Staff Corps, Commandant, 22nd (Punjab) Regiment of Native Infantry,—date of arrival at Bombay, 16th June 1876.

Captain J. H. W. Osborne, late 44th Regiment of Native Infantry,—date of arrival at Bombay, 23rd March 1876 (date of departure on furlough, 28th March 1873).

Captain S. C. MacTier, Bengal Staff Corps, Wing Officer, 33rd (The Allahabad) Regiment of Native Infantry,—date of arrival at Bombay, 14th June 1876.

No. 696 *of* 1876.—The undermentioned Officers have reported their departure on the dates specified :—

Brigadier-General T. Wright, C.B., Bengal Staff Corps, G. G. O. No. 552 of 1876,—*Batavia*, 1st May 1876, from Bombay.

Colonel J. T. Walker, Royal Engineers, Bombay G. O. No. 262 of 1876,—*Assam*, 17th April 1876, from Bombay.

Lieutenant-Colonel (Brevet Colonel) M. J. Brander, Bengal Staff Corps, G. G. O. No. 551 of 1876,—*Trentham Hall*, 3rd May 1876, from Bombay.

Lieutenant-Colonel (Brevet Colonel) T. Gillilan, Madras Staff Corps, G. G. O. No. 516 of 1876,—*Bokhara*, 22nd May 1876, from Bombay.

Lieutenant-Colonel (Brevet Colonel) G. G. Moxon, Bengal Staff Corps, G. G. O. No. 453 of 1876,—*Bokhara*, 22nd May 1876, from Bombay.

Lieutenant-Colonel J. W. Hoggan, Bengal Staff Corps, G. G. O. No. 307 of 1876,—*Minerva*, 10th May 1876, from Bombay.

Lieutenant-Colonel J. J. H. Gordon, Bengal Staff Corps, G. G. O. No. 410 of 1876,—*Kashgar*, 15th May 1876, from Bombay.

Lieutenant-Colonel R. Worsley, Infantry, G. G. O. No. 616 of 1876,—*Ceylon*, 29th May 1876, from Bombay.

Deputy Surgeon-General W. G. Trousdell, M.D., British Medical Service, G. G. O. No. 643 of 1876,—*Kashgar*, 15th May 1876, from Bombay.

Deputy Surgeon-General H. M Cannon, M.B., Medical Department, G. G. O. No. 584 of 1876,—*Deccan*, 8th May 1876, from Bombay.

Major C. N. Judge, Royal Engineers, G. G. O. No. 297 of 1876,—*Viceroy*, 24th April 1876, from Calcutta.

Major F. J. Keen, Bengal Staff Corps, G. G. O. No. 336 of 1876,—*Zambesi*, 1st May 1876, from Bombay.

Major T. H. Turner, Bombay Staff Corps, G. G. O. No. 624 of 1876,—*Deccan*, 8th May 1876, from Bombay.

Major R. E. Boyle, Bengal Staff Corps, G. G. O. No. 446 of 1876,—*Kashgar*, 15th May 1876, from Bombay.

Major H. M. Repton, Bengal Staff Corps, G. G. O. No. 326 of 1876,—*Assiria*, 15th May 1876, from Bombay.

Surgeon W. Harvey, Medical Department, G. G. O. No. 116 of 1876,—*Mirzapore*, 7th April 1876, from Calcutta.

Surgeon K. McLeod, M.D., Medical Department, G. G. O. No. 45 of 1876,—*Tenasserim*, 15th April 1876, from Calcutta.

Surgeon A. H. Williams, M. B., Medical Department, G. G. O. No. 186 of 1876,—*Scotland*, 12th April 1876, from Calcutta.

Surgeon-Major J. R. Johnson, Medical Department, G. G. O. No. 351 of 1876,—*Batavia*, 1st May 1876, from Bombay.

Surgeon-Major J. Murray, M.D., Madras Medical Department, G. G. O. No. 463 of 1876,—*Bokhara*, 22nd May 1876, from Bombay.

Captain H. C. Rowcroft, Royal Engineers, G. G. O. No. 297 of 1876,—*Orion*, 13th April 1876, from Calcutta.

Captain C. Young, General List, Infantry, G. G. O. No. 397 of 1876,—*Zambesi*, 1st May 1876, from Bombay.

Captain J. M. Trotter, General List, Infantry, G. G. O. No. 397 of 1876,—*Kashgar*, 15th May 1876, from Bombay.

Captain M. P. Moriarty, Bengal Staff Corps, G. G. O. No. 624 of 1876,—*Kashgar*, 15th May 1876, from Bombay.

Captain G. T. Plunkett, Royal Engineers, G. G. O. No. 143 of 1876,—*Trinacria*, 17th May 1876, from Bombay.

Captain T. Dawes, Bengal Staff Corps, G. G. O. No. 540 of 1876,—*Bokhara*, 22nd May 1876, from Bombay.

Lieutenant J. F. Rivett-Carnac, Bengal Staff Corps, G. G. O. No. 512 of 1876,—*Khedive*, 29th April 1876, from Calcutta.

No. 697 *of* 1876.—Native Medical Pupils Ahmed Khan, No. 850, and Yakoob Hoossain, No. 869, admitted by G. G. O. No. 1046 of 1875, are dismissed the service.

The 30th June 1876.

No. 698 *of* 1876.—Appointment—

Garrison Instruction Staff.

Captain St. V. A. Hammick, 43rd Foot, Assistant Garrison Instructor, to be Garrison Instructor, *vice* Major G. G. Hannen, resigned.

No. 699 *of* 1876.—The undermentioned men of the Hyderabad Contingent are transferred to the Pension Establishment and granted the stipends specified :—

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
		1st Cavalry.	Rs. A. P.		
3	Ressaidar ...	Abbass Ali Beg ...	25 0 0	1st April 1876.	Hyderabad.
8	Jemadar ...	Sheik Cawder ...	*20 0 0		Bolarum.
9	do. ...	Mohomed Khan ...	*20 0 0		With 1st Cavalry, H.C.
11	do. ...	Sheik Furatullah ...	12 0 0		Hyderabad.
21	Duffadar ...	Nanoo Sing ...	*10 0 0		Hingoli.
30	do. ...	Goolam Ghouse Khan ...	*10 0 0		Shajehanpur.
76	Trooper ...	Kallah Khan ...	*5 0 0		With 1st Cavalry, H.C.
77	do. ...	Dillawur Ali ...	*5 0 0		do.
86	do. ...	Sheik Kumroodeen ...	3 8 0		do.
87	do. ...	Mohomed Ali Khan ..	3 8 0		Hyderabad.
93	do. ...	Hymed Ali Khan ...	3 8 0		do.
94	do. ...	Rajaram ...	3 8 0		Aurangabad.
102	do. ...	Kaseenath Sing ...	3 8 0		Meerut.
104	do. ...	Hoossain Khan ...	3 8 0		With 1st Cavalry, H.C.
116	do. ...	Futteh Khan ...	3 8 0		Aurangabad.
118	do. ...	Meer Raheem Ali ...	3 8 0		Meerut.
119	do. ...	Meer Khan ...	3 8 0		Aurangabad.
125	do. ...	Meer Ali Share ...	3 8 0		Hyderabad.
127	do. ...	Fazul Khan ...	3 8 0		Aurangabad.
142	do. ...	Aumeer Khan ...	3 8 0		do.
		2nd Cavalry.			
2	Ressaidar ...	Kadurdad Khan ...	25 0 0	1st April 1876.	Aurangabad.
3	do ...	Dowlut Khan ...	25 0 0		Amraoti.
4	Jemadar ...	Zoolficar Khan ...	12 0 0		Mominabad.
5	do. ...	Fyz Mohamed Khan ...	12 0 0		With 2nd Cavalry, H.C.
6	Duffadar ...	Sheik Bunday Ally ...	6 0 0		do.
7	do. ...	Kemall Khan ...	6 0 0		do.
8	Trooper ...	Sadut Khan ...	3 8 0		Mominabad.
9	do. ...	Ghoolam Mohiedeen ...	3 8 0		With 2nd Cavalry, H.C.
10	do. ...	Mooneem Khan ...	3 8 0		do.
11	do. ...	Emom Khan ...	3 8 0		do.
12	do. ...	Fyzoodeen ...	3 8 0		do.
13	do. ...	Kamdar Khan ...	3 8 0		Hingoli.
14	do. ...	Muckrum Sing ...	3 8 0		Hyderabad.
15	do. ...	Abdoolla Khan ...	3 8 0		With 2nd Cavalry, H.C.
16	do. ...	Ihmed Khan ...	3 8 0		do.
17	do. ...	Kassum Beg ...	3 8 0		Hyderabad.
18	do. ...	Allum Khan ...	3 8 0		Jalna.
19	do. ...	Koorban Ally ...	3 8 0		Mominabad.
		3rd Cavalry.			
36	Ressaidar ..	Wullydad Khan ...	25 0 0		With 3rd Cavalry, H.C.
64	Jemadar ...	Alluff Khan, Member, 3rd Class Order of Merit ...	†12 0 0		do.
81	do. ...	Shaik Kulbeerodeen, Member, 3rd Class Order of Merit	‡12 0 0		Delhi.
5	Duffadar ...	Mirza Ruzza Beg ...	*10 0 0		With 3rd Cavalry, H.C.
19	do. ...	Mahomed Khan ...	6 0 0		Delhi.
54	do. ...	Myboob Khan ...	6 0 0		Aurangabad.
78	do. ...	Jaffer Khan ...	6 0 0		Bolarum.
75	Trooper ...	Rhymut Khan ...	3 8 0		Aurangabad.
10	do. ...	Runjeeth Sing ...	3 8 0		do.

* Superior rate of pension for 40 years' service and upwards.

† Draws Rs. 4-2-1, Order of Merit allowance.

‡ Draws Rs. 3-5-4, Order of Merit allowance in addition.

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
			Rs. A. P.		
		3rd Cavalry— (Continued.)			
12	Trooper ..	Shaik Mahomed ...	3 8 0		With 3rd Cavalry, H.C.
23	do. ...	Syed Fyazoodeen ...	3 8 0		Aurangabad.
30	do. ...	Ahdee Khan ...	3 8 0		do.
32	do. ...	Ghoolaum Mahomed Khan	3 8 0		Hingoli.
41	do. ...	Mirza Kullen Beg ...	3 8 0		Bolarum.
44	do. ...	Gooljar Khan ...	3 8 0		With 3rd Cavalry.
45	do. ...	Futhey Mahomed Khan ...	3 8 0		Aurangabad.
46	do. ...	Mahomed Buxsh Khan ..	3 8 0		do.
48	do. ...	Fyzoollah Khan ...	3 8 0		do.
57	do. ...	Namdar Khan ...	3 8 0		do.
60	do. ...	Nizam Ally Khan ...	3 8 0		Shajehanpur.
61	do. ...	Syed Meerah ...	3 8 0		Ellichpur.
66	do. ...	Shaik Mahomed Meerah ..	3 8 0		Aurangabad.
70	do. ...	Syed Bahker Hoossain ...	3 8 0		do.
74	do. ...	Sherriff Beg ...	3 8 0		do.
80	do. ...	Rhymon Khan ...	3 8 0		do.
83	do. ...	Bahlaram ...	3 8 0		Hingoli.
85	do. ...	Wozeer Beg ...	3 8 0		Aurangabad.
87	do. ...	Kiddur Khan ..	3 8 0		Delhi.
88	do. ...	Mirza Rumzan Beg ...	3 8 0		Aurangabad.
		4th Cavalry.			
1	Rissaldar Major.	Shah Mahomed Beg Khan	50 0 0	1st April 1876.	Bolarum.
2	Ressaldar ...	Meer Atha Hoossain ...	25 0 0		Meerut.
4	do. ...	Mahomed Eusuf Khan ...	25 0 0		Allahabad.
8	Jemadar ...	Dhunnay Khan ...	12 0 0		With 4th Cavalry, H.C.
9	do. ...	Akbur Khan ...	12 0 0		do.
10	do ...	Sheik Oomer ...	12 0 0		Mominabad.
20	Duffadar ...	Azeem oolla Khan ...	6 0 0		Aurangabad.
24	do. ..	Abdoolla Khan ...	6 0 0		do.
25	do. ...	Meer Mahomed Ali ...	6 0 0		With 4th Cavalry.
47	do. ...	Goopaul Sing ...	6 0 0		do.
75	Trooper ..	Gunga Sing ...	3 8 0		Lucknow.
76	do. ...	Jehangeer Khan ...	3 8 0		Meerut.
78	do. ...	Rhyhim Khan ...	3 8 0		Hingoli.
82	do. ...	Sheik Azeemoodeen ...	3 8 0		do.
83	do. ..	Ameer Khan ...	3 8 0		Aurangabad.
84	do. ...	Sheik Hushmoodeen ...	3 8 0		Nassick.
86	do. ...	Meer Ahmed Ali ...	3 8 0		With 4th Cavalry.
87	do. ...	Hoosmon Khan ...	3 8 0		do.
88	do. ...	Mahomed Beg ...	3 8 0		Bolarum.
89	do. ...	Mahomed Soolaymon ...	3 8 0		With 4th Cavalry.
91	do. ...	Sheik Allaodeen ..	3 8 0		Bolarum.
93	do. ...	Emom Khan ...	3 8 0		Aurangabad.
97	do. ...	Mooktiar Khan ...	3 8 0		With 4th Cavalry.
99	do. ...	Wullayet Ali Khan ...	3 8 0		Bolarum.
100	do. ...	Wuzeer Mahomed Khan ...	3 8 0		Ellichpur.
104	do. ...	Mirza Nuzur Beg ...	3 8 0		With 4th Cavalry.
107	do. ...	Mirza Ameer Beg ...	3 8 0		Aurangabad.
105	do. ...	Dillawur Khan ...	3 8 0		do.
109	do. ...	Meer Mahomed Ali ...	3 8 0		Mominabad.
113	do. ...	Ahmed Khan ...	3 8 0		With 4th Cavalry.
118	do. ...	Sheik Azeem ...	3 8 0		Bolarum.
131	do. ...	Sheik Meeran ...	3 8 0		With 4th Cavalry.
137	do. ...	Mahomed Khan ...	3 8 0		Aurangabad.
139	do. ...	Sheik Azeemoodeen ...	3 8 0		Mominabad.
145	do. ..	Toojaram ...	3 8 0		With 4th Cavalry, H.C.
1	Camel Gunner	Meer Massoom Ali ...	3 8 0		Hingoli.
112	Trooper ...	Adum Khan ...	3 8 0		do.

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
		No. 1 *Horse Light Field Battery.*	Rs. A. P.		
1	Naick of Gunners	Ramrutton Sing ...	5 6 0	1st April 1876.	Azimghur.
2	do. ...	Sheik Emom ...	5 6 0		Bolarum.
1	Gunner ...	Baineesing ..	3 11 6		Azimghur.
2	do. ...	Sheik Hoossain ...	3 11 6		Bolarum.
1	Syce Driver ...	Hoossain Khan ...	3 4 11		do.
		No. 2 *Horse Light Field Battery.*			
32	Havildar Major	Sheik Ally ...	7 13 8		Bolarum.
51	Havildar of Syce Drivers ...	Thooljaram ...	5 12 7		Aurangabad.
8	Gunner ...	Sheik Rhymon ...	3 11 6		do.
11	do. ...	Bissasur Ponday ...	3 11 6		Benares.
20	do. ...	Kassim Khan ...	3 11 6		Aurangabad.
27	do. ...	Lutchmon, 2nd ...	3 11 6		Allahabad.
34	do. ...	Ramduth ...	3 11 6		Cawnpur.
35	do. ...	Lutchmon, 3rd ...	3 11 6		Aurangabad.
43	do. ...	Nursoo, 2nd ...	3 11 6		do.
44	do. ...	Nursoo, 1st ...	3 11 6		do.
45	do. ...	Lauzer ...	3 11 6		do.
46	do. ...	Lutchmon, 4th ...	3 11 6		Hingoli.
47	do. ...	Sheik Bunnoo ..	3 11 6		Bolarum.
52	do. ...	Sheik Davood ...	3 11 6		Aurangabad.
53	do. ...	Kooshawl ...	3 11 6		Ellichpur.
		No. 3 *Horse Light Field Battery.*			
1	Subadar ...	Lallah ...	*40 0 0	1st April 1876.	Hingoli.
1	Jemadar ...	Gopalsing ...	12 6 4		do.
1	Pay Havildar ...	Dowluth ...	7 13 8		Furruckabad.
1	Havildar ...	Ramchurn ...	6 3 2		do.
1	Naigue ...	Mothee ...	5 6 0		Cawnpur.
1	Gunner ...	Sheik Rhymon ...	3 11 6		Hingoli.
2	do. ...	Omer Hyath Khan ...	3 11 6		Furruckabad.
3	do. ...	Sheik Mullung ...	3 11 6		Hingoli.
4	do. ...	Narrain ...	3 11 6		do.
5	do. ...	Futha Homed ...	3 11 6		do.
6	do. ...	Sheik Roshun ...	3 11 6		do.
7	do. ...	Deegajee ...	3 11 6		do.
8	do. ...	Sheik Emom ...	3 11 6		do.
1	Havildar of Syce Drivers ...	Sheik Ibrahim ...	5 12 7		do.
1	Syce Driver ...	Futha Homed ...	3 4 11		Ellichpur.
1	Tent Lascar ...	Mulloo ...	3 4 11		Hingoli.
		No. 4 *Horse Light Field Battery.*			
21	Havildar of Gunners ...	Peer Homed ...	6 3 2		Aurangabad.
50	do. ...	Bhowanee ...	6 3 2		Cawnpur.
68	do. ..	Sheik Khyratee ...	6 3 2		Allahabad.
60	Naik of Gunners	Mattadeen ...	5 6 0		Lucknow.
20	Gunner ...	Fukeer bux ...	3 11 6		Ellichpur.
35	do. ...	Syud Meer ...	3 11 6		Bolarum.
47	do. ...	Suddoo ...	3 11 6		Hingoli.
51	do. ...	Gazeebux ...	3 11 6		Bolarum.
66	Syce Driver ...	Koolee ...	3 4 11		Cawnpur.
56	Bullock Driver	Lallaram ...	2 14 4		Ellichpur.

* Superior rate of pension for 40 years' service and upwards.

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
			Rs. A. P.		
		Ordnance Department, Hingoli.			
1	Store Lascar ...	Rungiah ...	3 4 11	1st April 1876.	Hingoli.
2	do. ...	Nursoo ...	3 4 11		do.
3	do. ...	Sheik Ismail ...	3 4 11		do.
4	do. ...	Wasdeo ...	3 4 11		Bolarum.
		1st Infantry.			
1	Subadar ...	Ramphul Sing ...	*40 0 0		Azimgurh.
1	Jemadar ...	Shaik Auzim ...	12 6 4		Hyderabad.
1	Havildar ...	Rajaram ...	6 0 0		Bolarum.
1	Bass Drummer	Unthoo ..	4 15 4		do.
1	Private ...	Seetul ...	*5 0 0		Lucknow.
2	do. ...	Ramjee ...	3 4 11		Aurangabad.
3	do. ...	Thumunnah ...	3 4 11		Bolarum.
4	do. ...	Sumbhur Sing ...	3 4 11		Cawnpur.
5	do. ...	Purrowtee ...	3 4 11		Fyzabad.
6	do. ...	Heeralal ...	3 4 11		Cawnpur.
7	do. ...	Kalcapersad ...	3 4 11		Allahabad.
8	do. ...	Abdoolnubbee ...	3 4 11		Bolarum.
9	do. ...	Nowrung Sing ...	3 4 11		Azimgurh.
10	do. ...	Seetharam ...	3 4 11		Jalna.
11	do. ...	Toolsee Sing ...	3 4 11		Azimgurh.
12	do. ...	Soorjbully Chobay ...	3 4 11		Fyzabad.
13	do. ...	Gunnes ...	3 4 11		Allahabad.
14	do. ...	Lutchmon ...	3 4 11		Bolarum.
15	do. ...	Ramdeen ...	3 4 11		Fyzabad.
16	do. ...	Seetulsing ...	3 4 11		Azimgurh.
17	do. ...	Soobhow Sing ...	3 4 11		Bolarum.
18	do. ...	Narrine Duth ...	3 4 11		Fyzabad.
19	do. ...	Hunnomon ...	3 4 11		Allahabad.
		2nd Infantry.			
385	Subadar Major	Rugnoth Sing ...	*40 0 0		Hingoli.
520	Subadar ...	Bhowanee ...	20 10 7		Bolarum.
598	do. ...	Rummoo Sing ...	20 10 7		Azimgurh.
684	do. ...	Sheik Bahadoor ...	12 6 4		Aurangabad.
726	Jemadar ...	Sheik Emam ...	12 6 4		With 2nd Infy., H. C.
772	do. ...	Hoobloll ...	12 6 4		Jalna.
663	Color Havildar	Sumshere Khan ...	6 0 0		Bolarum.
665	Havildar ...	Eariah ...	6 0 0		do.
674	Color Havildar	Balliah ..	6 0 0		do.
757	Havildar ...	Saib Ally ...	6 0 0		do.
1086	Color Havildar	Mouzedar Khan ...	6 0 0		do.
1113	Havildar ...	Byzenoth ...	6 0 0		Lucknow.
1286	do. ...	Deen Homed ...	6 0 0		Hingoli.
884	Naick ...	Ramsahai ...	4 15 4		Cawnpur.
1168	do. ...	Shaik Emam ...	4 15 4		Jalna.
1298	do. ...	Deo Surrun ...	4 15 4		Azimgurh.
770	Bugler ...	Michael Barrel ...	4 2 2		Bolarum.
673	Private ...	Gajadur ...	3 4 11		do.
738	do. ...	Bikramajeeth Sing ...	3 4 11		Cawnpur.
758	do. ...	Hoollas ...	3 4 11		do.
761	do. ...	Buktawur ...	3 4 11		Ellichpur.
767	do. ...	Banee Persad ...	3 4 11		With 2nd Infy., H. C.
769	do. ..	Gungadeen .	3 4 11		Cawnpur.
777	do. ...	Bholah ...	3 4 11		do.
810	do. ...	Lolla Tribadee ...	3 4 11		do.
834	do. ...	Sheik Jamaul ...	3 4 11		Jalna.
835	do. ...	Kalkah ...	3 4 11		do.
839	do. ...	Toolah ...	3 4 11		Cawnpur.

* Superior rate of pension for 40 years' service and upwards.

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
			Rs. A. P.		
		2nd Infantry—(Continued)			
840	Private ...	Surrawunjee ...	3 4 11	1st April 1876.	With 2nd Infy., H. C.
843	do. ...	Sheik Jaloll ...	3 4 11		Hingoli.
853	do. ...	Mayhee Loll	3 4 11		Cawnpur.
861	do. ...	Gungadeen ..	3 4 11		Furruckabad.
864	do. ..	Gokool ...	3 4 11		Cawnpur.
876	do. ...	Ramdeen ...	3 4 11		Jalna.
883	do. ...	Kalkadeen ..	3 4 11		do.
887	do. ...	Oodhie ...	3 4 11		Cawnpur.
1032	do. ..	Jamaul Beg ...	3 4 11		Jalna.
1075	do. ...	Heeraloll ..	3 4 11		do.
1092	do. ...	Ameer Buccus ...	3 4 11		With 2nd Infy., H. C.
1097	do. ...	Munsah	3 4 11		Jalna.
1107	do. ...	Sheik Dawood ...	3 4 11		Hingoli.
1114	do. ...	Oosman Khan ..	3 4 11		do.
1115	do. ...	Sunkur ..	3 4 11		Ellichpur.
1121	do. ...	Juggurnauth ...	3 4 11		Hingoli.
1123	do. ...	Sheik Esmoil ...	3 4 11		Bolarum.
1131	do. ...	Heeramun .	3 4 11		Hingoli.
1145	do. ...	Seechurn ...	3 4 11		Ellichpur.
1157	do. ...	Bugwandeen ...	3 4 11		Cawnpur.
1161	do. ...	Syed Homed ...	3 4 11		Bolarum.
1167	do. ...	Jeea Loll ...	3 4 11		Cawnpur.
1178	do. ...	Punnoo Loll ...	3 4 11		Lingsugur.
1182	do. ...	Seetaram ...	3 4 11		Fyzabad.
1193	do. ...	Sheik Hoossein ...	3 4 11		Bolarum.
1205	do. ...	Mahomed Khan ...	3 4 11		Aurangabad.
1218	do. ...	Sheik Ameer ...	3 4 11		Bolarum.
1222	do. ...	Willoyed Beg ...	3 4 11		Ellichpur.
1225	do. ...	Sheik Munnoo ...	3 4 11		With 2nd Infy., H. C.
1228	do. ...	Surfraz Khan ...	3 4 11		Ellichpur.
1235	do. ...	Emam Buksh ...	3 4 11		With 2nd Infy., H. C.
1250	do. ...	Sheik Emam ...	3 4 11		Mominabad.
1254	do. ...	Lutchmon ...	3 4 11		Jalna.
1165	do. ...	Juggurnoth ...	3 4 11		Cawnpur.
1266	do. ...	Baboo ...	3 4 11		Aurangabad.
1267	do. ...	Meer Abbass Ally ...	3 4 11		Ellichpur.
1272	do. ...	Bowanee Sing ...	3 4 11		Cawnpur.
1280	do. ...	Sheik Emam Bux ...	3 4 11		do.
1292	do. ...	Saib Khan ...	3 4 11		Guntoor.
835	do. ...	Ramdeen ...	3 4 11		Azimgurh.
1265	do. ...	Goordeen ...	3 4 11		Cawnpur.
1294	do. ...	Bunday Alli ...	3 4 11		Bolarum
1309	do. ..	Eariah ...	3 4 11		do.
		3rd Infantry.			
1644	Subadar ...	Ebraim Khan ...	20 10 7	•	Aurangabad.
651	Jemadar ..	Lokie Sookal ..	12 6 4		Lucknow.
890	Color Havildar	Sewgoolam ...	6 0 0		Allahabad.
635	do. ..	Bhyroo Dhobay ...	6 0 0		Lingsugur.
746	do. ...	Nehurree Gola ...	6 0 0		Behala (Oudh.)
855	do. ...	Galiff ...	6 0 0		Aurangabad.
734	Havildar ...	Lalla Seetaram ...	6 0 0		Allahabad.
790	do. ...	Soorujbhan ...	6 0 0		Bolarum.
745	Naigue ...	Nursoo ...	4 15 4		do.
707	do. ..	Holee Mohomed ...	4 15 4		do.
797	do. ...	Sheik Chand ...	4 15 4		Aurangabad.
838	Bugler ...	John Hollingsworth ...	*7 0 0		Bolarum.
921	do. ...	Luchmon ...	4 2 2		With 3rd Infy., H. C.
699	Fifer ...	Benjimin ...	4 2 2		With 1st Infy., H. C.

* Special rate of pension being of European descent.

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
		2rd Infantry—(Continued.)	Rs. A. P.		
559	Private ...	Nunkoo ...	3 4 11	1st April 1876.	With 3rd Infy., H. C.
733	do. ...	Sheik Azum ...	3 4 11		do.
789	do. ...	Mullaree ...	3 4 11		Akola.
778	do. ...	Kalleeka ...	3 4 11		Allahabad.
610	do. ..	Ranoojee ...	3 4 11		Akola.
644	do. ...	Enkiah ...	3 4 11		Hingoli.
720	do. ...	Goolom Hoossain ...	3 4 11		Aurangabad.
738	do. ...	Gungajee ...	3 4 11		Hingoli.
740	do. ...	Sheik Kurreem Bux ...	3 4 11		do.
897	do. ...	Toolseeram ..	3 4 11		do.
920	do. ...	Poorun ...	3 4 11		Nagpur.
520	do. ...	Danuppa ...	3 4 11		With 3rd Infy., H. C.
596	do. ...	Syed Laul ...	3 4 11		Hingoli.
824	do. ...	Ramnarrain Sing ...	3 4 11		Azimgurh.
826	do. ...	Juddoo Sing ...	3 4 11		do.
822	do. ...	Halli Bux ...	3 4 11		Bolarum.
508	do. ...	Luchmon ...	3 4 11		With 5th Infy., H. C.
674	do. ...	Sheik Hossain ...	3 4 11		Aurangabad.
785	do. ...	Wahid Beg .	3 4 11		Hingoli.
800	do. ...	Ramjeavun ...	3 4 11		Allahabad.
805	do. ...	Bhyroopersaud ...	3 4 11		do.
814	do. ...	Ramlaul ...	3 4 11		Bolarum.
870	do. ...	Juggunnoth Patuk ...	3 4 11		Cawnpur.
708	do. ...	Sheik Babun ...	3 4 11		Bolarum.
711	do. ...	Bhowanee Sing ...	3 4 11		Cawnpur.
848	do. ...	Kalleeka ...	3 4 11		Mominabad.
570	do. ...	Koosseal Khan ...	3 4 11		Fyzabad.
		4th Infantry.			
	Subadar Major	Syed Alli ...	*10 0 0		Aurangabad.
	Subadar ...	Chintamun ...	20 10 7		Hingoli.
29	Havildar ...	Danuppah ...	6 0 0		do.
56	do. ..	Share Khan .	6 0 0		Aurangabad.
138	Naigue ...	Mahomed Ousman ...	4 15 4		Bolarum.
144	do. ...	Ramsuroop ...	4 15 4		Hingoli.
181	do. ...	Achabur Sing ...	4 15 4		Azimgurh.
65	Fifer ...	Achunnah ...	4 2 2		Hingoli.
66	do. ...	Mureeajee ...	4 2 2		do.
5	Private ...	Bhoomiah ...	3 4 11		do.
6	do. ...	Saiboo ...	3 4 11		With 4th Infy., H. C.
7	do. ...	Bhagoo ...	3 4 11		Hingoli.
11	do. ...	Seodeen ...	3 4 11		Ellichpur.
17	do. ...	Shukur Khan ...	3 4 11		Hingoli.
18	do. ...	Shaik Moortoojah ...	3 4 11		Bolarum.
20	do. ...	Chuttoo ...	3 4 11		Hingoli.
34	do. ...	Goordeen ...	3 4 11		Lucknow.
38	do. ...	Kishnajee, 1st ...	3 4 11		Hingoli.
46	do. ...	Kishnajee, 2nd ...	3 4 11		do.
52	do. ...	Syed Dawul ...	3 4 11		Jalna.
53	do. ...	Mulliah ...	3 4 11		Hingoli.
69	do. ...	Shaik Abdoolnubee ..	3 4 11		Bolarum.
71	do. ...	Shumboo ...	3 4 11		Aurangabad.
86	do. ...	Shaik Meerah ...	3 4 11		Hingoli.
89	do. ...	Nuseer Khan ...	3 4 11		do.

* Superior rate of pension for 40 years' service and upwards.

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
		4th Infantry—(Continued.)	Rs. A. P.		
91	Private ...	Shaik Khoodabux ...	3 4 11	1st April 1876.	Hingoli
103	do. ...	Bhowanee ...	3 4 11		With 4th Infy., H. C.
110	do. ...	Suthoo ...	3 4 11		Hingoli.
114	do. ...	Nursoo ...	3 4 11		do.
117	do. ...	Madho Sing ...	3 4 11		Benares.
118	do. ...	Beejoy ...	3 4 11		Hingoli.
119	do. ...	Ramsahi Dichit ...	3 4 11		Cawnpur.
120	do. ...	Lallah ...	3 4 11		Aurangabad.
127	do. ...	Gungadeen ...	3 4 11		Allahabad.
129	do. ...	Sunthoo ..	3 4 11		Hingoli.
134	do. ...	Junglajee	3 4 11		do.
136	do. ...	Shaik Chand ...	3 4 11		Aurangabad.
147	do. ...	Chundun Sing ...	3 4 11		Furruckabad.
150	do. ...	Moostafa Khan ...	3 4 11		Hingoli.
163	do. ...	Khundoo ...	3 4 11		do.
172	do. ...	Enkutram ...	3 4 11		do.
173	do. ...	Lutchmun ...	3 4 11		With 4th Infy., H. C.
179	do. ...	Heerah ..	3 4 11		Hingoli.
187	do. ...	Hunmuntrow ...	3 4 11		Bolarum.
188	do. ...	Goorbux Panday ..	3 4 11		Allahabad.
189	do. ...	Seethul ...	3 4 11		do.
191	do. ...	Rambux ...	3 4 11		Ellichpur.
196	do. ...	Budul ...	3 4 11		Cawnpur.
197	do. ...	Seolingoo ...	3 4 11		Hingoli.
198	do. ...	Mudar Bux ...	3 4 11		do.
199	do. ...	Ahmed Alli ...	3 4 11		Bolarum.
209	do. ...	Gopalsing ..	3 4 11		Azimgurh.
210	do. ...	Assunnah ...	3 4 11		Ellichpur.
217	do. ...	Oojagur ...	3 4 11		Allahabad.
220	do. ...	Sheik Rhymon ...	3 4 11		Bolarum.
1	Lascar ...	Seevoo ...	2 14 4		Hingoli.
3	do. ...	Bheekun Khan ..	2 14 4		do.
		5th Infantry.			
	Jemadar Adjutant ...	Bijenath ...	12 6 4		Allahabad.
	Jemadar ..	Sheik Nubee Bux ...	12 6 4		do.
	do. ...	Makhun Lall ...	12 6 4		Cawnpur.
186	Color Havildar.	Ballaram ...	6 0 0		Aurangabad.
137	do. ...	Noor Mahomed ...	6 0 0		do.
199	Havildar ...	Sheik Toorab ..	6 0 0		Ellichpur.
260	do. ...	Ramchurn ...	6 0 0		With 5th Infy., H. C.
235	Color Havildar.	Sheik Hoossain ...	6 0 0		Aurangabad.
197	do. ...	Laurence Figrade ...	6 0 0		do.
110	do. ...	Mohungeer ...	6 0 0		Cawnpur.
189	Havildar ...	Beharee Sing ...	6 0 0		Aurangabad.
290	do. ...	Isree ...	6 0 0		Cawnpur.
315	do. ...	Munohur ...	6 0 0		do.
177	do. ...	Beejye ...	6 0 0		Allahabad.
64	do. ...	Sheik Ally Bux ...	6 0 0		Hyderabad.
19	do. ...	Jugunath Sing ...	6 0 0		Aurangabad.
314	do. ...	Sheik Nawajish ...	6 0 0		Fyzabad.
278	Naigue ...	Baboo Sing ...	4 15 4		Ellichpur.
141	Bugler ...	Rama ...	4 2 2		Aurangabad.
70	Private ...	Khooshial ...	3 4 11		Hingoli.
79	do. ...	Yenkutee ..	3 4 11		With 5th Infy., H. C.
93	do. ...	Bhowany Bheek ...	3 4 11		Allahabad.
132	do. ...	Thakoor Sing ...	3 4 11		do.
134	do. ...	Fukeer Homed ...	3 4 11		With 5th Infy., H. C.
153	do. ...	Sheik Nubee ...	3 4 11		Ellichpur.

Number.	Rank and Names.		Amount of monthly stipend.	From what date.	Where permitted to reside and draw stipend.
		5th Infantry—(Continued)	Rs. A. P.		
218	Private ...	Buckawur ...	3 4 11		Aurangabad.
220	do. ...	Ramadheen Sing ...	3 4 11		Allahabad.
222	do. ..	Thakoor ...	3 4 11		Fyzabad.
226	do. ...	Resall ...	3 4 11		With 5th Infy, H. C.
228	do. ...	Muneeram Tewary ...	3 4 11		Lucknow.
234	do. ...	Lutchmon Sing ...	3 4 11		Aurangabad.
243	do. ..	Mulliah ...	3 4 11		Hyderabad.
249	do. ...	Bunseedhur ...	3 4 11		Dinapore.
259	do. ...	Rampersad ...	3 4 11		Etawah.
264	do. ...	Mahomed Hoossain ...	3 4 11		Bolarum.
270	do. ...	Sheik Emom .	3 4 11		Aurangabad.
279	do. ...	Seoraj Sing .	3 4 11		Azimgurh.
288	do. ...	Sheik Chand ...	3 4 11		Aurangabad.
296	do. ...	Seeram ..	3 4 11		Hingoli.
310	do. ...	Sheik Emom ..	3 4 11		Aurangabad.
312	do. ...	Deelawur Khan ..	3 4 11		Lingsugur.
316	do. ...	Nursoo ...	3 4 11		Aurangabad.
		6th Infantry.			
1	Subadar ...	Bhookun ...	20 10 7	1st April 1876.	Roi Bareilly.
1	Jemadar ...	Bussunth Sing ..	12 6 4		Pertabgurh.
2	do. ...	Gunnase Sing ...	12 6 4		Ellichpur.
1	Havildar ..	Wullee Mahomed ...	6 0 0		do.
2	do. ...	Juggennoth Doobay ...	6 0 0		Allahabad.
3	do. ...	Sheik Mahomed ...	6 0 0		Ellichpur.
1	Naigue ...	Booddhoo ...	4 15 4		Hingoli.
2	do. ...	Goolzar ...	4 15 4		Fyzabad.
3	do. ...	Hunomon ..	4 15 4		Cawnpur.
1	Private	Cassim Ally ...	3 4 11		Ellichpur.
2	do. ...	Dewan ...	3 4 11		Cawnpur.
5	do. ...	Peer Buksh ...	3 4 11		Hingoli.
6	do. ...	Lutchmon ...	3 4 11		Aurangabad.
7	do. ...	Bhownahjee ...	3 4 11		Ellichpur.
8	do. ...	Gunput ...	3 4 11		Hingoli.
9	do. ...	Gunnase ...	3 4 11		Bolarum.
10	do. ...	Mhypaul Sing ...	3 4 11		Benares.
11	do. ...	Seochurrun Ponday ...	3 4 11		Dinapur.
13	do. ...	Chundee .	3 4 11		Lucknow.
14	do. ...	Ramjee ...	3 4 11		Jálna.
15	do. ...	Jowahir Doobay ...	3 4 11		Cawnpur.
16	do. ...	Gungah ..	3 4 11		Ellichpur.
17	do. ...	Pursun Misser ...	3 4 11		do.
18	do.	Girdharee ..	3 4 11		Lucknow.
19	do. ...	Bainee ...	3 4 11		do.

No. 700 *of* 1876.—Subadar-Major Rugnoth Sing, of the 2nd Infantry, Hyderabad Contingent, is allowed a continuance of the Brevet pay of his rank (Rs. 20-10-7 per mensem) after his transfer to the Pension Establishment.

No. 701 *of* 1876.—The following promotion is made in the undermentioned Corps of the Punjab Frontier Force, from the 25th December 1875 :—

2nd Punjab Infantry.

Havildar Chait Singh to be Jemadar, *vice* Fazaldad, deceased.

No. 702 *of* 1876.—The undermentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant William Henry Fothergill MacMullen, 11th Hussars, 2nd Squadron Subaltern, 18th Bengal Cavalry,—19th April 1875.

No. 703 *of* 1876.—The services of Native Medical Pupils Ladha Sing, No. 879, and Hurnam Sing, No. 862, are dispensed with.

See G. G. O. No. 1046 of 1875.

No. 704 *of* 1876.—Lieutenant-Colonel (Brevet Colonel) William Elliot Marshall, Bengal Staff Corps, is permitted to proceed to Europe on furlough on private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 705 *of* 1876.—The undermentioned Officer of the Bengal Staff Corps, having completed 26 years' service, is promoted to the rank of Lieutenant-Colonel, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval :—

Major William Cabell,—26th June 1876.

No. 706 *of* 1876.—The undermentioned Officer of the Bengal Staff Corps, having completed 20 years' service, is promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval :—

Captain Joseph Barnard Smith,—26th June 1876.

No. 707 *of* 1876.—Appointments—

PUNJAB FRONTIER FORCE.

2nd Cavalry.

Captain F. Lance, 2nd-in-Command and Squadron Officer, to officiate as Commandant, during the absence on furlough to Europe of Colonel T. G. Kennedy, or until further orders.

Captain J. H. Broome, 2nd Squadron Officer, to officiate as 2nd-in-Command and Squadron Officer, *vice* Captain Lance.

Captain R. C. R. Clifford, 3rd Squadron Officer, to officiate as 2nd Squadron Officer, *vice* Captain Broome.

Captain J. R. Campbell, Adjutant, to officiate as 3rd Squadron Officer, *vice* Captain Clifford.

Lieutenant L. T. Bishop, 2nd Squadron Subaltern, to officiate as Adjutant until the return from furlough of Captain E. B. Bishop, or until further orders.

The 1st July 1876.

No. 708 *of* 1876.—In continuation of G. G. O. No. 684, dated the 22nd June 1876, the undermentioned Officer is permitted to retire from the service, from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876 :—

No.	RANK AND NAME.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
27	Lieutenant-Colonel (Brevet Colonel) Angelo Edward Osborn.	Staff Corps	292 0 0	.....	4,260 0 0	1st July 1876.	England.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Simla, the 24th June 1876.

No. 21 *of* 1876.—Appointments—

Mr. E. G. Wells, Commander of the Indian Government Steamer *Tenasserim*, to officiate temporarily as Superintendent of the Indian Government Dockyard at Kidderpore, until further orders.

Mr. W. J. Powell, late Indian Navy, Commander of the Indian Government Steamer *Dalhousie*, to officiate temporarily as Commander of the Indian Government Steamer *Tenasserim*, *vice* Wells, and to act as Superintendent of the Indian Government Dockyard at Kidderpore, during the absence of Mr. Wells in the *Tenasserim*.

Mr. D. B. King, late Indian Navy, and late Commander of the Indian Government Steamer *Nemesis*, to officiate temporarily as Agent for Transports and Government Consignments, *vice* Mr. R. B. Yates, Officiating 1st Assistant Master Attendant, or until further orders.

The above appointments to have effect from the dates on which the officers respectively assumed the duties to which they have been nominated.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 24th June 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers, on the dates specified, were received in the Military Department from 3rd to 23rd June 1876:—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
H. M.'s 85th Foot...	Captain H. Harris-Burland ...	10th June 1876	Landour ...	Intestate ...	Widow administering.
Royal Horse Artillery	Lieutenant G. E. Dodsworth	14th ditto ...	Morar ...		
H. M.'s 39th Foot...	Lieutenant T. Boydell ...	15th ditto ...	Dugshaie ...		
Commissariat Dept.	Sub-Conductor J. Pentland ...	30th May 1876	Jhansi ...	Intestate.	

ALLEN JOHNSON, *Colonel*,
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 27th June 1876.

No. 293.—Mr. R. T. Keene, Engineer Apprentice on the Establishment under the Director of State Railways, was permitted, at his own request, to resign his appointment in the Public Works Department.

This cancels Public Works Department Notification No. 433 of 12th October 1875.

No. 294.—Mr. R. K. Williams, Temporary Examiner 3rd Class, 2nd Grade, reverted to his substantive appointment of Deputy Examiner, with effect from the 29th May 1876, the date of his relief by Major Lambert.

The 28th June 1876.

No. 295.—Corporal H. Goad, R. E., is appointed to the Public Works Department as an Overseer 1st Grade, and posted to the Military Works Branch.

No. 296.—The resignation of his appointment by Mr. F. Hiles, Overseer 1st Grade on the Establishment under the Director of State Railways, is accepted, with effect from 8th March 1875.

The 29th June 1876.

No. 297.—The Government of India has no further need of the services of Mr. H. E. Fitz-Simon, Accountant 3rd Grade, Military Works Branch.

No. 298.—Mr. Bhicajee Cowasjee, Accountant 4th grade on probation, Holkar and Neemuch State Railways, is confirmed in his appointment.

No. 299.—Mr. (late Private) J. Stewart, Accountant 4th Grade, Indus Valley State Railway, having obtained his discharge from the army on the 29th April 1876, is reappointed to the Accounts Branch as a civilian in the same grade from that date.

No. 300.—The Governor General in Council is pleased to make the following promotions with effect from 29th June 1876, consequent on the departure of Colonel W. W. H. Greathed, C. B., R. E., on furlough:—

To Temporary Chief Engineer, I Class.

Colonel F. T. Haig, R.E., Chief Engineer, II class.

To Temporary Chief Engineer, II Class.

Brevet Colonel L. Russell, R.E., Temporary Chief Engineer, III class.

No. 301.—The services of Mr. H. O'Connor, Accountant 4th Grade, Rajpootana, are dispensed with.

The 30th June 1876.

No. 302.—Mr. G. L. Molesworth, Consulting Engineer to the Government of India for State Railways, is granted three months' privilege leave with effect from the 26th June 1876.

C. H. DICKENS, *Col., R. A.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 28. SIMLA, SATURDAY, JULY 8, 1876. Register No. 33.

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

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SUPPLEMENT No. 29.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Simla, the 1st July 1876.

No. 12.—The appointment of Mr. H. H. Shephard, notified in the Notification of this Department, No. 10, dated 10th May last, is cancelled at his own request.

Mr. R. B. Michell, Barrister-at-law, is appointed to officiate as Reporter in the High Court at Madras, for the Indian Law Reports, from the date of receiving charge from Mr. J. H. S. Branson.

The 7th July 1876.

No. 13.—Whereas by Resolution passed by the Secretary of State for India in Council on the 6th day of October 1870, the provisions of the thirty-third of Victoria, Chapter three, were declared applicable to the districts of Hazára, Peshâwar, Kohât, Bannu, Dera Ismail Khán and Dera Ghâzi Khán;

and whereas the Lieutenant-Governor of the Panjáb has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

and whereas the Governor General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor General's assent;

in pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India*:—

REGULATION No. II OF 1876.

A Regulation for the Peace and Government of the Districts of Hazára, Peshâwar, Kohât, Bannu, Dera Ismail Khán and Dera Ghâzi Khán.

Whereas it is expedient to provide for the peace and good government of the districts of Hazára, Peshâwar, Kohât, Bannu, Dera Ismail Khán and Dera Ghâzi Khán, in manner hereinafter appearing; It is hereby enacted as follows:— Preamble.

1. This Regulation may be called "The Panjáb Frontier Regulation, 1876;" Short title.

It shall extend to all the said districts; Local extent.

And it shall come into force on being published in the *Gazette of India* and in the *Panjáb Government Gazette*. Commencement.

Arrest, without warrant, of person who has committed, or who intends to commit, an offence punishable under section 498 of the Penal Code.

2. When there is reason to believe

(*a*) that any person has committed an offence punishable under section 498 of the Indian Penal Code, or

(*b*) that any person designs to commit such an offence, and that the commission of such offence cannot be prevented otherwise than by his arrest,

the officer in charge of a Police station may, without orders from a Magistrate, and without warrant, arrest such person if required so to do by the husband of the woman concerned, or by the person (if any) having the care of her on behalf of such husband, or, in the absence of such husband and of such person as last aforesaid from the village in which such woman resides, by the headman of such village.

Disposal of arrested person.

3. Every Police-officer making an arrest under this Regulation shall, without unnecessary delay, take or send the person arrested before the nearest Magistrate having jurisdiction in the case, to be dealt with according to law.

No. 14.—Where as by Resolution passed by the Secretary of State in Council on the 9th day of May 1872, the provisions of the thirty-third of Victoria, Chapter three, section one, were declared applicable to the territories under the administration of the Chief Commissioner of the Andaman and Nicobar Islands;

and whereas the Chief Commissioner of the said Andaman and Nicobar Islands has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

and whereas the Governor General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor General's assent;

in pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India* :—

REGULATION No. III OF 1876.

THE ANDAMAN AND NICOBAR ISLANDS REGULATION, 1876.

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18. Master of vessel entering port to deliver list of crew, &c.
Penalty.
19. Penalty for any person landing without license.
20. Penalty for landing goods without license.
21. Master leaving port to deliver list of crew, &c.
22. Inspection of vessels.
Penalty.
23. Penalty for receiving on board a convict for the purpose of escape.
24. Power to board and search suspected vessels and require them to depart.
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32. Acts punishable.
33. Power to make rules and provide punishments for breach of them.
34. Power to adjudge forfeiture of property in addition to sentence of Court.
35. Application of enactments to fines.
Recovery of fines in the case of masters of vessels.

A Regulation for the Peace and Government of the Andaman and Nicobar Islands.

Preamble.

Whereas it is expedient to provide for the peace and government of the Andaman and Nicobar Islands; It is enacted as follows:

PART I.—PRELIMINARY.

Short title.

1. This Regulation may be called "The Andaman and Nicobar Islands Regulation, 1876;"

Extent.

It extends—

(*a*) to the group of islands known as the Great and Little Andamans and Little Cocos with their dependencies (hereinafter called 'the Andamans'); and

(*b*) to the island of Nancowry, together with all others commonly known as the Nicobar Islands (that is to say), the islands of Car Nicobar and Great Nicobar, with those lying between them, including Tillanchong:

Commencement.

And it shall come into force at once.

Repeal of enactments.

2. The Andaman and Nicobar Islands Regulation, 1874, and Act No. XXVIII of 1870 (*to authorize the committal of European British subjects by Courts in the Andamans to the High Court at Fort William*) are repealed, but not so as to revive Act No. XXVII of 1861 (*to regulate the administration of Port Blair and other Settlements in the Andaman Islands*) or to affect anything done, or any offence committed, or any fine, penalty, liability or forfeiture incurred, or any proceedings commenced, before the publishing of this Regulation.

All appointments and declarations made, powers conferred, licenses granted, and directions and instructions issued, under the said Regulation or under the said Act No. XXVII of 1861, shall be deemed to have been respectively made, conferred, granted and issued under this Regulation. And all commitments made under the said Act No. XXVIII of 1870 shall be deemed to have been made under this Regulation.

Interpretation-clause.

3. In this Regulation, unless there be something repugnant in the subject or context—

'section' means a section of this Regulation:

words importing the masculine gender include females:

words in the singular include the plural and *vice versâ*:

'month' means a month reckoned according to the British calendar:

'vessel' includes any description of boat or ship, and

'master' includes every person having command or charge of a vessel.

PART II.—OF LAND AND THE PRODUCTS THEREOF.

Ownership of land.

4. All the land comprised in any settlement in any of the said islands is vested absolutely in Her Majesty the Queen, and no person shall be deemed to have acquired any property therein, or any right to or over the same by occupation, prescription, or conveyance, or in any other manner whatsoever, except by a conveyance executed by a Secretary to the Government of India, by order of the Governor General in Council:

Provided that nothing in this section shall affect any rights created under the powers conferred by the first section of the said Act No. XXVII of 1861.

Power to grant license to occupy land.

5. The Chief Commissioner may, by a license in writing, and on such terms and subject to such conditions as he may deem fit, permit any person to occupy for any purpose any land within the limits of a settlement.

Contents of license.

Every such license shall describe the land so to be occupied by its boundaries or otherwise with convenient certainty, and shall specify the purpose for which such permission is granted and the terms and conditions on, and subject to, which it is granted.

Permission to erect buildings.

When permission is granted to occupy land with a view to the erection of buildings or the construction of agricultural works thereon, the license shall further specify the maximum amount which may be expended on such buildings or works, and such maximum amount shall in no case, without the previous sanction of the Governor General in Council, exceed twenty-five thousand rupees.

Such license not transferable.

6. No such license, and no right acquired under such a license, shall devolve or be transferred by inheritance, conveyance or in any other manner whatever, without the consent of the Chief Commissioner given in writing.

License determinable by notice.

7. The Chief Commissioner may at any time determine a license to occupy land upon giving to the licensee one year's previous notice of his intention so to do and paying to him in respect of any buildings erected or works constructed on such land in pursuance of a permission granted in the license, such compensation not exceeding the maximum sum specified in such license as to the said Chief Commissioner may seem reasonable.

Explanation.—No compensation for improvements or expenditure of any description can be claimed by the licensee except as herein provided.

Service of notice.

8. The notice required by section seven shall be in writing, and shall be served on the licensee in person if he can be found.

If the licensee cannot be found, it shall be sufficient to affix the notice to some conspicuous place on the land to which it refers.

Failure to give up land on determination of license.

9. If on the determination of the license by lapse of time, by notice under section seven, by breach of any condition contained therein, or otherwise, the licensee does not give up the land to such officer as the Chief Commissioner may depute to take it over, the Chief Commissioner may direct such officer to enter upon the land and remove any person found thereon, and all property found thereon shall be forfeited and shall vest in Her Majesty.

10. The Chief Commissioner may at any time grant a license in writing, on such terms and subject to such conditions as he may think fit, to any person to fell any trees, or take the produce of any trees, or collect edible birds' nests, or any other product of any settlement in any of the said islands.

Licensing of persons to fell trees or take products.

11. Any rent, revenue, or other dues claimable by Government in respect of the occupation of land in a settlement, or in respect of a license granted under section ten, may be summarily recovered by such officer as the Chief Commissioner may appoint in this behalf by attachment and sale of the defaulter's property, or by arrest of the defaulter and his simple imprisonment for a term not exceeding six months.

Recovery of rent, revenue or other Government dues.

12. The Chief Commissioner, with the sanction of the Governor General in Council, may appoint one or more officers to exercise all or any of the powers conferred on the Chief Commissioner by sections five to ten.

Delegation of powers to officers.

Every officer so appointed shall, in the matters aforesaid, be subject to the direction and control of the Chief Commissioner and be guided by such instructions as the Chief Commissioner may from time to time issue.

PART III.—OF THE ADMINISTRATION OF JUSTICE.

13. The Code of Criminal Procedure (Act No. X of 1872 as amended by Act No. XI of 1874) shall be subject to the following modifications:—

Code of Criminal Procedure applied, with modifications.

(*a.*) All the islands aforesaid shall form one sessions division, and the Chief Commissioner shall be the Sessions Judge in such division.

(*b.*) No appeal shall lie from any order of the Sessions Judge.

(*c.*) The functions of the High Court as a Court of reference shall be discharged by the Governor General in Council.

(*d.*) The functions of the High Court as a Court of revision shall be discharged in respect to proceedings of the Court of Session by the Governor General in Council, and in respect to proceedings of Courts subordinate to the Court of Session by the Court of Session.

(*e.*) All other functions of the High Court shall be discharged by the Court of Session.

(*f.*) Trials before the Court of Session may, in the discretion of the Sessions Judge, be conducted without the aid either of a jury or assessors.

(*g.*) Whenever the Sessions Judge deems it essential for the maintenance of tranquillity in any settlement that a sentence of death legally passed by him should be executed forthwith, he may order such sentence to be executed without the confirmation of the Court of reference.

Clauses (*b*), (*d*) and (*e*) of this section shall not apply to proceedings against European British subjects or persons jointly charged with European British subjects.

14. The Code of Civil Procedure as amended by subsequent Acts shall be deemed to be in force subject to the following modifications:—

Application of Civil Procedure Code, with modifications.

(*a.*) In lieu of section 372 of Act VIII of 1859, there shall be read the following:—

"372. If a decision passed in regular appeal by a Court subordinate to the Sadr Court reverse or modify the decision of the Court of original jurisdiction on a point material to the merits of the case, the Sadr Court may receive a Special appeal if on a perusal of the grounds of appeal and of copies of the judgments of the Courts below a further consideration of the case appears to be requisite for the ends of justice."

Special appeal to Sadr Court.

(*b.*) Section 27 of Act No. XXIII of 1861 (*to amend Act VIII of* 1859) is repealed.

(*c.*) The Sadr Court may call for the record of any proceeding of a Civil Court subordinate to it, and if it appears that there has been in such proceeding an error material to the merits of the case may pass such judgment or order thereon as it thinks fit.

PART IV.—OF THE ARRIVAL AND DEPARTURE OF VESSELS, AND THE LANDING OF PASSENGERS AND GOODS.

15. The Master of any vessel shall not land or anchor such vessel for the purpose of landing any person or any goods or things, at any place on the coast of any of the said islands, except at such place as may be declared a port under the provisions of the Act for the time being in force for the regulation of ports and port-dues.

Penalty for Master anchoring his vessel for the purpose of landing of passengers or goods at unauthorized port.

Any Master so offending shall be liable to a fine not exceeding one thousand rupees.

16. No person shall land from any vessel at any place on the coast of any of the said islands, not within the limits of some port declared under the provisions of such Act.

Penalty for landing at unauthorized port.

Any person so offending shall be liable to a fine not exceeding five hundred rupees,

and any goods or thing landed from any vessel except within such limits, may be seized by any person in the employment of Government, and may be confiscated if the Chief Commissioner, or any officer empowered by him in this behalf, so directs.

17. The provisions of the last two preceding sections shall not apply to any vessel the property of Her Majesty or used for any public purpose, nor to any person, goods, or thing landed from such vessel, nor in any other case when the provisions of the same sections have been infringed from stress of weather or other unavoidable circumstances.

Exception from provisions of last two sections.

18. The Master of any vessel entering the port of Camorta or any port in the Andamans shall, within twenty-four hours from the time of so entering, deliver to the Conservator of the Port a list of the crew and passengers on board of such vessel, as well as a manifest of the cargo carried by such vessel.

Master of vessel entering port to deliver list of crew, &c.

Any Master failing to deliver such list and manifest within such period, shall be liable to a fine not exceeding five hundred rupees.

Penalty.

19. No person shall land within the limits of any such port, except under a license granted as hereinafter provided, or under the written permission of the Conservator of the Port or of the Chief Commissioner, or some officer empowered by him to grant such permission,

Penalty for any person landing without license.

and any person so landing without such license or permission shall be liable to a fine not exceeding five hundred rupees.

20. No goods or other thing shall be landed within the limits of any such port except under the written permission of the Conservator of the Port or other officer appointed on that behalf;

Penalty for landing goods without license.

and any goods or thing landed without such permission, shall be liable to be seized by any person in the employment of Government and may be confiscated if the Chief Commissioner, or any officer empowered by him on this behalf, so directs.

21. Every Master of a vessel shall, within such time before the departure of such vessel from any such port as the Chief Commissioner may from time to time by general rules or special orders direct, deliver to the Conservator of such Port a correct list of the crew and other persons about to sail in such vessel, specially designating the persons (if any) who have not arrived at the Settlement in such vessel; and every Master failing to deliver such list, shall be liable to a fine not exceeding one thousand rupees.

Master leaving port to deliver list of crew, &c.

If any such Master, after delivering the list herein mentioned, takes or receives on board his vessel any person, not mentioned in such list, for the purpose of taking him from such port, without forthwith informing the Conservator of such Port of the name of such person, he shall be liable to a fine of five hundred rupees for every such person so taken or received on board.

22. Every Master of any vessel anchored in, or about to depart from, any such port shall, on the requisition of the Conservator of the Port or other person acting under the instructions of the Superintendent of the Port or other officer as aforesaid, permit such Conservator or other person to inspect such vessel and shall produce before such Conservator or other person any person who may be on board of such vessel.

Inspection of vessels.

Any Master failing to comply with any of the provisions of this section shall be liable to a fine not exceeding one thousand rupees.

Penalty.

23. If the Master of any vessel or other person wilfully receives on board such vessel any convict undergoing a sentence of transportation, for the purpose of conveying him from any penal Settlement without proper authority, such Master or other person shall be liable to a fine not exceeding one thousand rupees, in addition to any punishment that may be inflicted upon him under the provisions of the Indian Penal Code.

Penalty for receiving on board a convict for the purpose of escape.

24. Whenever the Chief Commissioner or any officer empowered by him in this behalf has reasonable and probable cause for believing that any ship within three miles of the coast of any of the said islands is intended to facilitate the escape of convicts from the limits to which they are restricted or to aid any other contravention of this Regulation, he may

Power to board and search suspected vessels and require them to depart.

(*a*) authorize any person to board and inspect such ship, and to require the Master to produce before him any convict who may be on board, and to allow the ship to be searched; and

(*b*) require the Master to take such ship within a reasonable time, not less than twelve hours, to a distance exceeding three miles from the coast of any of the said islands and not to return without the permission of the Chief Commissioner.

Any Master refusing to allow such boarding or inspection, or to comply with any requisition under this section, or returning without such permission, shall be liable to a fine not exceeding one thousand rupees.

25. Whenever the Chief Commissioner or the Deputy Superintendent of the Settlement has reason to believe that any person on board any vessel in any port of the Andamans or in the port of Camorta, is in possession of any opium or ganja or other hurtful or intoxicating drug, with intent to introduce the same into any Settlement in contravention of section thirty-one of this Regulation, the Chief Commissioner or the Deputy Superintendent, as the case may be, may by an order in writing authorize any officer of police not below the grade of Inspector to board and search such vessel and to seize such drug and to arrest the person possessing the same.

Power to board and search vessels in order to prevent illicit introduction of opium, ganja, &c.

Any person possessing any such drug on board a vessel in any of the said ports with the intent aforesaid may on conviction be punished with imprisonment of either description for a term not exceeding six months, or with fine not exceeding one thousand rupees or with both,

and the drug if any such is seized may be confiscated by order of the convicting Magistrate.

PART V.—OF LICENSES TO RESIDE AT A SETTLEMENT.

26. No person shall reside at any Settlement beyond the period of one month, or after the departure of the vessel by which he was conveyed to such Settlement, unless he holds a license granted by the Chief Commissioner, or by some officer empowered by the Chief Commissioner in this behalf;

License for residing at a Settlement.

and any person so residing without such license, shall be liable to a fine not exceeding five hundred rupees.

Such person may be required to remove himself from the Settlement in which he is within such time as the Chief Commissioner or other officer as aforesaid directs, and if he fails so to do, he shall be liable to a fine not exceeding five hundred rupees, and may further be shipped and removed from the Settlement by any vessel that the Chief Commissioner, or other officer as aforesaid appoints for that purpose.

Conditions of license to be determined by Governor General in Council.

27. The Governor General in Council may determine the conditions upon which a license to reside in any Settlement may be granted.

If the holder of any such license fails to conform to, or infringes, any of the conditions therein specified, he shall be liable to a fine not exceeding one thousand rupees.

Such person may also be required to remove himself from the Settlement in which he may be, and on failure so to do, he may be punished and his removal may be enforced as provided in section twenty-six.

PART VI.—MISCELLANEOUS.

Marriages of convicts.

28. Any marriage of a convict solemnized without the consent of the Chief Commissioner, or not registered in accordance with the rules which the Chief Commissioner may from time to time prescribe in this behalf, shall be void.

A certificate signed by the Chief Commissioner that the marriage of any convict named therein has been solemnized with such consent and registered in accordance with such rules shall, until the contrary is proved, be evidence of the facts so certified.

Obligation to give information of convicts' escape or intention to escape.

29. Every person aware of the escape or intention to escape of any convict from the limits to which he is restricted shall, in the absence of reasonable excuse, the burthen of proving which shall be upon such person, give immediate information of the same to the nearest police officer or Magistrate.

Power to define limits of Settlements.

30. The Governor General in Council may, if he thinks fit, from time to time, by notification in the *Gazette of India*, define the limits of any settlement or penal settlement in any of the said islands.

Certain articles not to be introduced, &c., without license.

31. No person shall, without a license in writing from the Chief Commissioner or from some officer empowered by him to grant such licenses, introduce into any Settlement, or manufacture, barter or sell or have in his possesion any of the following articles, namely:—

(*a*) beer, wine, or other spirituous or fermented liquor;

(*b*) opium, ganja, or other hurtful or intoxicating drug;

(*c*) arms or weapons of any description;

(*d*) dangerous cutting instruments or cutting instruments the possession of which the Chief Commissioner or any officer authorized by him in this behalf, may declare to be dangerous to the public safety;

(*e*) gunpowder or other explosive or highly inflammable substances.

Exception of articles for domestic use or consumption.

Nothing in this section applies to the possession by any person of—

cutting instruments for his own domestic use or for the purposes of his trade or occupation only, the possession of which has not been declared as foresaid to be dangerous to the public safety, or

any such quantity of a spirituous liquor or intoxicating drug kept for such person's own use only, as the Chief Commissioner may from time to time declare to be exempt from the prohibition contained in this section when so kept.

Acts punishable.

32. Any person who—

(*a*) fells or takes the produce of any trees or collects any product of a Settlement without a license under section ten,

(*b*) abets within the meaning of the Indian Penal Code the commission by a convict of any breach of a rule made, or of any disobedience to an order issued, by proper authority,

(*c*) introduces into a Settlement, manufactures, barters, sells or has in his possession, except as provided in section thirty-one, any article of the descriptions mentioned in the said section without a license, or in violation of any condition in his license, or

(*d*) attempts to commit any of the above offences,

shall be punished with imprisonment of either description for a term not exceeding six months, or with fine not exceeding rupees one thousand, or with both.

Power to make rules and provide punishments for breach of them.

33. The Chief Commissioner may, with the previous sanction of the Governor General in Council, make subsidiary rules, consistent with this Regulation, for the administration of any Settlement, and may, in making any such rule, attach to the breach of it, in addition to any other consequences that would ensue from such breach, a punishment, on conviction before a Magistrate, of imprisonment of either description for a term not exceeding six months, or of fine not exceeding rupees one thousand, or of both.

All rules made under this section shall, on being published in the *Gazette of India* and in the local Gazette, have the force of law.

Power to adjudge forfeiture of property in addition to sentence of Court.

34. When any person is convicted of an offence punishable under section thirty-two, or of a breach of any rule to which a punishment is attached under section thirty-three, the Superintendent may adjudge that, in addition to any sentence passed by the Court, all or any of the property of such person shall be forfeited to Government.

Application of enactments to fines.

35. The provisions of sections 63 to 70, both inclusive, of the Indian Penal Code, and of section 307 of the Code of Criminal Procedure, shall apply to all fines imposed under this Regulation, or under the rules made in the exercise of the power given by section thirty-three.

Recovery of fines in the case of Masters of vessels.

In the case of the Master of a vessel, such fine may also be levied by the distress and sale of such vessel, and the tackle, apparel and furniture thereof.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 5th July 1876.

No. 1089.—The services of Lieutenant-Colonel W. E. Marshall, of the Bengal Staff Corps, are replaced at the disposal of the Military Department with effect from the 23rd ultimo.

ESTABLISHMENTS.

The 5th July 1876.

No. 436.—The Hon'ble L. S. Jackson, a Judge of the High Court of Judicature at Fort William in Bengal, availed himself on the 19th ultimo of the privilege leave granted to him in Home Department Notification No. 237, dated the 12th April last.

The 6th July 1876.

No. 451.—Under Section 2 of Act IV of 1866 and Section 1 of Act XVI of 1867, the Governor General in Council is pleased to appoint Mr. D. FitzPatrick, of the Bengal Civil Service and Barrister-at-law, to officiate as a Judge of the Chief Court of the Punjab during the absence of Mr. J. S. Campbell, or until further orders.

No. 454.—A temporary vacancy having occurred in the office of Lieutenant-Governor of the North-Western Provinces by the departure, on leave, of the Hon'ble Sir John Strachey, K.C.S.I., the Governor General of India is pleased, under the authority vested in him by the 29th Section of the Act 21 and 22 Vic., Cap. 106, and subject to the approbation of Her Majesty, to appoint Sir George Couper, Bart., C.B., Chief Commissioner of Oudh, to officiate as Lieutenant-Governor of the North-Western Provinces during the absence of the Hon'ble Sir John Strachey, K.C.S.I., or until further orders.

No. 456.—*Appointment.*—The Hon'ble John Forbes David Inglis, C.S.I., to officiate as Chief Commissioner of Oudh *vice* Sir George Couper, Bart., C.B., or until further orders.

MEDICAL.

The 5th July 1876.

No. 367.—The services of Apothecary J. Pitts, attached to the Civil Medical Department in Berar, are replaced at the disposal of the Military Department.

No. 368.—Assistant Apothecary J. Reid, of the Subordinate Medical Department, is appointed to Akola in Berar in the room of Apothecary J. Pitts.

The 6th July 1876.

No. 374.—The services of 3rd Grade Assistant Surgeon Peary Lall Sein are placed at the disposal of the Chief Commissioner of the Central Provinces for appointment to the Dispensary at Chánda.

ECCLESIASTICAL.

The 6th July 1876.

No. 237.—The services of the Reverend A. G. A. Robarts, M.A., a Junior Chaplain on the Bengal Ecclesiastical Establishment, are placed at the disposal of the Government of Bengal.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 6th July 1876.

No. 390.—Captain A. McCally, Madras Staff Corps, Assistant Superintendent in the Mysore Revenue Survey, is promoted from the 4th to the 3rd Grade, with effect from the 1st May 1876.

FORESTS.

The 5th July 1876.

No. 568.—With reference to paragraph 7 of the Resolution of the Government of India in this Department, No. 20—857-873, dated the 3rd August 1875, Mr. J. T. Jellicoe, Assistant Conservator of Forests of the 2nd Grade in Mysore, is attached to the Forest Survey Department for a period of 12 months.

Mr. Jellicoe joined that Department on the 12th ultimo.

INDUSTRY, SCIENCE AND ART.

The 3rd July 1876.

No. 88.—Dr. J. Anderson, Curator of the Indian Museum, having returned on the 29th May 1876 from the furlough granted to him in Notification No. 143, dated the 4th July 1876, the following officers reverted to their substantive appointments with effect from that date:—

Mr. J. Wood-Mason, 1st Assistant Curator.

Mr. G. Nevill, Assistant Secretary and Librarian and Assistant Curator.

COMMERCE AND TRADE.

The 4th July 1876.

No. 396.—With reference to the Notification in this Department, No. 388, dated the 4th December 1875, the Governor General in Council is pleased to direct the publication of the following order issued by Her Majesty the Queen in Council:—

AT THE COURT AT WINDSOR,

The 17th day of May 1876.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the "Merchant Shipping Act Amendment Act, 1862," it is enacted that whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships for the time being in force under the principal Act have been adopted by the Government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty by order in Council to direct that the ships of such foreign country shall be deemed to be of the tonnage denoted in their certificate of registry or other national papers, and thereupon it shall no longer be necessary for such ships to be remeasured in any port or place in Her Majesty's dominions; but such ships shall be deemed to be of the tonnage denoted in their certificates of registry or other papers, in the same manner, to the same extent, and for the same purposes, in, to, and for which the tonnage denoted in the certificate of registry of British ships is to be deemed the tonnage of such ships.

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the "Merchant Shipping Act, 1854," have been adopted by the Royal Norwegian Government, with the exception of a slight difference in the mode of estimating the allowance for engine room, and such rules are now in force in the Kingdom of Norway having come into operation on the 1st day of April 1876, Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:—

1. As regards sailing ships, that merchant sailing ships of the said Kingdom of Norway the measurement whereof shall after the said 1st day of April 1876 have been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British sailing ships is deemed to be the tonnage of such ships.

2. As regards steam ships, that merchant ships belonging to the said Kingdom of Norway which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said 1st day of April 1876, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships: provided nevertheless, that if the owner or master of any such Norwegian steam ship desires the deduction for engine room in his ships to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the Norwegian rule, the engine room shall be measured and the deduction calculated according to the British rules.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 3rd July 1876.

No. 1569*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. D. J. Macfarquhar as Consular Agent for Italy at Moulmein.

No. 1571*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. J. Salmon as Acting Vice-Consular Agent for France at Aden.

No. 1573*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. George Groux as Acting Consul for Belgium at Bombay during the absence of Mr. Flugge.

GENERAL.

The 3rd July 1876.

No. 1401*G.*—Captain J. W. Ridgeway, Officiating Political Agent, 3rd Class, is appointed First Assistant to the Agent to the Governor General for Rajpootana.

No. 1403*G.*—*Leave.*—Captain the Hon'ble G. C. Napier, on special duty in Persia, is granted three months' privilege leave, with effect from the 23rd March 1876.

No. 1407*G.*—*Appointment.*—Lieutenant C. W. Ravenshaw, 9th Regiment Native Infantry, to officiate as Political Assistant, 3rd Class, and to be posted to Morar as Assistant Cantonment Magistrate, with effect from the date of receiving charge, *vice* Major Burlton.

No. 1408*G.*—*Appointment.*—Pundit Suroop Narain, Native Assistant to the Agent to the Governor General for Central India and Officiating Political Assistant, 3rd Class, is posted to the Deputy Bheel Agency, Maunpore, *vice* Captain Abbott, on special duty.

No. 1409*G.*—*Appointment.*—Pundit Dhirm Narain, Rai Bahadoor, Mir Moonshee of the Central India Agency, to officiate as Native Assistant to the Agent to the Governor General for Central India, with effect from the date of receiving charge, *vice* Pundit Suroop Narain.

The 7th July 1876.

No. 1447*G.*—The undermentioned gentlemen, at present officiating respectively in the grade of Assistant Commissioner, 6th Class, Mysore Commission, are confirmed in that grade:—

T. Ananda Rao, B. A.

B. Venkat Vardiengar.

Abdul Rahiman.

No. 1448*G.*—Lieutenant W. Ashfield, Adjutant, Malwa Bheel Corps, officiated as 2nd in Command, in addition to his own duties, from the 8th April to the 6th May 1876, on which date Major W. Anderson assumed charge of the appointment of Officiating 2nd in Command, Malwa Bheel Corps.

No. 1449*G.*—*Appointments.*—Eduljee Jamasjee and C. Bheema Rao are appointed Attachés to the Resident at Hyderabad, with effect from the dates on which they may respectively assume charge of their duties.

No. 1451*G.*—*Promotions.*—The following promotions are made in the Mysore Commission:—

Mahomed Ali, Assistant Commissioner, 4th Class, to be Assistant Commissioner, 3rd Class, *vice* Tamboo Chetti.

K. Sheshadri Iyer; Head Sheristadar, Judicial Commissioner's Office, to be Assistant Commissioner, 4th Class, *vice* Mahomed Ali.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 4th July 1876.

No. 1400.—Mr. J. L. Lushington resumed charge of the Offices of Accountant General and Commissioner of Paper Currency, Bombay, before noon, on the 26th June 1876.

LEAVE AND ALLOWANCES.

The 7th July 1876.

No. 1392.—The Governor General in Council directs the substitution of the following for Rule 2(*a*) in Chapter XI of the Civil Leave Code:—

2 (*a*). A Military Officer in civil employ proceeding on furlough cannot obtain a last-pay certificate until he submits to the Accountant General a certificate by the Military Department of the Presidency to which he belongs, in Form A, B, or C (as the case may be) contained in Appendix C.

The Governor General in Council also directs that the following be inserted as Appendix C to the Civil Leave Code:—

Appendix C.

FORM A.

OBVERSE.

Furlough Rules of 1854.

Certified that A. B. has years months days' furlough on private affairs at his credit, and is under the Furlough Rules of 1854.

A. B. is eligible for such furlough for years months days on English furlough pay, and to such extension on medical certificate without pay, as may be granted.

Should A. B. proceed on medical certificate, he will be eligible for furlough for twenty months on pay in the first instance, drawing for the first six months Indian pay (or pay and allowances) and half staff salary, and for the remaining fourteen months English furlough pay. Extension of this leave up to three years in all on English furlough pay can be given on medical certificate, but any further extension will be without pay.

MILITARY DEPARTMENT;
The 187 . } *Secy. to the Govt. of*

NOTE.—On the back is noted the date of beginning and ending of any leave already taken, the nature of such leave, and the rule under which it was taken.

Reverse.

LEAVE ALREADY TAKEN.		Nature of leave.	Rule under which taken.
Date of beginning.	Date of ending.		

FORM B.

OBVERSE.

Furlough Rules of 1868.

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

A. B. is eligible for furlough on "furlough pay" up to years months days in all, on private affairs, also to years months days more, if granted an extension on medical certificate.

But no pay can be granted to A. B. under any circumstances after he has been three years absent.

MILITARY DEPARTMENT; } *Secy. to the Govt. of*
The 1876. }

NOTE.—(As in Form A).

Reverse.

(As in Form A).

FORM C.

OBVERSE.

Furlough Rules of 1868.—*Rule XI.*

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

Not being eligible for ordinary furlough.

A. B. can only obtain it under Rule XI for a period not exceeding six months on pay equivalent to the British regimental pay of his rank.

This furlough cannot be extended beyond six months except on medical certificate, on the same pay and for such periods as the Secretary of State may think fit. But any extension allowed after three years' absence must be without pay.

MILITARY DEPARTMENT; } *Secy. to the Govt. of*
The 187 . }

NOTE.—(As in Form A).

Reverse.

(As in Form A.)

No. 1500.—The Governor General in Council is pleased to declare that the orders published in the Notification of the Government of India, Financial Department, No. 846, dated 11th February 1876, ruling that a Commissioned Medical Officer holding a civil appointment on consolidated pay, which is less than his military pay, shall receive the difference between his civil and military pay only if he is prevented from resigning his appointment for public reasons to be approved by the Government of India in the Military and Financial Departments, do not apply to any officer who was appointed to the medical service before the 7th November 1864.

MINT AND CURRENCY.

The 7th July 1876.

No. 1498.—Lieutenant-Colonel J. H. White, R.E., received charge of the Office of Master of the Bombay Mint, before noon, on the 30th June 1876.

No. 1497.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency:—*

Date.	Circles of Issue.	Currency Notes in circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	Total Reserve.
1876.		Rs.	Rs.	Rs.	Rs.	Rs.
June 30th.	Calcutta	4,95,78,955	1,54,03,413	....	2,58,74,402	4,12,77,815
,,	Madras	1,13,88,955	70,69,942	....	59,38,463	1,29,88,405
,,	Bombay	3,01,36,080	1,51,07,173	1,41,423	1,55,55,209	3,08,33,805
,,	Allahabad	70,56,215	96,23,199	....	30,03,291	1,26,26,490
,,	Lahore	65,59,465	36,82,013	....	32,00,037	68,82,050
,,	Calicut	23,76,655	15,00,721	....	7,99,079	23,00,780
,,	Cocanada	35,80,055	32,54,901	....	4,00,089	36,54,990
,,	Nagpore	15,44,950	11,90,373	....	7,47,902	19,38,275
,,	Kurrachee	19,19,005	7,97,144	....	12,00,106	19,97,250
,,	Akola	11,17,710	11,58,215	....	3,00,000	14,58,215
	TOTAL ..	11,58,58,045	5,87,77,094	1,41,423	5,69,39,528	11,58,58,045

SEPARATE REVENUE—STAMPS.

The 7th July 1876.

No. 1458.—The Governor General in Council is pleased to direct that the words "Inspector General of Registration, Punjab," be substituted for the words "(Financial Commissioner) Punjab," in Notification by the Government of India in the Financial Department, No. 2258, dated 23rd July 1875.

No. 1483.—In exercise of the powers conferred by Section 16 of Act XVIII of 1869, and in supersession of the Notification by the Government of India in the Financial Department, No. 2280, dated 23rd July 1875, the Governor General in Council hereby remits, throughout British India, the duties chargeable under the said Act on all instruments executed by the holder of any salaried office under Government or by his surety for the due performance of the duties of such office.

SEPARATE REVENUE—OPIUM.

The 7th July 1876.

No. 1498.—*Opium Revenue to date compared with the Estimate for the year* 1876-77:—

PRESIDENCY.	LATEST MONTH.			FOUR SALES OF BENGAL OPIUM AND THREE MONTHS' DUTY ON MALWA OPIUM.			
	Estimate.	Actual.	Better than Estimate.	Estimate.	Actual.	Better than Estimate.	Worse than Estimate.
	£	£	£	£	£	£	£
Bengal	449,624	513,956	64,332	1,798,496	2,001,061	202,565	...
Bombay	218,353	226,980	8,627	632,337	525,000	...	107,337
TOTAL ...	667,977	740,936	72,959	2,430,833	2,526,061	95,228	...

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 1st July 1876.

No. 709 *of* 1876.—Appointment.

PUNJAB FRONTIER FORCE.

6th Punjab Infantry.

Lieutenant E. B. J. Vaughan, Officiating 2nd Wing Subaltern, 4th Sikh Infantry, to be Officiating 1st Wing Subaltern, *vice* Lieutenant A. G. Yaldwyn, appointed to the Army Commissariat Department on probation, or until further orders.

No. 710 *of* 1876.—*Addendum.*—To clause 1, paragraph 7 of G. G. O. No. 1077 of 1871, add the following:—

"They will afterwards receive annually the same articles as are issued to their regiments."

Order books to be corrected accordingly.

The 3rd July 1876.

No. 711 *of* 1876.—In continuation of G. G. O. No. 708, dated the 1st July 1876, the undermentioned Officer is permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876:—

No.	RANK AND NAME.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
28	Lieutenant-Colonel Shadwell Saunders Boulderson.	Staff Corps ...	365 0 0	257 5 0	.....	1st July 1876	England.

The 5th July 1876.

No. 712 *of* 1876.—Native Medical Pupil Shaikh Yousoof, No. 915, attached to the 3rd Regiment of Native Infantry, is struck off the strength of the army.

Admitted by G. G. O. No. 1046 of 1875.

No. 713 *of* 1876.—With reference to G. G. O. No. 747 of 1875, at page 4, Equipment Table, for 9-pounder Muzzle-loading rifled batteries under the general heading "Materials for the repair of Harness and Saddlery" and particular heading "Buckles, iron, roller, single" enter "1½ inch" and opposite this entry under "Number per battery," enter 12 in each of the columns "Royal Horse Artillery" and "Field."

No. 714 *of* 1876.—The undermentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Gervas Selwyn Eyre, 86th Foot, 2nd Wing Subaltern, 5th Regiment of Native (Light) Infantry—15th May 1875.

No. 715 *of* 1876.—*Addendum.*—The words "Rupees twenty for prizes will be awarded annually on the above conditions to the children of each of the Royal Engineer Schools in the three presidencies," should be added to paragraph 18 of the Regulations for British Army Schools in India.

G. O. No. 259 of 1874.

No. 716 *of* 1876.—The undermentioned men of the Bhopal Battalion are transferred to the Invalid

Pension Establishment from the dates they may be struck off the strength of the Battalion :—

Rank.	Names.	Amount. per mensem. Rs.	A.	P.
Havildar	Chundun Sing ...	6	0	0
„	Amanut Alee ...	6	0	0
„	Lutchmun Sing ...	6	0	0
Naick	Sewnath Sing ...	5	0	0
„	Shaikh Madar Bux ...	5	0	0
„	Laloo Misser ...	5	0	0
„	Beharee Loll Doobey ..	5	0	0
„	Kalka Sing ...	5	0	0
„	Lala Ram ...	3	8	0
„	Sewpal Sing ...	3	8	0
Sepoy	Jhunda Sing ...	3	8	0
„	Hurree Ram ...	3	8	0
„	Lutchmun ...	3	8	0
„	Davee ...	3	8	0
„	Dwarka Persad Tewarry...	3	8	0
„	Ooderaj ...	3	8	0
„	Teeka ...	3	8	0
„	Bodhee ...	3	8	0
Lascar	Sewa ...	3	0	0
Bhistie	Madare Khan ...	3	0	0
„	Wuzeer Khan ...	3	0	0

No. 717 *of* 1876.—Captain Charles Denroche Swete, Bengal Staff Corps, is permitted to proceed to Europe on furlough on private affairs,—for two years, under Rule IX of the Regulations of 1868.

No. 718 *of* 1876.—The undermentioned outpensioners of the Royal Hospital at Chelsea, are permitted to draw their pensions in India, which are chargeable to Imperial revenues :—

Corporal John Gordon, late 85th Foot,—One shilling and three pence half penny per diem, from the date he ceases to receive regimental pay or allowance.

Drummer William Park, late 96th Foot,—Six pence per diem for twenty months, commencing 13th April 1876 ceasing 12th December 1877.

No. 719 *of* 1876.—Sepoy Hurree Sing, 6th Infantry, Hyderabad Contingent, is granted an injury pension of Rs. 1-7-8 per mensem, from the date of his discharge, payable in the North Western Provinces Circle.

No. 720 *of* 1876.—Native Medical Pupil Ismael Khan, No. 605, is struck off the strength of the army.

See G. G. O. No. 1054 of 1873.

No. 721 *of* 1876.—Captain Richard Pearce, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence, for twelve months, from such date as he may avail himself of it, to proceed to England.

No. 722 *of* 1876.—With reference to Foreign Department Notification No. 779G., dated the 7th April 1876, the services of Surgeon-Major W. Eddowes, Medical Department, now officiating in medical charge, 2nd (Prince of Wales' Own) Goorkha Regiment (The Sirmoor Rifles), were at the disposal of His Excellency the Commander-in-Chief, with effect from the 7th April 1876.

No. 723 *of* 1876.—Third Class Hospital Assistant Faiz Mohmed* and Native Medical Pupil Hyder Ally Khan,† No. 289, are struck off the strength of the army with effect from the 26th and 31st May 1876, respectively.

* Admitted by G. G. O. No. 485 of 1869.

† Admitted by G. G. O. No. 916 of 1871.

No. 724 *of* 1876.—In continuation of G. G. O. No. 711, dated the 3rd July 1876, the undermentioned Officer is permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876 :—

No.	Rank and Name.	Corps.	Ordinary pension. £ s. d.	Annuity. £ s. d.	Capitalized value of annuity. £ s. d.	Date of retirement.	Where to be paid.
29	Lieutenant-Colonel (Brevet Colonel) John Robertson Pughe.	Staff Corps	456 5 0	595 8 0	.....	5th July 1876.	England.

The 7th July 1876.

No. 725 *of* 1876.—Under instructions from the Right Hon'ble the Secretary of State for India, it is hereby notified that a Quartermaster of the British Service promoted to Lieutenant, is not allowed to reckon his service as Quartermaster towards the increase of pay granted to a Lieutenant after three years' service in that rank.

No. 726 *of* 1876.—The small arms of all the troops being now of the interchangeable pattern, the allowance of fuel for all branches of the service will be as follows :—

For browning small arms of all patterns.

3 cwts. wood } Biennially per 100 stand for all
1 cwt. charcoal } services, European and Native.

To be drawn as required from the Commissariat Department.

For the ordinary purposes of an Armourer's shop.

An annual allowance to British troops only will be passed by the Commissariat Department on the 1st January, and will be drawn in small quantities, as required on the countersignature of Commanding Officers :—

For Cavalry ... 4 cwts. of charcoal or coal monthly per entire regiment.

„ Infantry ... 2 cwts. of charcoal or coal monthly per entire regiment.

„ Convalescent Depôt ½ cwt. of charcoal or coal monthly.

When detachments of Cavalry and Infantry are provided with an Armourer or Assistant Armourer, 1 cwt. extra will be allowed to the regiment for the use of the detachment. When quartered by wings, each wing will be allowed 1½ cwts., but this wing proportion may be altered on the requisition of the Commanding Officer.

In the event of this annual allowance proving inadequate, further fuel is to be demanded from the Commissariat Department, on indent supported by an explanation from the Commanding Officer, detailing the work requiring fuel which has been, and still requires to be done during the year. Before the indent is forwarded to the Commissariat Department for compliance, it should be submitted to the Inspector General or to the Deputy Inspector General of Ordnance and Magazines for his approval and countersignature.

Paragraph 455, Native Musketry Regulations, to be altered to show 3 cwts. of charcoal instead of 2 cwts. as the biennial free allowance per 100 stand.

No. 727 *of* 1876.—The following orders issued by the Resident at Hyderabad, are confirmed :—

No. 169, *dated the* 3*rd June* 1876.—Granting Colonel E. W. Dun, Madras Staff Corps, Commandant, 6th Infantry, Hyderabad Contingent, three months' general leave of absence in India, on urgent private affairs, from the 14th June 1876, in extension of privilege leave, under Rule XXIX of the Regulations of 1868.

No. 180, *dated the* 19*th June* 1876.—Appointing Lieutenant C. E. Gubbins, Squadron Subaltern, 3rd Cavalry, Hyderabad Contingent, to officiate as Adjutant in addition to his other duties.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 1*st July* 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from 24th to 30th June 1876 :—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	Remarks.
Bombay Staff Corps	Captain G. F. Blowers ...	31st May 1876	Nowgong ...	Intestate.	
Madras ditto	Captain J. C. M. Russell ...	15th June 1876	Jubbulpore.		
1st Battalion, 18th Foot.	Lieutenant L. G. Cotton ...	26th ditto	Bareilly.		

Statement of Deposits on account of Estates from 3*rd to* 30*th June* 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited. Rs. a. p.	Amount paid in India.	Date to which claims will be received.
British Military Service.							
Thomas Francis Cunninghame Armstrong (*a*).	Lieutenant	1st Battalion, 3rd Foot.	23rd January 1876.	Not known	510 14 1	.....	30th August 1876.
Indian Military Service.							
Robert Edward Arthur Jenkins (*b*).	Lieutenant	Bengal Staff Corps.	28th February 1876.	Intestate ...	850 12 8	.....	Ditto.

(*a*). Next of kin, father E. J. Armstrong, Esq., 44, Lower Leeson Street, Dublin.

(*b*). *Widow*—Mrs. Hannah Jenkins.
Child—Charles Edward.

ALLEN JOHNSON, *Colonel,*
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 1st July 1876.

No. 303.—The Government of India has no further need of the services of Mr. A. M. Dissent, Temporary Assistant Engineer, 2nd Grade, attached to the Irrigation Branch, Bengal.

Mr. Dissent was relieved of his duties on 7th June 1876.

The 4th July 1876.

No. 304.—Lieutenant A. O. Green, R. E., is appointed to the Public Works Department as an Assistant Engineer, 1st Grade, and posted to the Punjab Irrigation Branch.

No. 305.—The following Temporary Upper Subordinates on the Establishment under the Director of State Railways are confirmed in their respective grades with effect from the dates specified :—

Mr. J. Alchin, Sub-Engineer, 3rd Grade,—1st March 1874.

Mr. F. Russell, Supervisor, 1st Grade,—23rd December 1873.

Mr. C. D. Berrill, Supervisor, 2nd Grade,—1st March 1873.

Mr. A. W. Spratt, Overseer, 1st Grade,—1st December 1871.

Sheik Edoo, Overseer, 1st Grade,—23rd December 1873.

Mirza Tahir Hussien, Overseer, 1st Grade,—17th February 1873.

The 7th July 1876.

No. 308.—Major G. P. deP. Falconnet, R. E., Temporary Superintending Engineer, 1st Grade, Military Works Branch, is granted 23 days' subsidiary leave under Section 18 (*b*) and Section 20 (*d*), Rule 1 of the Civil Leave Code, with effect from the 6th July 1876, or such subsequent date as he may avail himself of it.

TELEGRAPH.

The 4th July 1876.

No 306.—Mr. J. R. Preece, Assistant Superintendent, 1st Grade, Persian Telegraph, is appointed to officiate as a Superintendent, with effect from the 12th May 1876, during the absence on leave of Mr. F. T. B. Daniell, or until further orders.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 29. SIMLA, SATURDAY, JULY 15, 1876. Register No. 33.

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

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SUPPLEMENT No. 31.

PART I.

Government of India Notifications, Appointments, Promotions &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 14th July 1876.

No. —Whereas the Secretary of State for India in Council has declared the provisions of the third of Victoria, chapter three, section [illegible] applicable to certain parganas forming the Tarái District under the Government of the Lieutenant-Governor of the North-Western Provinces;

and whereas the Lieutenant-Governor of the North-Western Provinces has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

and whereas the Governor General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor General's assent;

in pursuance of the direction contained in the said section, the said Regulation is now published in the Gazette of India :—

REGULATION No. IV OF 1876.

A Regulation for the peace and government of the Tarái District under the Government of the Lieutenant-Governor, North-Western Provinces.

Preamble. Whereas it is expedient to provide for the peace and government of the Tarái District in manner hereinafter appearing; It is hereby enacted as follows :

Short title. 1. This Regulation may be called "The Tarái Regulation, 1876";

Local extent. It extends to the parganas of Káshípur, Jaspur, Bázpur, Rudarpur, Gadarpur, Kilpuri, Nánakmata and Bilhari, hereinafter called the Tarái District.

Repeal of Act XIV of 1861, and rules issued under it. 2. Act No. XIV of 1861 *(to remove certain tracts of Country in the Rohilcund Division from the jurisdiction of the tribunals established under the general Regulations and Acts)* and all instructions and rules issued thereunder are repealed.

Tarái District exempt— 3. Except as provided in the Schedule hereto annexed, and as may, from time

to time, be declared or provided by the Local Government, in exercise of the powers conferred by the Scheduled Districts Act, 1874, the Tarái District shall not be subject—

(*a*) to the jurisdiction of the Courts of Civil Judicature constituted by the Regulations of the Bengal Code and by the Acts passed by the Governor General in Council;

from the jurisdiction of ordinary Civil Courts,

(*b*) to the jurisdiction or control of the Courts or offices of Revenue constituted by the said Regulations and Acts;

and of ordinary Revenue Courts and offices,

(*c*) to the system of procedure prescribed by the said Regulations and Acts for the said Courts of Civil Judicature and Courts or offices of Revenue; or

and from the procedure prescribed from such Courts,

(*d*) to the civil jurisdiction of the High Court for the North-Western Provinces.

and from the civil jurisdiction of the High Court.

4. The administration of justice in the said district in civil suits and in revenue suits, regular and summary, shall be conducted by the authorities mentioned in the Schedule hereto annexed, and in conformity with the systems of procedure therein prescribed:

Administration of justice to be governed by the rules now prescribed.

Provided that nothing herein contained shall be deemed to affect the powers conferred on the Local Government by the sixth section of the Scheduled Districts Act (XIV of 1874); and that where any appointment, regulation, or direction made or issued in exercise of the said powers appears to be in conflict with any provision of the said Schedule, such appointment, regulation, or direction shall prevail, and such provision, so far as is inconsistent therewith, shall be repealed.

5. In questions regarding inheritance, special property of females, betrothal, marriage, dower, adoption, guardianship, minority, bastardy, family relations, wills, legacies, gifts, partitions, or any religious usage or institution, the rule of decision shall be the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, except in so far as such law has been by legislative enactment altered or abolished, or is opposed to the provisions of this Regulation:

Rules of decision in cases of certain classes.

Provided that when among any class or body of persons or among the members of any family any custom prevails which is inconsistent with the law applicable between such persons under this section, and which, if not inconsistent with such law, would have been given effect to as legally binding, such custom shall, notwithstanding anything herein contained, be given effect to.

6. In cases not provided for by section five, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience.

Rule in cases not expressly provided for.

7. No judgment heretofore given, order passed or proceeding held, by or before the Commissioner of Kumaun, or any other officer, in any Civil, Criminal, or Revenue case, original or appellate, which has arisen in any of the parganas constituting the Tarái District, shall be deemed to be, or to have been, invalid merely on the ground that such officer had not jurisdiction, or that the Act or Regulation under which such judgment or order was passed, or such proceeding held, was not in operation in the said district.

Validation of proceedings.

SCHEDULE.

(*See section* 4.)

CHAPTER I.

RULES FOR THE TRIAL OF CIVIL SUITS.

1. The Superintendent of the Tarái District shall have authority to try original suits without limit of value, and regular appeals from the decision of the Assistant Superintendent in original suits.

2. The Assistant Superintendent shall have authority to try original suits not exceeding Rs. 1,000 in value.

3. **No suit shall be entertained, unless it be instituted within the periods hereinafter mentioned from the time that the cause of action arose or accrued in each description of cases:**

Suit respecting the succession or right to moveable and immoveable property, and respecting partnership	12 years.
Suit for debts on bond, or accounts not being partnership accounts, or accounts of retail purchases settled at short periods	3 „
Suits for other debts and other accounts than the above, injuries to person or character, disputes regarding marriage, caste, or non-fulfilment of contract ...	1 year.

Provided that the time shall be excluded during which the plaintiff shall be under the disability of infancy, lunacy, or idiocy, or during which the plaintiff shall be precluded by law from suing the defendant by reason of any disability whatever, either of the plaintiff or of the defendant.

4. (*a*.)—Every suit shall be commenced by a plaint, which shall be presented to the Court by the plaintiff in person, or by his recognized agent.

(*b*.)—Every suit may, at the option of the plaintiff, be instituted either in the Court of the Superintendent or in that of the Assistant Superintendent, if he be competent to try it; but the Superintendent may, when a suit is instituted in his Court, refer it for trial to the Court of the Assistant Superintendent: provided that he be competent, in respect of the value of such suit, to try the same.

(*c*.)—The term "recognized agent" is defined to mean a personal servant, partner, relation, or friend whom the Court may admit as a fit person to represent a party; persons carrying on business on behalf of bankers and traders, such as gumáshtas, managing agents of landholders, such as karindas; nearest male relations of women; and persons *ex-officio* authorized to act for Government.

(*d*.)—No vakíls or mukhtárs are to be admitted in the Civil Courts of the Tarái District.

5. The plaint shall be distinctly written either in Hindí or in Urdu, and shall contain the following particulars:—

1*st*.—The name, description, and place of abode of the plaintiff.

2*nd*.—The name, description, and place of abode of the defendant, so far as they can be ascertained.

3*rd*.—The relief sought for, the subject of the action, the cause of action, and when it accrued.

6. If the plaintiff sue on any written document, or rely upon any such document as evidence in support of his claim, he shall produce the same in Court when the plaint is presented, and at the same time deliver a copy of the document to be filed with the plaint. If the document be an entry in a book, the plaintiff shall produce the book to the Court, together with a copy of the entry on which he relies, to be filed with the plaint. And unless such document be so delivered in, or its non-production at the time be sufficiently excused, or unless the Court may see fit to extend the time for producing the same, it shall not be admitted as proof in support of the claim.

7. The Court on receiving a plaint shall proceed to make enquiry by examination of the plaintiff or his recognized agent as to the merits of the claim, and shall record the examination in full. If it should appear to the Court that the plaintiff has no *primâ facie* cause of action, or that the defendant or matter of the suit is not within the jurisdiction of the Court, or that the action is barred by lapse of time, the Court shall reject the plaint.

8. The Court upon rejecting a plaint shall record its decision, which shall be reduced to writing in the vernacular language of the Judge, together with the reasons upon which it is founded.

9. If the plaint be admitted, it shall be entered with all the particulars described in rule five in a book to be kept for the purpose, and to be called the Register of civil suits; and the entries shall be numbered in every year according to the order in which the plaint is presented.

10. When the plaint has been registered, a summons, under the seal and signature of the Court, shall be issued to the defendant to appear and answer the claim, on a day to be therein specified, in person or by a recognized agent. The summons shall specify the name and residence of the plaintiff, and the amount as well as the description of the claim.

11. The Court shall determine, at the time of issuing the summons, whether it shall be for the settlement of issues only, or for the final disposal of the suit, and the summons shall contain a direction accordingly.

12. The day to be specified in the summons shall be fixed with reference to the state of the file, and the distance that the defendant may be, or supposed to be, at the time from the place where the Court is held; and the summons shall order the defendant to produce, on his appearance in Court, any document in his possession of which the plaintiff demands inspection, or upon which the defendant intends to rely in support of his defence.

13. The officer in charge of the summons shall endeavour to obtain the signature of the defendant in acknowledgment of service. In the event of the defendant's absence, the officer shall proceed to his residence and acquaint his family or neighbours with the object of his mission, and shall obtain the signature of two credible witnesses to the summons in proof of service. On his return the Názir shall ascertain from him, and report in writing, the mode in which the summons has been served.

14. (*a*.)—On the expiration of the period specified in the summons, if the defendant fail to attend the Court, proclamation shall be issued for his attendance within a further period, to be fixed according to local circumstances in the different parts of the Tarái District.

(*b*.)—If within the period fixed by the summons or proclamation, an application should be made to the Court to permit the answer to the plaint to be filed through a recognized agent, or in writing, the Court may, on special ground shown to its satisfaction, grant the application: provided that the prohibition contained in clause (*d*), rule four, shall in every case be strictly observed.

(*c*.)—If the defendant shall fail to attend, not having been excused personal appearance under the preceding clause, the Court may at its discretion issue a warrant for the arrest of the defendant, who shall thereupon be taken into custody and brought before the Court; but no defendant shall be so arrested who shall give to the party charged with the warrant a declaration in writing that he is willing that the case should be tried *ex parte*.

15. On the appearance of the defendant in answer to the summons, or in arrest, or on the appearance of the defendant's recognized agent, if personal attendance has been excused, the parties to the suit shall be confronted, and shall be interrogated on oath or solemn affirmation, and a written answer may also be received for the defendant at the discretion of the Court. The precise points at issue between them, which are material to the decision of the suit, shall be determined, or the suit shall be finally disposed of, according as may have been directed in the same summons. Either party may cross-examine the other, and any witnesses then present, or documentary proof adduced, may be examined.

16. If, after such interrogation and examination of evidence, a decree can be properly made without further enquiry, the Court shall pronounce its judgment, and make its decree accordingly. The judgment shall be reduced to writing before it is delivered in the vernacular language of the officer presiding in the Court, and shall state the points to be decided, the decision thereon, and the reasons for the decision. It shall be signed by the said presiding officer, and dated on the day in which it is pronounced. The decree shall also state whether the amount of any sum adjudged is to be paid by instalments, and shall specify the dates and amounts for payment of instalments; and, in case of divided costs, the portions chargeable to parties, as well as the amount of any damages awarded on the ground of a suit being found to have been groundless and vexatious, together with the amount of costs.

17. But if it should be impracticable to pass a decree without further enquiry, that is to say, if any issue result from the interrogatories on which it is necessary to hear further evidence, the Court shall call upon both parties to adjust the dispute amicably within a fixed period, or to consent to arbitration, and to furnish a list of such documentary and oral evidence as each is able to tender or desires to be called.

18. (*a.*)—If the parties to the suit will not adjust it privately or agree to arbitration, the Court shall procure the attendance of the witnesses, and require the production of the documentary evidence on a day fixed.

(*b.*)—The Court shall ascertain and record the names of the witnesses whom the parties intend to bring forward, and whether they will bring their own witnesses, or whether they, or either of them, require the assistance of the fourth to procure the attendance of a witness, either to give evidence or to produce a document. The Court shall then fix a convenient day, not more than ten days distant, for the examination of witnesses and the trial of the suit, and shall, if required to do so, subpœna the witness or witnesses of either party, or of both parties, to attend on the fixed day, and the trial shall take place on that day, unless there be sufficient reason for adjourning it, which reason shall be recorded by the Court.

19. (*a.*)—If either party shall fail to produce his proof within the time allowed him, or to take out a subpœna for the attendance of any witness whose attendance he may require to be enforced, the suit shall be proceeded with and determined as if such party had declined to produce any proof.

(*b.*)—If on the day fixed for the trial under clause (*b*) of rule eighteen, the witnesses appear, they shall be examined, and the evidence of each witness shall be recorded in writing, in a narrative form, in the presence and under the personal superintendence of the presiding officer, and in the presence of the parties or their recognized agents. Every witness shall be required to sign his deposition.

20. The Court, after considering the arguments and evidence, shall pronounce its judgment in open Court, and record its decree in the manner prescribed by rule sixteen.

21. (*a.*)—Whenever a suit may be referred to arbitrators, as provided for in rule seventeen, a term shall be fixed for the award to be presented: and an officer of the Court shall be required to attend for the purpose of calling the parties and their witnesses before the arbitrators. The arbitrators shall not be permitted to leave the precincts of the Court until they shall have delivered their award.

(*b.*)—When the arbitrators have arrived at a decision, their written award, together with any depositions of witnesses which they may have taken in the case, shall be presented and acknowledged in open Court, and in the presence of both parties to the suit.

(*c.*)—Although every consideration should be given to the award of arbitrators, especially when they are unanimous, yet in no case shall the Court be bound to accept such award, unless satisfied that it is a reasonable and just decision. If the Court shall have clear and strong reasons to doubt the justice of the decision, it shall be competent to interrogate the arbitrators as to the grounds upon which they have formed their opinion, and the same shall be recorded on the back of the document itself; and thereafter the Court may either return the proceedings to the arbitrators, and desire them to re-consider their award, and to record it with more clearness and precision, or it may direct a fresh arbitration, or it may proceed to try and dispose of the case itself.

(*d.*)—The case having been completed by award of arbitrators accepted by the Court, or by the Court having determined on the merits, the Court shall declare its judgment, and record its decree in the manner prescribed by rule sixteen.

22. Certified copies of the decree and judgment shall be furnished to the parties or their recognized agents on application to the Court, and on the production of the necessary stamp paper, where stamps are required for that purpose by any law for the time being in force. The application may be made either orally or by writing. The date on which application for copy may be made, the date on which the necessary stamp paper for a copy may be presented, the date of the copy being completed, and of its actual delivery or tender, shall be endorsed on the original decision, and on the copy or copies also. If the applicant shall fail to attend, or shall refuse to receive the copies, the Court shall certify the same on the back of the copies, which shall then be filed with the record of the case.

23. Execution of decree may be applied for by petition presented to the Court which pronounced the decree.

24. (*a.*)—The petition shall set forth in tabular form the following particulars, namely, the number of the suit, the name of the parties, and the date of the decree; the subject of the decree; whether an appeal has been preferred or admitted from the decision; whether any, and what, adjustment of the matter in dispute has taken place since the date of the decree; the specific amount due to the petitioner under the decree, whether on account of costs of suit or otherwise; and the name of the individual against whom the enforcement of the decree is solicited.

(*b.*)—An attested copy of the decree shall be presented with the application.

25. If the Court shall have awarded payment of any sum of money by instalments, and default should be made in the payment of any instalment as it falls due, execution shall issue, upon the application of the decree-holder, for the full amount of all the instalments remaining unpaid.

26. Execution on a judgment shall not issue against the heir or other representative of a deceased party, without notice to such heir or other representative to appear and be heard.

27. No process of execution shall issue to enforce any judgment or decree passed by the Civil Courts of the Tarái District, unless some proceeding shall have been taken to enforce such judgment or decree, and to keep the same in force within one year next preceding the application for such execution.

28. Execution of decree, if applied for within the period prescribed by the preceding rule, may be enforced at once; provided that, if an appeal shall have been preferred, and adequate security be tendered, or if within the prescribed period such security shall have been tendered, execution may be stayed until the appeal shall have been decided, or until the period of appeal shall have expired without institution of appeal.

29. In pending cases, if the Court shall be satisfied that the defendant is preparing to alienate his property, or to remove himself from the Court's jurisdiction, security may be demanded, and if not tendered, the Court can arrest the person or attach the property of the defendant to an amount sufficient to satisfy the claim.

30. Execution may be enforced by delivery of possession of contested property, or by arrest of person, or by attachment and sale of property in satisfaction of the decree and of costs of suit and of execution.

31. If the decree-holder apply for execution by arrest of the defendant's person, he shall deposit in the Court, at the time of the issue of the warrant, diet-money for one month of thirty days, after the rate of one anna per diem, unless the Court for any special reason direct the deposit of diet-money at a higher rate, which shall in no case exceed four annas per diem.

32. Diet-money at the same rate shall be paid previous to the commencement of every succeeding month of the imprisonment, on failure of which the party confined shall be discharged.

33. All diet-money spent in providing subsistence for any prisoner may be added to the costs in the suit; and any diet-money not so spent shall be returned to the party who deposited the same.

34. (*a.*)—In executing a writ of execution against the property of any defendant, the Court shall direct such portion of his moveable property to be attached as may appear sufficient to cover the amount due; and it will be only when the amount realized from such property shall fail to satisfy the decree, that the Court will be competent to order the attachment of any immoveable property.

(*b.*)—In no case shall the tools and implements of the trade or occupation of the defendant be sold in execution of decree; nor shall land in which a proprietary right has been acquired, by whatever means, be sold in execution of a decree without the sanction of the Commissioner first obtained.

(*c.*)—The attaching officer shall prepare an inventory of the articles distrained, and shall give them in charge of some respectable person, from whom a receipt must be taken, to be filed with the proceedings of the case.

(*d.*)—As soon as the attachment has been effected, a proclamation in the current language of the country, describing the property attached, and specifying the time and place of the proposed sale, shall be issued at least thirty days before the appointed day of sale, and a copy thereof shall be affixed to the defendant's dwelling-house, and another to the building in which the Court is held.

(*e.*)—If within the period of the proclamation any claim shall be preferred to the property thus advertised for sale, or if any objection shall be raised against the proposed sale, it shall be competent to the Court to enquire into such claim or objection, and if satisfied as to its validity, to release the said property from attachment, or to postpone the sale; or, if the claim should appear to be frivolous, to dismiss it, with all the costs incurred in the investigation.

(*f.*)—If, pending the investigation of such a claim or objection, the sale be postponed, and the claim be disallowed, a second proclamation of a term of not less than ten days shall be issued, for the purpose solely of giving notice to intending purchasers. No other objectors will be heard.

(*g.*)—On the day fixed for sale the attached property shall be divided into convenient lots, and each lot shall be put up in succession until the amount of the decree be realized. When the decree is satisfied the sale shall cease, and the property remaining unsold shall be released from attachment.

(*h.*)—The entire sum bid for moveable property must be paid up within twenty-four hours, and delivery of the property withheld until the money is paid. A deposit of 10 per cent. on the price will be required at the time of sale, and this deposit, unless redeemed within the period above prescribed, will be forfeited, and the property will be re-sold at the risk of the original purchaser.

(*k.*)—In sales of immoveable property the full amount of the purchase-money shall be paid within fifteen days; in default of which the deposit of 10 per cent. required at the time of auction will be forfeited, and the property will be re-sold at the risk of the first purchaser.

35. No compromise on a decree or payment in satisfaction shall be admitted unless notified to the Court *vivâ voce* or by a writing, which may also be sent through the local tahsíldár; and no execution of a decree which has been relinquished by the decree-holder shall revive, unless on good reason shown to the satisfaction of the Court.

36. The record of execution of decree shall always be an annexure of the file of the original suit.

37. If any witness, on whom a subpœna shall have been duly served under clause (*b*), rule eighteen, shall neglect to attend the Court, the Court shall be authorized to issue an order in writing to the Názir to apprehend and bring the witness before the Court, and may impose on such witness a fine not exceeding five hundred rupees for his default, realizable by the attachment and sale of his property: provided that no fine imposed under this rule shall exceed the amount of the property under litigation in the suit.

38. If a witness, for whose attendance a subpœna shall have been issued as aforesaid shall fail to attend, the Court, upon proof that the evidence of such witness is material, and the said witness is absconding or keeping out of the way to avoid attendance, may cause a proclamation requiring the attendance of such person to give evidence, at a time and place to be therein named, to be affixed, in the presence and with the attestation of two householders, to his house; and if, nevertheless, such person should not attend at the time and place to be named, his property, real and personal, to such amount as the Court may deem reasonable, shall be liable under an order of the Court to attachment and sale.

39. (*a.*)—The Civil Courts of the Tarái District are hereby empowered to hear and determine cases of resistance of their own processes occurring within

their own jurisdiction, provided they be unattended with personal violence; and, on proof of the offence, may adjudge the offender to pay a fine not exceeding one hundred rupees, and in default of payment to be imprisoned for any period not exceeding thirty days in the civil jail at the public expense.

(*b.*)—If the resistance of process be attended with personal violence or other aggravation, the case shall be referred by the Civil Court to the Criminal Court; and upon such reference the Criminal Court shall act in accordance with the law in force for the administration of criminal justice.

(*c.*)—The Court, on the statement on oath or solemn affirmation of any peon or other officer resisted in the execution of any process, may summon the person accused to answer the charge, and on failure of such person to attend may issue a warrant for his apprehension.

40. (*a.*)—Every decision passed by the Superintendent of the Tarái District in original suits shall be open to a regular appeal to the Commissioner of Kumaun, whose decision shall be final: provided that whenever the decision of the Superintendent and the Commissioner shall differ, it shall be in the option of the Government, on petition being presented, to refer the proceedings to the High Court for their report and opinion, who will report accordingly within three months after the date thereof, and thereafter to pass such orders as may appear proper.

(*b.*)—From the decision of the Assistant Superintendent in original suits a regular appeal shall lie to the Superintendent.

(*c.*)—From the decision of the Superintendent in regular appeal a special appeal may be admitted by the Commissioner of Kumaun for good and sufficient reasons, to be set forth at length in the order for admission.

41. The petition of appeal shall be accompanied by an authenticated copy of the decision or order appealed against.

42. An appeal from the decision of the Assistant Superintendent must be preferred within thirty days, and an appeal from the decision of the Superintendent, whether in original suits or in regular appeals, must be preferred within sixty days from the date of the order or decision appealed against: provided that the period which may intervene between the presentation of stamped paper for a copy and the completion of the copy shall not be included in the said terms of thirty and sixty days.

43. The petition of appeal shall set forth concisely, and under distinct heads, the ground of objection to the decision appealed against, without any argument or narrative, and such grounds shall be numbered consecutively.

44. (*a.*)—The petition of appeal shall be preferred by the appellant in person or by his recognized agent, and the Appellate Court shall give immediate notice to the respondent, and, if it think necessary, may summon the respondent.

(*b.*)—The Appellate Court may take additional evidence in a case on appeal or remand it for further investigation.

(*c.*)—The Appellate Court may suspend the execution of a decree pending the decision of an appeal.

45. No order or decision shall be reversed or modified, and no case shall be remanded, on account of any error, defect, or irregularity not productive of injury to either party.

46. A register of regular appeals and a register of special appeals shall be kept in each Appellate Court.

47. A register of applications for execution of decree shall be kept in the Court of the Superintendent and of the Assistant Superintendent according to the form given.

CHAPTER II.

RULES FOR THE TRIAL OF REVENUE SUITS, REGULAR AND SUMMARY.

48. The following classes of summary suits are cognizable in the Revenue Courts of the Tarái District:—

CLASS I.—Suits of málguzárs, whether proprietors or farmers from Government, of under-farmers, of holders of rent-free or quit-rent tenures, or of duly authorized agents, against cultivators or other tenants, and of tenants of land against their sub-occupants, for arrears of rent in money or in kind, or for the value of the landlord's share in the crop, calculated at the market rate: provided the claim rests on payment or usage of past years, or on specific written engagements, or on the order of a competent Court.

CLASS II.—Suits of lambardárs against their under-sharers for quota of revenue, agreeably to written compact, or family or established usage.

CLASS III.—Suits of málguzárs, proprietors, or farmers from Government, or of holders of rent-free or quit-rent tenures, against agents entrusted with the management of their estates, or the collection of rents, for production of accounts, and recovery of moneys alleged to be due.

CLASS IV.—Suits of farmers of duties on ábkárí, tari, or intoxicating drugs against licensed manufacturers and vendors of those articles for recovery of arrears due on sub-contracts.

CLASS V.—Suits of cultivators, tenants, or under-tenants against any of the parties described in Class I, and of under-sharers against their lambardárs, for undue exaction of rent.

CLASS VI.—Suits of cultivators, tenants, or under-tenants against any of the parties described in Class I, and of under-sharers against their lambardárs on account of actual or attempted dispossession, without authority of law from their holdings.

49. The suit in each case under Classes I, II, III and IV, must be filed within a twelve month after the rent has become due, or the cause of action has arisen. The suit in cases under Classes V and VI must be brought within sixty days from the date of alleged execution or actual or attempted dispossession.

50. Provided that, if it shall appear to the Court before which any of the aforesaid suits is instituted, or to the Commissioner in appeal, that it raises issues which are not fit to be tried summarily, an order may pass for the trial of the case under the rules for regular suits, the plaint being filed *de novo* on the requisite stamp. No order of the Court under this proviso shall be open to appeal.

51. The following classes of regular suits are cognizable by the Revenue Officers:—

CLASS I.—Suits regarding the málguzárí right in land, or the right in registered muáfi land, or in land held on a quit-rent, claims to share in the rents and profits of lands, whether such be málguzárí or registered muáfi land, or land held on a quit-rent, or to share in the manorial privileges which the Government does not reserve to itself. Such claims may include wells, tanks and water-courses *bond fide* employed in or applicable to agricultural purposes.

CLASS II.—Suits brought on any of the grounds mentioned under Classes I to VI for summary suits, where, from lapse of time or on other grounds, the suit cannot be tried in the summary department.

CLASS III.—Suits brought by any of the parties described in Class I of summary suits, for rent of land held without authority by tenants in excess of pattas or preceding engagements, and contrary thereto.

CLASS IV.—Suits brought by the same parties to oust tenants, not in default, at the end of any year or at the expiration of any lease, on the ground that such tenants have no permanent right of occupancy.

CLASS V.—Suits brought by the same parties to enhance the rent of tenants at the time and on the grounds stated in the preceding rule.

52. The Superintendent of the Tarái District shall have authority to try original revenue suits, regular and summary, without limit of value.

The Assistant Superintendent shall have authority to try such suits when the value does not exceed Rs. 1,000.

53. Every such suit may at the option of the plaintiff be instituted either in the Court of the Superintendent or in that of the Assistant Superintendent, if he be competent to try it; but the Superintendent may, when a suit is instituted in his Court, refer it for trial to the Court of the Assistant Superintendent: provided that he be competent, in respect of the value of such suit, to try the same.

54. The Civil Courts have no jurisdiction in cases under the preceding classes of summary and regular suits, which are to be tried in the Revenue Courts; but they are competent to try and dispose of regular suits for orchards, gardens, and wells thereto belonging, or for houses or other buildings, the private property of individuals with the land on which such houses or buildings are erected, and the enclosures round them.

55. The plaint must state precisely the subject-matter of complaint, the names of all the persons complained against, the correct valuation, and the time when the cause of action arose.

56. A single action must not involve different issues, unless on leave specially given by the Court, and must relate to subject-matters within the authority of the Revenue Court in its fiscal capacity.

57. If the suit be for málguzárí right, possession, and manorial privileges, or for share in the profits of málguzárí right, possession, and manorial privilege incidental thereto, the plaint must specify the Government jama of the estate, or the specific proportion of jama on the share claimed.

58. If the suit be for possession or share in the profits or registered muáfi land, or land held on a quit-rent, the gross rental of the whole, or of the specific share claimed in the muáf or tenure held on a quit-rent, must be stated in the plaint.

59. If the suit be for tenant occupancy, or for the right to levy rent of land in tenant occupancy, the extent of the land, and the amount of rent payable or fairly demandable, must be stated in the plaint.

60. If the suit be for possession of wells, tanks, and water-courses employed for agricultural purposes, the amount of damage sustained by deprivation or obstruction must be stated in the plaint.

61. If the suit be instituted for maintaining possession of a tenant against ouster, the extent of land and amount of rent must be stated in the plaint.

62. If the plaint be wanting in precision and completeness, the Court may allow it to be amended, as it may think fit. But if the plaint be preferred in a false or fictitious name, or if the cause of action be beyond twelve years, the plaintiff shall be non-suited.

63. Regular suits shall be tried and decided in the Revenue Courts, and shall not be delegated to subordinate officers, but with consent of parties, or at the discretion of the Court; in either case, the grounds being set forth in an interlocutory proceeding, a commission may be issued to the tahsíldárs, or other local officers, for enquiry, description, and report, with or without the taking of oral evidence, on any point on which an investigation on the spot may be thought requisite. But this rule shall not be regarded as prohibitory of the practice of making over to officers vested with the powers of Assistant regular suits for investigation, completion of evidence, and decision or proposed award as may be pre-arranged and subject to the orders of the Superintendent of the Tarái District and of the appellate authorities.

64. The plaint, having been instituted, shall be numbered and registered, after which, on the deposit of the requisite talbana within a reasonable specified term, a summons shall be served on the defendants. The summons shall contain a short account of the claim, and shall be issued under the seal and signature of the Court through an officer, who shall require the defendants to attend within a time to be specified by the Court.

65. The officer in charge of the summons shall endeavour to obtain the signature of the defendants, or, in the event of their absence, shall proceed to their residence and acquaint their families or neighbours with the object of his mission, and shall obtain the signature of two

credible persons to the summons in proof of service. On his return the Názir shall ascertain from him, and report in writing the mode in which the summons has been served.

66. (*a.*)—On the expiration of the period specified in the summons if the defendants, or any of them, fail to attend the Court, proclamation shall be issued for their attendance within a further period to be fixed according to local circumstances in the different parts of the country.

(*b.*)—If within the period fixed by the summons or proclamation an application shall be made to the Court to permit the answer to the plaint to be filed through a recognized agent as defined in clause (*c*) of rule four, or in writing, the Court may, on special grounds shown to its satisfaction, grant the application.

(*c.*)—But if the party shall fail to attend, or shall not have excused attendance under the preceding clause, the Court, on finding after an examination of the plaintiff's case that he has a good *primâ facie* cause of action, may, in its discretion, issue warrant for the arrest of the defendant, who shall thereupon be taken into custody and brought before the Court; but no defendant shall be so arrested who shall give to the party charged with the warrant a declaration in writing that he is willing that the case should be tried *ex-parte*.

67. On the appearance of the defendant in answer to the summons or in arrest, or on the appearance of the defendant's agent, if personal attendance has been excused, the parties shall be interrogated on oath or solemn declaration, and a written answer may also be received for the defendant at the discretion of the Court. The precise points at issue between them, which are material to the decision of the suit, shall then be ascertained and reduced to writing, and any witnesses then present, or documentary proof adduced, may be examined.

68. If after such interrogation and examination of evidence, a decree can be properly made without further enquiry, the Court shall make its decree accordingly; but if any issue result from the interrogatories upon which it is necessary to hear further evidence, the Court shall call upon both parties to adjust the dispute amicably within a fixed period, or to consent to arbitration, and to furnish a list of such documentary and oral evidence as each is able to tender or desires to be called.

69. If the parties will not adjust privately or agree to arbitration, the Court shall procure the attendance of the witnesses, and require the production of the documentary evidence on a day fixed, and proceed to the trial and decision of the suit. Parties summoning witnesses should be required to state generally to what particulars each witness is believed to be able to depose.

70. If the case be referred to arbitrators, a term should be fixed for the award to be presented; and an officer of the Court should be directed to attend to call the parties and their witnesses before the arbitrators. The arbitrators shall not be permitted to leave the Court until they shall have delivered their award.

71. The awards of arbitrators should be presented and acknowledged in open Court in the presence of both parties to the suit. Such awards are not necessarily to be accepted by the Court. If the Court should have clear and strong reason to believe that justice has not been done by the award, it may direct a fresh arbitration or proceed to try the case itself.

72. The case having been completed by award of arbitrators accepted by the Court, or by the Court having determined on the merits, the Court shall declare its decision, which shall be written out in English, care being taken in the vernacular counterpart to specify the costs, the parties liable, and, in case of divided costs, the proportions chargeable to parties, as well as any amount of damages awarded on the ground of a suit being found to have been groundless and vexatious.

73. Execution of decree may be taken out, and should proceed, unless stayed within the period allowed for appeal, or, after institution of an appeal, by the tender of adequate security. In pending cases, if the Court is clearly convinced that the defendant is preparing to alienate his property, or to remove himself from the Court's jurisdiction, security can be demanded, and if not tendered, the Court can arrest the person, or attach the property of the defendant to an amount sufficient to satisfy the claim.

74. Execution of decree, if applied for within a twelve-month from the date of decision, may be enforced at once; otherwise previous notice must be served, or, if incapable of being served by the absence of the party liable, proclamation must be issued calling on the party liable to show cause within a fixed term against execution. Execution may be enforced by delivery of possession of contested property, or by arrest of person and attachment and sale of property in satisfaction of the decree and costs of suit and execution.

75. No compromise on a decree, or payment in satisfaction, shall be admitted unless notified to the Court *viva voce* or by writing, which may also be sent through the local tahsíldár; and no execution of decree which has been relinquished by the decree-holder shall revive, unless on good reason shown to the satisfaction of the Court.

76. Upon every decree, whether in a summary or regular suit, for a balance of rent remaining due at the close of the year on account of which it was payable, application may be made as in execution of the decrees for the removal of the defaulting tenant on whom the balance has accrued.

77. The record of execution of decrees shall always be an annexure of the file of the original suit.

78. Quarterly abstracts of regular suits instituted, decided and depending in the Revenue Courts shall be forwarded to the Board of Revenue.

79. Appeals from the Revenue Courts in the summary department lie only to the Commissioner of Kumaun, whose orders on the merits, or on the point of jurisdiction, where cases involve issues which in his judgment are not fit to be tried summarily, are final.

80. Appeals from decisions of the Revenue Courts in summary suits are admissible in the Commissioner's office, if presented within thirty days, reckoning from the date of the decision appealed.

81. No appeal lies to the Board of Revenue from the appellate decisions of the Commissioner in summary suits; but the Board are competent to indicate and prohibit the recurrence of irregularity or erroneous practice which may come under their observation.

82. Appeals from the decisions of the Revenue Courts in regular suits lie to the Commissioner of Kumaun, if presented within sixty days of the certified completion of copy of the decision, where stamp paper for copy is deposited, or otherwise of the date of the decision.

83. Special appeals from the appellate decisions of the Commissioner in regular suits lie to the Board of Revenue, if presented or forwarded so as to reach the Board's office within ninety days of the Commissioner's decision. The Board reserves to itself the discretion of admitting or refusing to admit such appeals. The Board admits appeals only in cases in which the Commissioner's decision is manifestly unjust, or apparently inconsistent with usage and rules, or involves a question of practice or usage on which the Board should declare its judgment, or, if necessary, elicit the orders of the Government. The Board of Revenue may, whenever it sees sufficient cause for so doing, withdraw any appeal pending in the Court of the Commissioner, whether in a regular or summary suit and dispose of such appeal itself.

84. The proceedings and final judgments in all suits and appeals shall clearly state whether they are held or passed under the summary or regular jurisdiction declared by these rules.

CHAPTER III.

GENERAL.

85. The Local Government may invest any person with powers of a Superintendent or of an Assistant Superintendent for the trial of any suit or appeal, whether civil or revenue, or generally for the trial of such suits or appeals, and may direct that any particular case or class of cases shall be transferred for trial to the Court of the person so invested.

Decisions passed by any person so invested shall be subject to the same rules as regards appeals as if they had been passed by the Superintendent or the Assistant Superintendent, as the case may be.

86. The Local Government may direct the transfer of any civil or revenue suit or appeal from any Court having jurisdiction under these rules to the High Court of judicature or to any other Court in the North-Western Provinces; and the Court to which such suit or appeal is transferred shall proceed to determine the same, and the decree passed by it shall be open to the same appeal as are the decrees of the Court by which the same shall be passed. The decree passed in any suit so transferred shall be executed by the Superintendent of the Tarái as if it were a decree of his own Court, and under the laws in force relating to the execution of the decrees of the Court of the Superintendent.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 8th July 1876.

No. 458.—Major C. Jameson, Bombay Staff Corps, District Superintendent of Police in the Hyderabad Assigned Districts, is permitted to resign his appointment.

The 13th July 1876.

No. 463.—The Hon'ble F. A. B. Glover, a Judge of the High Court of Judicature at Fort William in Bengal, has obtained privilege leave for one month, with effect from the 11th instant, or from any subsequent date on which he may avail himself of it.

MEDICAL.

The 10th July 1876.

No. 385.—The undermentioned third grade Assistant Surgeons are promoted to the second grade with effect from the dates specified opposite their names:—

Babu Bhugwan Dass, 1st May 1876.
„ Preonath Bose, 1st May 1876.
„ Nobo Coomar Banerjee, 1st December 1875.

JUDICIAL.

The 14th July 1876.

No. 1156.—In exercise of the authority conferred by Section 39 of Act XXII of 1864, the Governor General in Council is pleased to extend the provisions of that Act to the Cantonment at Pachmarhi in the Central Provinces.

ECCLESIASTICAL.

The 8th July 1876.

No. 242.—*Appointment.*—The Reverend A. C. Pearson, to be Chaplain of Moulmein in British Burma.

The 14th July 1876.

No. 252.—The Reverend Percy Nicolas, M.A., Junior Chaplain, to be Senior Chaplain, with effect from the 27th May last.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 14th July 1876.

No. 603.—Mr. G. K. Betham, Assistant Superintendent in the Mysore Revenue Survey, is promoted from the 4th to the 3rd Grade, with effect from the 27th May 1876.

EMIGRATION.

The 11th July 1876.

No. 189.—In continuation of the Notification of this Department, No. 8, dated the 11th January last, and under the provisions of Section 56 of Act VII of 1871 (the Indian Emigration Act), the Governor General in Council is pleased to direct that the publication noted on the margin shall form part of the obligatory equipment of emigrant vessels sailing from the ports of Calcutta, Madras, and Bombay, and as such be added to the list of books specified in Schedule A of the rules relating to emigration from those ports published in the *Gazette of India* of the 22nd February 1873, 14th November 1874, and 22nd May 1875.

West India Pilot, Volume II.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL,

Simla, the 12th July 1876.

No. 1628*P.*—Mr. G. H. Damant, Officiating 1st Grade Assistant Commissioner, Cachar, is appointed temporarily to the charge of the duties of the Political Agent at Munnipore, with effect from the date on which he may relieve Dr. Brown.

No. 1631*P.*—Appaji Ramchandra, late Dufterdar of Kaira, in the Bombay Presidency, on retiring from the service of Government, is permitted to retain for life the honorary title of "Rao Bahadoor."

GENERAL.

The 10th July 1876.

No. 1456*G.*—*Appointment.*—Surgeon J. Scully, of the Bengal Medical Establishment, to officiate as Residency Surgeon, Nipal, with effect from the date of assuming charge, *vice* Surgeon-Major Bellew.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 14th July 1876.

No. 1634.—Mr. H. G. H. Keene is appointed to officiate as Assistant to the Accountant General, Central Provinces, with effect from the 3rd July 1876.

LEAVE AND ALLOWANCES.

The 14th July 1876.

No. 1562.—With the sanction of Her Majesty's Secretary of State for India in Council, the Governor General in Council directs that the following be inserted as Rule 1 under Section 12 of Supplement F. to the Civil Leave Code, the present Rule 1 being altered to Rule 1 (*a*):—

1. The Government of India may grant to an officer taking privilege leave, whose salary is less than two hundred rupees a month, an advance not exceeding two months' pay, and also not exceeding the allowances which would become due to him for the whole period of leave on the expiration thereof.

No. 1563.—The Governor General in Council directs that the following be inserted as Rule 4 (*a*) under Section 28 of the Civil Leave Code:—

4 (*a*). When a Military Officer in civil employ applies for leave of absence on medical certificate, or proceeds to a port of embarkation for the purpose of appearing before a Medical Board, he should communicate his intention to his immediate departmental superior when he sends in his application, or before he leaves his station, as the case may be. A copy of the order granting leave on medical certificate should be forwarded to such departmental superior by the Government which grants the leave.

No. 1597.—The Governor General in Council directs that the following be substituted for Rule 1 under Section 1 of Supplement F. to the Civil Leave Code:—

1. Officers and men of the Army and Officers in the Subordinate Medical Department are under military rules, and these rules do not apply to them. But a member of the Subordinate Medical Department in the Warrant grade (Apothecary class), who under the operation of paragraph 46 of the G. G. O. of the Military Department, No. 550, dated 5th June 1868, is appointed to the grade of Assistant Surgeon, may count his service in the Warrant grade towards leave under these rules, on the understanding that any leave taken by him during his employment as an officer of the Subordinate Medical Department in the Warrant grade will be treated as if it had been taken under these rules.

1 (*a*). The leave of members of the Pilot service in Bengal is governed by special rules.

PENSIONS AND GRATUITIES.

The 14th July 1876.

No. 1615.—With the sanction of Her Majesty's Secretary of State for India in Council, the Governor General in Council directs that Appendix E. of the Civil Pension Code be cancelled, and that the following be substituted for Section 119 (*a* and *b*) of the Code:—

Section 119. The Government of India may grant a pension, not exceeding twenty-five rupees a month, to a Government officer injured, or to the family of a Government officer killed, in the execution of his duty, as follows:—

(1). To an officer wounded in the first or second degree,* a pension not exceeding full pay;

(2). To an officer wounded in the third or fourth degree,* a pension not exceeding half pay; or, if the officer is entitled to an invalid pension of half pay under Section 56 or 63 of this Code, then not exceeding three-quarters pay.

(3). To the family of an officer killed in the execution of his duty; a pension not exceeding half the pay of the deceased officer, and not less than Rs. 2¾ (two and three-quarter rupees) a month.

(4.) These rules apply to the case of a village watchman or his family even though he receive no pay from the State.

R. B. CHAPMAN,
Secy. to the Govt. of India.

* *1st Degree.*—Men losing two limbs or both eyes from wounds; or being so severely wounded as to be totally incapable of earning a livelihood and to require the care and assistance of some other person.

2nd Degree.—Men losing one limb or one eye; or being so disabled as to be incapable of earning a livelihood, though not requiring the care of another person.

3rd Degree.—Men not losing a limb or an eye who have received an injury equal to the loss of a limb, or who are otherwise so disabled as to be capable of contributing in only a small degree towards earning a livelihood.

4th Degree.—Men able to contribute materially towards a livelihood, although unfit, from wounds, for the ordinary duties of the service.

MILITARY DEPARTMENT.

Simla, the 10th July 1876.

No. 728 *of* 1876.—In continuation of G. G. O. No. 724, dated the 5th July 1876, the undermentioned Officers are permitted to retire from the service from the dates specified, under the provisions of G. G. O. No. 1 of the 1st January 1876:—

No.	RANK AND NAMES.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
80	Lieutenant-Colonel (Brevet Colonel) Edward Norman Perkins.	Staff Corps	456 5 0	.....	5,058 0 0	9th July 1876.	England.
81	Lieutenant-Colonel (Brevet Colonel) Frederick John Ellis.	Do.	365 0 0	324 18 0	.....	10th July 1876.	Do.

The 11th July 1876,

No. 729 *of* 1876.—The following extract from List No. 10, dated 16th June 1876, received from the India Office, is published for general information:—

Permitted to return to duty.

Lieutenant-Colonel E. O'B. Horsford, S. C.
Captain R. V. Riddell, R. E.
Surgeon H. J. Linton.
Captain H. B. Hanna, S. C.

Granted extensions of leave.

Surgeon-Major J. F. N. Wise,—6 months, medical certificate.

Major J. Bartleman, S. C.,—6 months, medical certificate.

Lieutenant G. Hildebrand, R. E.,—18 months, private affairs.

Lieutenant J. P. C. Neville, S. C.,—4 months, medical certificate.

No. 730 *of* 1876.—The Right Hon'ble the Governor General in Council is pleased to notify that soldiers employed as collar-makers, wheelers, or shoeing-smiths in batteries of Royal Artillery during the absence of the permanent artificers, shall receive extra duty pay at the rate of four annas a day.

No extra duty pay is admissible to a shoeing-smith acting as Farrier Sergeant.

The 14th July 1876.

No. 731 *of* 1876.—Appointment,

Horse Breeding Operations.

Veterinary Surgeon E. J. Batt, to be Assistant Superintendent, Horse Breeding Operations.

No. 732 *of* 1876.—The following permanent and temporary promotions are made in the Warrant Grades of the Ordnance Commissariat Department:—

Rank and Names.	To what rank promoted.	From what date.	In whose room.
Permanent.			
Assistant Commissary (Honorary Lieutenant Thomas Ryan.	Deputy Commissary.	16th June 1876.	Deputy Commissary (Honorary Captain) W. Carroll, transferred to Pension Establishment.
Deputy Assistant Commissary (Honorary Lieutenant) John Ford, Head Overseer, Gunpowder Factory.	*Assistant Commissary.*	*ditto.*	
Deputy Assistant Commissary (Honorary Lieutenant) James Parker.	ditto ..	ditto ..	Assistant Commissary (Honorary Lieutenant) T. Ryan, promoted.
Conductor Thomas Heathcote.	Deputy Assistant Commissary.	ditto ..	Deputy Assistant Commissary (Honorary Lieutenant) T. Ryan, promoted.

Rank and Names.	To what rank promoted.	From what date.	In whose room.
Permanent—(continued).			
Sub-Conductor John Curran, Assistant Overseer, Small Arm Ammunition Factory.	*Conductor* ..	16th June 1876.	
Sub-Conductor John Beatty (on furlough to Europe).	ditto ..	ditto ..	Conductor T. Heathcote, promoted.
Sergeant Robert Orr, Assistant Overseer, Small Arm Ammunition Factory, (on furlough to Europe).	*Sub-Conductor*	*ditto.*	
Magazine Sergeant (Officiating Sub-Conductor) John Healy.	Sub-Conductor, on probation.	ditto ..	Sub-Conductor J. Beatty, promoted.
Temporary.			
Sub-Conductor John Enright.	Officiating Conductor.	ditto ..	Conductor J. Beatty, on furlough to Europe, or until further orders.
Magazine Sergeant Henry Mitchell.	Officiating Sub-Conductor.	ditto ..	Sub-Conductor J. Enright, acting as Conductor, or until further orders.

No. 733 *of* 1876.—The following promotions and alterations of rank are made in the Warrant Grades of the Public Works Department :—

Promotions.

Rank and Names.	To what rank promoted.	From what date.	In whose room.
Conductor Andrew Connell.	Deputy Assistant Commissary.	13th July 1875.	Deputy Assistant Commissary (Honorary Lieutenant) T. Reilly, deceased.
Conductor William Wilson.	ditto ..	15th July 1875.	Deputy Assistan Commissary (Honorary Lieutenant) G. F. Cox, deceased.
Sub-Conductor James Johnston, Superintendent, Thomason College Press, Roorkee.	*Conductor* ..	*13th July* 1875.	
Sub-Conductor Archibald Buchanan.	ditto ..	ditto ..	Conductor A. Connell, promoted.
Sub-Conductor Robert Bruce (deceased).	ditto ..	15th July 1875.	Conductor W. Wilson, promoted.
Sub-Conductor Andrew Forsyth.	ditto .	1st Jan. 1876.	Conductor R. Bruce, deceased.

Alterations of rank.

Rank and Names.	To rank from	In whose room.
Deputy Assistant Commissary Joseph Mole.	3rd Aug. 1874	Deputy Assistant Commissary (Honorary Lieutenant) T. Marten, retired.
Conductor Charles Montgomery.	24th April 1874	Conductor D. McGregor, resigned his position in the Warrant Grade.
Conductor George Stevens Beckett.	3rd Aug. 1874	Deputy Assistant Commissary J. Mole, whose rank has been altered.

No. 734 *of* 1876.—First Class Hospital Assistant Shekh Fakrodin, 5th Punjab Cavalry, is transferred to the Invalid Establishment on a pension of Rs. 30 per mensem, payable in the Punjab Circle from date of discharge.

No. 735 *of* 1876.—*Erratum.*—In G. G. O. No. 653 of 1876, after the name "Chintah" for "12th (The Kelat-i-Ghilzie) Regiment of Native Infantry," read *late 12th Native Infantry.*

Order books to be corrected accordingly.

No. 736 *of* 1876.—Subadar-Major Boodh Singh, 19th Native Infantry, is granted the brevet pay of his rank from the date of his transfer to the Invalid Establishment.

No. 737 *of* 1876.—The undermentioned Officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Bengal Staff Corps.

Lieutenant Albert de Clancy Rennick,—6th July 1876.

No. 738 *of* 1876.—The following promotion by Brevet is made from the date specified, under the operation of G. G. O. No. 632 of the 4th August 1864, paragraph 69, subject to Her Majesty's approval :—

BREVET,—*to be Colonel.*

Lieutenant-Colonel William Ramsay, Madras Infantry,—8th July 1876.

No. 739 *of* 1876.—*Erratum.*—In G. G. O. No. 676 of 1876, *for* "**24th March 1876**" *read* **21***st March* **1876.**

Order books to be corrected accordingly.

No. 740 *of* 1876.—The grant of furlough to Europe on private affairs to Lieutenant-Colonel (Brevet Colonel) W. E. Marshall, Bengal Staff Corps, in G. G. O. No. 704 of 1876, is cancelled at his own request.

No. 741 *of* 1876.—His Excellency the Governor General in Council is pleased to notify the following rules for the grant of acting allowances to officers serving with Native Artillery :—

I.—A Doing-duty Officer appointed to officiate as Commandant, during the absence of the latter on furlough or general leave, will be allowed the half Staff salary of Commandant and half Staff salary of his own appointment, in addition to Staff Corps pay.

II.—An Officer appointed to officiate as Doing-duty Officer, during the absence of the permanent incumbent, or on his appointment to officiate as Commandant, will be allowed the full Staff salary (Rs. 150) in addition to Regimental pay and allowances.

2. This order is applicable to the three Presidencies.

No. 742 *of* 1876.—Third Class Hospital Assistant Ram Chund, attached to the Government dispensary at Dagshai, is permitted to resign the service.

Admitted by G. G. O. No. 476 of 1867.

No. 743 *of* 1876.—The following promotions are made in the undermentioned Corps of the Native Army, from the dates specified :—

7th Bengal Cavalry.

Kote Duffadar Ally Khan, to be Jemadar, *vice* Meer Wuzeer Ally, invalided, 1st May 1876.

5th Regiment of Native (Light) Infantry.

Havildar Kurramut Khan, to be Subadar, *vice* Tegh Alli Khan, "Bahadoor," deceased, 9th June 1876.

No. 744 *of* 1876.—With reference to Home Department Notification No. 367, dated 5th July 1876, the services of Apothecary J. Pitts are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 745 *of* 1876.—The services of Apothecary G. R. Jenkins, with the 54th Foot, are placed at the disposal of the Home Department.

No. 746 *of* 1876.—Third Class Hospital Assistant Buseer Ooddeen, admitted into the service by G. G. O. No. 501 of 1870, is struck off the strength of the Army, with effect from the 23rd February 1876.

No. 747 *of* 1876.—The following is added as a supplementary clause to paragraph 4 of G. G. O. No. 986 of 1875 :—

Should leggings become unserviceable in less than three years, from the date of the first issue, they must be made good at the expense of the soldier.

Order books to be corrected accordingly.

No. 748 *of* 1876.—In modification of G. G. O. No. 1273 of 1854, it is hereby notified that the Government Cattle Depôt at Hissar, is transferred to the control of the Commissariat Department, with effect from the 1st April 1876.

No. 749 *of* 1876.—The following order issued by the Resident at Hyderabad, is confirmed :—

No. 187, *dated* 26*th June* 1876.—Appointing Major H. A. Justice, 2nd in Command, to officiate as Commandant, 6th Infantry, Hyderabad Contingent, and Lieutenant W. H. Salmon, Wing Subaltern and Officiating Adjutant, to officiate as 2nd in Command of the Regiment, in addition to his other duties, during the absence on general leave in India of Colonel E. W. Dun.

No. 750 *of* 1876.—Appointments.

PUNJAB FRONTIER FORCE.

4th Punjab Infantry.

Captain A. McC. Bruce, Wing Officer, to officiate as 2nd in Command and Wing Officer during the absence on leave of Captain A. J. D. Hawes, or until further orders.

Captain A. I. Shepherd, Adjutant, to officiate as Wing Officer, *vice* Captain Bruce.

Captain A. Gaselee, Quartermaster, to officiate as Adjutant, *vice* Captain Shepherd.

Lieutenant T. J. O'D. Renny, 1st Wing Subaltern, to officiate as Quartermaster in addition to his other duties, *vice* Captain Gaselee.

The above appointments to have effect from the 24th May 1876.

No. 751 *of* 1876.—Appointments.

Punjab Frontier Force.

Captain J. Davidson, 1st Squadron Subaltern, 3rd Punjab Cavalry, and Officiating Assistant Adjutant General, to be Assistant Adjutant General, *vice* Captain A. G. Ross, appointed to the 1st Sikh Infantry.

3rd Punjab Cavalry.

Lieutenant C. C. Egerton, 2nd Squadron Subaltern, to be 1st Squadron Subaltern, *vice* Captain Davidson, and to continue to officiate as Adjutant, in addition to his other duties, during the absence on furlough to Europe of Captain R. B. Lockwood, or until further orders.

Lieutenant F. Mardall, Officiating 1st Squadron Subaltern, to be 2nd Squadron Subaltern, *vice* Lieutenant Egerton, and to continue to officiate as 3rd Squadron Officer, or until further orders.

1st Sikh Infantry.

Captain A. G. Ross, Assistant Adjutant General, Punjab Frontier Force, (on furlough), to be 2nd in Command and Wing Officer, *vice* Major H. C. P. Rice appointed Commandant.

Captain C. C. Brownlow, Wing Officer, to continue to officiate as 2nd in Command and Wing Officer during the absence on furlough to Europe of Captain Ross, or until further orders.

The appointments in the 1st Sikh Infantry to have effect from the 5th May 1876.

No. 752 *of* 1876.—The undermentioned widows are admitted to the Order of Merit pensions specified below :—

NAME.	Rank, name, and Corps of deceased.	Date of admission.	Class of Order of Merit.	Circle of payment.
Heera Baee ..	Saheb Sing, Pensioned Ressaidar, 1st Cavalry, Hyderabad Contingent.	30th Aug. 1874	3rd Class. Rs. 43-5-4 per mensem, for three years.	Mominabad, Hyderabad.
Faisun ..	Mozooldeen, Trooper, 5-1 Brigade, Horse Artillery.	5th June 1875	3rd Class. Rs. 2-8-0 per mensem, for three years.	N.-W. Provinces.
Asmut Nissa	Jaffer Ally, Ressaldar, 3rd Bengal Cavalry.	14th Jan. 1875	2nd Class. As Woordie Major. Rs. 33-5-4 per mensem, for three years.	N.-W. Provinces.

The 15th July 1876.

No. 753 *of* 1876.—In continuation of G. G. O. No. 728, dated the 10th July 1876, the undermentioned Officers are permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876:—

No.	RANK AND NAMES.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
32	Lieutenant-Colonel (Brevet Colonel) William Agnew.	Staff Corps	456 5 0	668 12 0	.....	15th July 1876.	England.
33	Lieutenant Colonel (Brevet Colonel) George Gill Moxon.	Do.	456 5 0	.....	5,883 0 0	15th July 1876.	England.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Simla, the 14th July 1876.

No. 22 *of* 1876.—Mr. E. R. Wells, Supernumerary First Class Officer of the Indian Government Troopship *Tenasserim* is appointed to the Indian Government Ship *Czarewitch* as First Class Officer, *vice* Mr. Poyntz, resigned, with effect from the date on which he may assume charge of his duties.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 8th July 1876.

No. 309.—With reference to Notification No. 145, dated the 24th March 1876, the transfer of Mr. R. A. Butterfield, Accountant, 1st Grade, from Hyderabad to Mysore, is cancelled.

The 10th July 1876.

No. 310.—Mr. F. S. Homfray, Sub-Storekeeper, 1st Grade, on the Establishment under the Director of State Railways, is promoted to the rank of Storekeeper, 2nd Grade.

The 12th July 1876.

No. 311.—Mr. R. G. Macdonald, Examiner of Accounts, Tirhoot State Railway, and Officiating Examiner of Telegraph Accounts, is transferred to the Western Rajpootana State Railway.

The 13th July 1876.

No. 312.—The Government of India has no further need of the services of Mr. T. L. Jones, Probationary Accountant, 3rd Grade, attached to the Office of the Director of State Railways.

No. 313.—The Government of India has no further need of the services of Mr. F. M. Weedon, Executive Engineer, 3rd Grade, on the Establishment of the Director of State Railways.

The 14th July 1876.

No. 314.—The resignation of his appointment by Mr. B. R. Harrington, Overseer, 1st Grade, Military Works Branch, is accepted, with effect from the date on which he may be relieved of his duties.

No. 315.—Mr. J. A. Ellis, Accountant, 3rd Grade, Rajpootana, is transferred to the Military Works Branch.

No. 316.—The order* of the Madras Government, granting Lieutenant C. H. P. Christie, R.E., Deputy Examiner of Public Works Accounts, Madras, two months' privilege leave, is confirmed.

* Notification dated 20th June 1876.

No. 317.—Mr. G. F. Mathew is appointed to the State Railway Revenue Establishment in Class IV, and his services placed at the disposal of the Director of State Railways. The appointment has effect from 26th June 1876.

No. 318.—Mr. H. Dangerfield, Executive Engineer, 4th Grade (temporary 3rd Grade), His Highness the Nizam's State Railway, is appointed Manager of that Line.

C. H. DICKENS, *Col., R. A.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 30. SIMLA, SATURDAY, JULY 22, 1876. Register No. 33.

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

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Report of Select Committee and Opium Bill No. II, 1876.

SUPPLEMENT No. 32.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—EXAMINATIONS.

Simla, the 20th July 1876.

No. 83.—Messrs. C. E. Buckland and G. A. Grierson, of the Bengal Civil Service, having obtained certificates of High Proficiency in Persian and Sanscrit, respectively, have each been presented with the authorized donation of Rs. 2,000.

No. 84.—Mr. H. Gillon, of the Bengal Civil Service, having obtained a certificate of High Proficiency in Bengali, has been presented with the authorized donation of Rs. 1,000.

POLICE.

The 20th July 1876.

No. 198.—The provisions of Act VIII of 1870 (for the prevention of the murder of female infants) having been made applicable to the clans and localities in the Farukhabad District, detailed in the subjoined list, by the Notification of the Government of the North-Western Provinces, No. 77A., dated the 29th ultimo, the following Rules made by that Government in exercise of the power conferred on it by Section 2 of the said Act, and confirmed by the Governor General in Council, are hereby published for general information :—

Rules for the suppression of female infanticide.

I.—A nominal Register (A) of all proclaimed families shall be drawn up by the Police under the orders of the Magistrate of the district. In this register recognised heads of families or masters of separate households shall be entered as the heads of families, and every member of the family habitually resident in the village shall be entered by name. All persons under twelve shall be entered as children, except married female children living with their husbands, who shall, for the purposes of these Rules, be deemed to be adult females.

II.—All villages in which the proportion of female children to children on a proclaimed population of not less than 25 children is less than 25 per cent. shall be called "specially guilty" villages, and shall also be entered in a separate Register (B), which shall be called the "Private register of proclaimed families in specially guilty villages." This register shall not be open to inspection except by the officers of the district.

III.—The person who is registered as the head of a proclaimed family shall report immediately the occurrence of every birth and death and the illness of any female child in his family to the chaukidar of the village. He shall also produce all children in his family for the inspection of a

Police officer visiting the village when required to produce them.

IV.—Every midwife knowing of, or having reason to believe in, the occurrence in a proclaimed family in the village in which she resides, of a birth or of the illness of a new-born child shall at once report the fact to the chaukidar of the village. And if the village is one entered in Register B, she shall also report the occurrence of a pregnancy.

V.—If in a given time after proclamation [to be determined for each village or locality by the Local Government] the proportion of female children in a village entered in Register B does not rise to more than 25 per cent., the Lieutenant-Governor may direct that every person registered as the head of a proclaimed family in that village shall be personally bound to report to the officer in charge of the Police station every pregnancy in his family at some period before the seventh month.

VI.—The chaukidar of the village shall immediately report to the officer in charge of the Police station the occurrence of a birth, whether male or female, in a proclaimed family; the death of a female infant under six months old; the illness of a female child; and the removal of a pregnant woman to another village. He shall also report, on the occasion of his periodical visit to the Police station, other deaths, removals and arrivals, and pregnancies reported to him if the village is entered in Register B.

VII.—The zemindars of the villages shall give assistance to the Police in drawing up Register A, and in obtaining information regarding all births, marriages, and deaths occurring, or about to occur, among proclaimed families.

VIII.—All expenses incurred in working the system sanctioned by Act VIII of 1870 shall be borne by the proclaimed clans and families, and shall be recoverable as arrears of land revenue; provided that, when the percentage of female children to children of any proclaimed class in any village exceeds forty, such class shall be exempted from any share in such expenses, unless in the opinion of the Magistrate there be other grounds of suspicion.

IX.—Where the crime is so prevalent, and the number of the proclaimed villages so great, that the ordinary establishment of the district cannot cope successfully with it, the Local Government may, at its discretion, appoint a force of special Police for the purpose of carrying out measures of prevention and detection. All expenses incurred for the payment of such Police, or under Rule VIII, may be met by a rate leviable under the orders of the Local Government from the heads of families entered in the nominal register of proclaimed persons. Such rate will ordinarily be imposed so as to fall more heavily on specially guilty than on guilty families; but the amount of the rate to be levied will be fixed in every case by the special orders of the Local Government.

X.—No proclaimed village or family shall be exempted from the operation of these Rules except by the order of the Local Government, or in virtue of authority to that effect vested by Government in any officer. A village or family so exempted will then be struck out of Register A, and the erasure initialled by the Magistrate of the District or by the District Superintendent of Police.

Clan.	Police Station.	No.	Village.
Ahír Ghosi ...	Kaimganj ...	1	Jaisinghpur.
		2	Kokápur.
		3	Karanpur.
		4	Nagla Khushâli, Mazra Sikandarpur Agu.
Ahír Bhurgude ...	Ditto ...	5	Chachianpur, Mazra Hakikatpur.
	Nawabganj ...	6	Nagla Samadhán, Mazra Khinmini, and Thathulia Patti.
Thákur Gaur ...	Ditto ...	7	Nagla Dabuá, Mazra Bartál.
Ahír Ghosi ...	Muhamdabad	8	Jaitpur.
Thákur Gahalwar	Kamálganj ...	9	Singhirámpur.
	Aligarh ...	10	Karanpur Dáb.
Ahír Ghosi ...	Tirwá ...	11	Purwa Jodha, Mazra Mugra.
Ahír Bhurgude ...	Shamsabad ...	12	Baksuri.
Ahír Ghosi ...	Sarai Miran ...	13	Purwa Samaria, Mazra Atarah.
		14	Purwa Ahiran, Mazra Jasauli.
		15	Mahmudpur Ganj.
	Chibramau ...	16	Nagla Arrua, Mazra Muapur.
		17	Mumia.
		18	Jaisinghpur.
		19	Nagla Matchua, Mazra Mijhauli.
		20	Bahadurpur.
	Gursahâiganj	21	Birahimpur.
		22	Sadarpur.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 20th July 1876.

No. 616.—Consequent on the death of Navigating Sub-Lieutenant C. George, R.N., Assistant Superintendent of the 1st Grade in the Marine Survey Department, the Governor General in Council is pleased to sanction the following promotions:—

Mr. Morris Chapman, Assistant Superintendent 2nd Grade, on furlough in Europe, to be Assistant Superintendent 1st Grade, with effect from the date on which he returns to duty.

Mr. P. J. Falle, Assistant Superintendent 3rd Grade, to be Assistant Superintendent 2nd Grade.

CUSTOMS AND SALT.

The 19th July 1876.

No. 179.—Mr. W. T. Lyon, Assistant Commissioner, in charge of the Inland Customs Department at the Sambhar Lake, is promoted from the 4th to the 3rd Grade with effect from the 1st instant to fill an existing vacancy.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 20th July 1876.

No. 1686*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Carl Kapp as Consul for the German Empire at Bombay.

GENERAL.

The 12th July 1876.

No. 1477*G.*—*Appointment.*—Lieutenant C. Herbert, Her Majesty's 45th Foot, to officiate as Wing Subaltern, Meywar Bheel Corps, during the time Lieutenant Rundall may officiate as Adjutant, or until further orders.

The 18th July 1876.

No. 1538*G.*—*Leave.*—Colonel G. B. Malleson, C.S.I., Guardian to His Highness the Maharaja of Mysore, is granted three months' privilege leave, with effect from 6th June 1876.

No. 1541*G.*—*Leave.*—In supersession of Notification No. 1173G, dated 2nd June 1876, the Hon'ble R. A. Dalyell, Officiating Chief Commissioner of Mysore and Coorg, is granted privilege leave for 28 days with effect from 4th June 1876.

The 20th July 1876.

No. 1558*G.*—*Addendum.*—With reference to Notification of this Department, No. 1320G, dated 22nd June 1876, the following addition is made to the list published therewith:—

Government or Administration.	Name.	Language and Examination passed.
Government of India	Mr. J. White, C. S. ..	Persian H.P.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 21st July 1876.

No. 1793.—*Bills drawn upon India by the Secretary of State in the year* 1876-77 *to end of July* 1876, *including bills drawn before 1st April* 1876, *but paid since that date or still outstanding.*

	£	Rs.	Average rate.	Loss compared with outturn at an exchange of 2s. the rupee.
Estimated for the whole year.	13,000,000	15,99,20,000	1-8·5	2,33,20,000
Actual to date ..	8,284,758	9,92,10,000	1-7·79	68,62,420
Remains to make estimate good.	10,495,242	12,07,10,000	1-8·73	1,64,57,580

Estimated expenditure in excess of the cost at 2s. the rupee in raising £8,284,758 @ 1-8·5 ... Rs. 55,22,286
Actual expenditure in excess of the cost at 2s. the rupee in raising £8,284,758 @ 1-7·79 ... ,, 68,62,420
Expenditure in excess of estimate ... ,, 13,40,134

PENSIONS AND GRATUITIES.

The 21st July 1876.

No. 1791.—The Governor General in Council directs that Rule 1 under Section 44 of the Civil Pension Code be cancelled, and that the following be inserted under the Section:—

(*h.*) Transit from one appointment to another, provided that the officer is transferred under the orders of competent authority, or, if he is a ministerial officer, with the consent of the heads of both offices concerned.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 15th July 1876.

No. 754 *of* 1876.—The services of Lieutenant C. Herbert, 45th Foot, a candidate for the Bengal Staff Corps, are placed at the disposal of the Foreign Department.

The 17th July 1876.

No. 755 *of* 1876.—The services of Lieutenant A. G. A. Durand, 65th Foot, a candidate for the Bengal Staff Corps, are placed at the disposal of the Foreign Department.

The 18th July 1876.

No. 756 *of* 1876.—The services of Lieutenant N. F. F. Chamberlain, 1st Battalion, 11th Foot, a candidate for the Bengal Staff Corps, are placed at the disposal of the Foreign Department.

The 20th July 1876.

No. 757 *of* 1876.—*Appointment.*

Brigade Staff.

Captain W. G. Thomas, 1st Battalion, 25th Foot, Officiating Brigade Major, to be a Brigade Major on the establishment, in succession to Major P. L. Bellamy, 55th Foot, resigned.

No. 758 *of* 1876.—*Erratum.*—In G. G. O. No. 599 of 1876, *for* "Captain Benjamin Jerrad Parsons" *read* Captain Benjamin *Jerrard* Parsons.

Order books to be corrected accordingly.

No. 759 *of* 1876.—*Appointment.*

Calcutta Volunteer Rifle Corps.

Lieutenant C. Roberts, 72nd Foot, Officiating Deputy Assistant Quartermaster General, Presidency District, to be Adjutant, in succession to Captain M. McN. Rind, 107th Foot, who vacates the appointment.

No. 760 *of* 1876.—In continuation of G. G. O. No. 859 of 13th August 1873, His Excellency the Governor General in Council is pleased to notify, with the sanction of the Right Hon'ble the Secretary of State for India, that in the event of the death or invaliding of a Sub-Inspector of Army Schools, a Commissioned Officer may be appointed to conduct the duties, as a temporary arrangement, receiving in addition to Regimental pay and allowances, the Staff pay of a Sub-Inspector, *viz.*, Rs. 120 per month.

2. During absence on leave out of India, Sub-Inspectors of Army Schools will be restricted to their English rate of pay, and while on leave, other than privilege leave in India, they will be allowed their Indian pay only; the staff pay at the rate of Rs. 120 per month being drawn by the officers performing their duties.

No. 761 *of* 1876.—Lieutenant-Colonel Henry Zouch Darrah, Bengal Staff Corps, is permitted to proceed to Europe on furlough on private affairs for two years under Rule IX of the Regulations of 1868.

No. 762 *of* 1876.—Native Medical Pupil Sajad Hoosein, No. 710, is dismissed the service with effect from the 22nd May 1876.

See G. G. O. No. 1022 of 1874.

No. 763 *of* 1876.—Captain Robert Smyth-Thompson, Bengal Staff Corps, Assistant Commissioner, 3rd Class, Hyderabad, Officiating 2nd Class, Elichpur, has been permitted to proceed to Europe on furlough on private affairs for two years under Rules IX and XV of the Regulations of 1868.

No. 764 *of* 1876.—*Appointment.*

East Indian Railway Volunteer Rifle Corps.

Lieutenant Arthur William Spence, to be Captain, *vice* Cleworth, deceased.

Subject to passing an examination in drill.

No. 765 *of* 1876.—Lieutenant Leopold James Henry Grey, Bengal Staff Corps, Assistant Commissioner 3rd Grade, Officiating 2nd Grade, Bengal, is permitted to proceed to Europe on furlough on private affairs for two years under Rules IX and XV of the Regulations of 1868.

No. 766 *of* 1876.—The undermentioned Officers have reported their return from England:—

Major C. P. Hunter, Bengal Staff Corps,—date of arrival at Bombay, 24th June 1876.

Major H. V. Riddell, late 2nd European Bengal Fusiliers, Assistant Commissioner, Punjab,—date of arrival at Bombay, 4th July 1876.

No. 767 *of* 1876.—Store Lascars Phullee and Pere Bux, No. 1 Battery, 13th Brigade, Royal Artillery, are admitted to a pension of Rs. 3 each per mensem, from the date of their discharge, payable in the North-Western Provinces and Punjab Circle, respectively.

No. 768 *of* 1876.—Lieutenant Frederick Charles Napier Goldney, Bengal Staff Corps, is permitted to proceed to Europe on furlough on medical certificate for eight months under the Regulations of 1875.

No. 769 *of* 1876.—The undermentioned men are transferred to the Pension Establishment:—

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		C Batty., A Brig., Royal Horse Artillery.		Rs.	
	Syce ...	Doobur ...	Syce ...	3	N. W. P.
	„ ...	Fakeer Bux ...	„ ...	3	„
	„ ...	Ghazee Khan ...	„ ...	3	„
	„ ...	Shaick Busalet ...	„ ...	3	„
		A Batty., C Brig., Royal Horse Artillery.			
	Syce ...	Ungnoo ...	Syce ...	3	N. W. P.
	„ ...	Goolzar, 1st ...	„ ...	3	„
	„ ...	Khoosial Khan...	„ ...	3	„
	„ ...	Emam Bux ...	„ ...	3	„
	„ ...	Cassie ...	„ ...	3	„
	Grass-cutter	Meykhoo ...	Grass-cutter	3	„
		A Batty., 8th Brig., Royal Artillery.			
	Puckallie	Peerbux ...	Puckallie	3	N. W. P.
	Syce ...	Dhunnie ...	Syce ...	3	Presidency.
	„ ...	Bohun ...	„ ...	3	N. W. P.
	„ ...	Sewraj ...	„ ...	3	„
	„ ...	Rushun ...	„ ...	3	„
	„ ...	Ramdeen ...	„ ...	3	„
	„ ...	Bowaniedeen ...	„ ...	3	„
	Grass-cutter	Dhooky ...	Grass-cutter	3	„
	„ ...	Seetul ...	„ ...	3	„
	„ ...	Kundee ...	„ ...	3	„
		No. 4 Batty., 13th Brig., Royal Artillery.			
	Jemadar Bullock-driver.	Sirdarie ...	Jemadar Bullock-driver.	6	N. W. P.
	„ ...	Gungah, 1st ...	„ ...	4	„
		B Batty., 19th Brig., Royal Artillery.			
	Store Lascar.	Wassell ...	Store Lascar.	3	N. W. P.
	Bullock-driver.	Kirgee ...	Bullock-driver.	3	„
	Syce ...	Sewdawn ...	Syce ...	3	„
	„ ...	Raddye ...	„ ...	3	„
	„ ...	Jerowun ...	„ ...	3	„
	„ ...	Lalla ...	„ ...	3	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		B Batty., 19th Brig., Royal Artillery,—contd.		Rs.	
	Syce ...	Beechie ...	Syce ...	3	N. W. P.
	„ ...	Persadie ...	„ ...	3	„
	Jorawalla Grass-cutter	Parowtie ...	Jorawalla Grass-cutter	3	„
	„ ...	Louton ...	„ ...	3	„
		C Batty, 19th Brig., Royal Artillery.			
	Syce ...	Oorie ...	Syce ...	3	N. W. P.
	Grass-cutter	Bucktower ...	Grass-cutter	3	„
		E Batty., 19th Brig., Royal Artillery.			
	Tindal ...	Ram Sing ...	Tindal ...	7	Sekowrie.
	Syce ...	Bahdowlie ...	Syce ...	3	Khundelgunge.
	Grass-cutter	Chuckree ...	Grass-cutter	3	Presidency.
	„ ...	Lutchman ...	„ ...	3	N. W. P.
		F Batty., 19th Brig., Royal Artillery.			
	Tindal ...	Goorbundun ...	Tindal ...	7	N. W. P.
	Syce ...	Mattadeen ...	Syce ...	3	„
	„ ...	Nubie Bucous ...	„ ...	3	„
	„ ...	Hoolaie ...	„ ...	3	„
	„ ...	Soman, 1st ...	„ ...	3	„
	„ ...	Sabdeen ...	„ ...	3	„
	„ ...	Bujawun ...	„ ...	3	„
		G Batty., 19th Brig., Royal Artillery.			
	Store Lascar.	Jalloo ...	Store Lascar.	3	N. W. P.
	Jemadar Syce.	Emambuksh ...	Jemadar Syce.	3	„
	Syce ...	Ramdial ...	Syce ...	3	Presidency.
	„ ...	Katwarroo ...	„ ...	3	„
	„ ...	Ramjhan ...	„ ...	3	N. W. P.
	„ ...	Sumput ...	„ ...	3	„
	Puckallie	Chote Khan ...	Puckallie	3	„
	Jorawalla Grass-cutter	Jirbundhan ...	Jorawalla Grass-cutter	3	„
	„ ...	Luchman ...	„ ...	3	„
	„ ...	Mungroo ...	„ ...	3	Presidency.
	„ ...	Doorjun ...	„ ...	3	N. W. P.
	Bullock-driver.	Suddhan ...	Bullock-driver.	3	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		1st Battalion, 18th Foot.		Rs.	
	Tindal ...	Ramdeen ...	Tindal ...	7	N. W. P.
	Lascar ...	Panchoo ...	Lascar ...	3	Presidency.
		2nd Battalion, 18th Foot.			
	Lascar ...	Ramdhani ...	Lascar ...	3	Punjab.
		63rd Foot.			
	Lascar ...	Ramluggan ...	Lascar ...	3	Presidency.
		Govr. Genl.'s Body-Guard.			
	Jemadar Bahadoor.	Futteh Khan ...	Jemadar Bahadoor.	*20	Punjab.
	Lascar ...	Seetul ...	Lascar ...	3	N. W. P.
	Syce ...	Sewraj ...	Syce ...	3	Presidency.
	,, ...	Emam Bux ...	,, ...	3	N. W. P.
	Jorawalla Grass-cutter	Mattadin ...	Jorawalla Grass-cutter	3	,,
		2nd Bengal Cavalry.			
	Duffadar	Shaik Ahmed Bux	Duffadar	7	N. W. P.
	Sowar ...	Chotay Khan ...	Sowar ...	4	,,
	,, ...	Bhoop Singh ...	,, ...	4	,,
	,, ...	Assud Aly Khan	,, ...	4	,,
	,, ...	Meer Musseeb Aly	,, ...	4	,,
	,, ...	Sahibdad Khan...	,, ...	4	,,
		3rd Bengal Cavalry.			
	Jemadar	Meer Mahomed Hoossain.	Jemadar	12	N. W. P.
	,, ...	Shadee Khan ...	,, ...	12	,,
	Duffadar	Samundur Khan	Duffadar	7	Punjab.
	,, ...	Bahal Singh ...	,, ...	7	N. W. P.
	,, ...	John Cain ...	,, ...	7	,,
	,, ...	Kasim Ally Khan	,, ...	7	,,
	,, ...	Mahomed Bux...	,, ...	7	Punjab.
	,, ...	Bainee Singh ...	,, ...	7	N. W. P.
	,, ...	Ram Singh ...	,, ...	7	Punjab.
	,, ...	Sheikh Ameer ...	,, ...	7	N. W. P.
	Sowar ...	Mahomed Bux Khan.	Sowar ...	4	Punjab.
	,, ...	Bheekaree Khan	,, ...	4	N. W. P.
	,, ...	Jeea Ram ...	,, ...	4	,,
	,, ...	Soondur Singh ...	,, ...	4	,,

* Increased rate of pension.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		3rd Bengal Cavalry,—contd.		Rs.	
	Sowar ...	Goorbux Singh...	Sowar ...	4	N. W. P.
	,, ...	Runoo Singh ...	,, ...	4	,,
	,, ...	Sheikh Shahamut	,, ...	4	,,
	,, ...	Shib Singh ...	,, ...	4	,,
	,, ...	Izutoollah Beg...	,, ...	4	,,
	,, ...	Ameenoodeen ...	,, ...	4	,,
	,,	Nezar Hoossain	,, ...	4	,,
	,, ...	Hafiz Ally ...	,, ...	4	,,
	,, ...	Dut Singh ...	,, ...	4	,,
	,, ...	Bahadoor Ally Beg.	,, ...	4	,,
	,, ...	Ujub Singh ...	,, ...	4	,,
	,, ...	Shahgool Khan...	,, ...	4	,,
	,, ...	Mahomed Sooltan	,, ...	4	,,
	,, ...	Salar Khan ...	,, ...	4	,,
	,, ...	**Hussen Ally Khan**	,, ...	4	,,
	,, ...	**Ally Ahmud ...**	,, ...	4	,,
	,, ...	Nusroollah Khan	,, ...	4	,,
	,, ...	Musseet Ally ...	,, ...	4	,,
	,, ...	Kurreem Bux ...	,, ...	4	,,
	,, ...	Sheikh Mahtab...	,, ...	4	,,
	Bhistie ...	Alla Bux ...	Bhistie ...	3	,,
		4th Bengal Cavalry.			
	Ressaidar	Sahib Ali Khan...	Ressaidar	25	N. W. P.
	Duffadar	Byreesal Sing ...	Duffadar	7	,,
	,, ...	Yakoob Ali Khan	,, ...	7	,,
	,, ...	Koodrut Ali Khan	,, ...	7	,,
	Lance Duffadar.	Roostum Khan ...	Lance Duffadar.	4	Punjab.
	Sowar ...	Neazoola Khan...	Sowar ...	4	N. W. P.
	,, ...	Meer Ahmed Ali	,, ...	4	,,
	,, ...	Mirza Sooltan Beg	,, ...	4	,,
	,, ...	Mulluckdad Khan	,, ...	4	,,
	,, ...	Gholam Mohieoodeen Khan.	,, ...	4	,,
		5th Bengal Cavalry.			
	Farrier ...	Bundoobeg ...	Farrier ...	4	N. W. P.
		6th Bengal Cavalry.			
	Duffadar...	Hurpershad Sing	Duffadar	7	N. W. P.
	Sowar ...	Wuzeer Khan ...	Sowar ...	4	,,

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		6th Bengal Cavalry,—contd.		Rs.	
	Sowar ...	Muktoo Sing ...	Sowar ...	4	N. W. P.
	,, ...	Kubeer Khan ...	,, ...	4	,,
	,, ...	Malum Sing ...	,, ...	4	,,
	,, ...	Peer Khan ...	,, ...	4	,,
	,, ...	Shahtooran Khan	,, ...	4	,,
		9th Bengal Cavalry.			
	Duffadar...	Soondur Singh ...	Duffadar...	7	Punjab.
	,, ...	Tarah Singh ...	,, ...	7	,,
	Sowar ...	Khan Singh, 2nd	Sowar ...	4	,,
	,, ...	Summa Singh ...	,, ...	4	,,
		10th Bengal Lancers.			
	Duffadar...	**Buldeo Singh ...**	Duffadar...	7	N. W. P.
	,, ...	**Duswundee ...**	,, ...	7	Punjab.
	,, ...	Nadhan Singh ...	,, ...	7	,,
	,, ...	Holassee ...	,, ...	7	Quait.
	,, ...	Golam Allee Khan	,, ...	7	N. W. P.
	Lance Duffadar.	Nutteh Singh ...	Lance Duffadar.	4	Punjab.
	,, ...	Buddun Singh ...	,, ...	4	,,
	Sowar ...	Hookum Singh ...	Sowar ...	4	,,
	,, ...	Mehr Singh ...	,, ...	4	,,
	,, ...	Ram Singh ...	,, ...	4	,,
	,, ...	Nazama Deen ...	,, ...	4	,,
	,, ...	Ram Singh ...	,, ...	4	,,
	,, ...	Sooltan Singh ...	,, ...	4	,,
	,, ...	Hussun Shah ...	,, ...	4	,,
		15th Bengal (Cureton's Mooltanee) Cavalry.			
	Duffadar...	Goolzar Khan ...	Duffadar...	7	Punjab.
	,, ...	Azeem Khan ...	,, ...	7	,,
	,, ...	Peer Shah ...	,, ...	7	,,
	,, ...	Shere Khan ...	,, ...	7	,,
	,, ...	Jumal Khan ...	,, ...	7	,,
	,, ...	Kowroo Khan ...	,, ...	7	,,
	,, ...	Ahmed Yar Khan	,, ...	7	,,
	,, ...	Gholam Hyder Khan.	,, ...	7	,,
	Sowar ...	Abdool Rehman Khan.	Sowar ...	4	,,
	,, ...	Deen Mahomed Khan.	,, ...	4	,,

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		15th Bengal (Cureton's Mooltanee) Cavalry,—contd.		Rs.	
	Sowar ...	Noor Khan ...	Sowar ...	4	Punjab.
	,, ...	Bukhtawur Khan	,, ...	4	,,
	,, ...	Ruttun Chund ...	,, ...	4	,,
	,, ...	Mahomed Yar Khan.	,, ...	4	,,
	,, ...	Namdar Khan ...	,, ...	4	,,
	,, ...	Azeem Khan ...	,, ...	4	,,
	,, ...	Zulfakar Khan...	,, ...	4	,,
	,, ...	Billund Khan ...	,, ...	4	,,
	,, ...	Shah Allum Khan	,, ...	4	,,
	,, ...	Ali Mahomed Khan.	,, ...	4	,,
		16th Bengal Cavalry.			
	Duffadar.,	Mustbaz Khan...	Duffadar...	7	Punjab.
	Sowar ...	Mungul Singh ...	Sowar ...	4	,,
		18th Bengal Cavalry.			
	Sowar ...	Ismael Khan ...	Sowar ...	4	N. W. P.
	,, ...	Nurput Singh ...	,, ...	4	,,
	,, ...	Bukhtawar Khan	,, ...	4	Punjab.
		Corps of Bengal Sappers and Miners.			
	Jemadar...	Hosseiń Khan ...	Jemadar ...	12	N. W. P.
	Havildar	Nehal Singh ...	Havildar	7	Punjab.
	,, ...	Sewnundum ...	,, ...	7	Presidency.
	,, ...	Tahal Singh ...	Naick ...	7	Punjab.
	,, ...	Urjun ...	,, ...	7	,,
	Naick ...	Mahdoo Singh ...	,, ...	7	N. W. P.
	,, ...	Punjaba ...	,, ...	7	Punjab.
	,, ...	Shekh Kullun ...	,, ...	7	,,
	,, ...	Roshun Khan ...	,, ...	7	,,
	,, ...	Sew Singh ...	,, ...	7	N. W. P.
	,, ...	Kooshial ...	,, ...	7	,,
	Sepoy ...	Sirdar Khan ...	Sepoy ...	4	,,
	,, ...	Nuttah Singh ...	,, ...	4	Punjab.
	,, ...	Khyrattie Khan	,, ...	4	,,
	,, ...	Beekun Khan ...	,, ...	4	N. W. P.
	,, ...	Buldeo ...	,, ...	4	,,
	,, ...	Sreeram Singh ...	,, ...	4	,,
	,, ...	Mahomed Noor	,, ...	4	Punjab.
	Bhistie ..	Kalloo ...	Bhistie ...	3	N. W. P.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		1st Regiment of Native Infantry.		Rs.	
	Subadar...	Gunness Sing...	Subadar...	*40	N. W. P.
	Jemadar...	Jirbundun Sing	Jemadar	12	„
	Havildar	Dwarka Sing ...	Havildar	7	„
	„ ...	Ramloll Opudeah	„ ...	7	„
	„ ...	Boolakie Sing ...	„ ...	7	Punjab.
	„ ...	Mirza Ludda Beg	Naick ...	7	„
	Naick ...	Goolab Khan ...	„ ...	7	„
	Drummer	Prichard Obediah Franks.	Drummer	4	N. W. P.
	Sepoy ...	Ramtahul Ram...	Sepoy ...	4	Presidency.
	„ ...	Kowlaysur Panoy	„ ...	4	„
	„ ...	Goolab Ram ...	„ ...	4	N. W. P.
	„ ...	Madho Ram ...	„ ...	4	„
	„ ...	Boobah ...	„ ...	4	Punjab.
	„ ...	Nickee Khan ...	„ ...	4	„
	„ ...	Bhallah Khan ...	„ ...	4	„
	„ ...	Khan Sing ...	„ ...	4	N. W. P.
	„ ...	Alladeen ...	„ ...	4	Punjab.
	„ ...	Meer Ally ...	„ ...	4	„
		2nd (Queen's Own) Regiment of Native (Light) Infantry.			
	Jemadar ...	Rambhurrose Panday.	Jemadar	*20	Presidency.
	Havildar	Ruggoonundun Pattuck.	Havildar	7	N. W. P.
	„ ...	Ruhmutally Khan	„ ...	7	Presidency.
	„ ...	Rambuccus Ram	„ ...	7	N. W. P.
	„ ...	Loll Khan ...	„	7	„
	„ ...	Daveedeen Doobay	„	7	„
	„ ...	Shaik Gomanee...	Naick ...	7	„
	Naick ...	Madhow Tewary	„ ...	7	„
	„ ...	Kalka Pattuck ...	„ ...	7	„
	„ ...	Deokullee Sing...	„ ...	7	„
	„ ...	Lutchmun Sing	„ ...	7	„
	Sepoy ...	Sookmungul Sing	Sepoy ...	4	„
	„ ...	Soorjpersad Sing	„ ...	4	„
	„ ...	Koillee Misser ...	„ ...	4	„
	Bhistie ...	Shaik Khudabux	Bhistie ...	3	„
		5th Regiment of Native (Light) Infantry.			
	Havildar	Attaoolah Khan...	Havildar	7	N. W. P.
		7th Regiment of Native Infantry.		Rs.	
	Naick ...	Sewtahul ...	Naick ...	7	Presidency.
		8th Regiment of Native Infantry.			
	Subadar...	Mittoo Misser ...	Subadar...	25	N. W. P.
	Havildar	Nund Lall Misser	Havildar	7	„
	„ ...	Banee Madho Pandy.	„ ...	7	„
	„ ...	Sher Singh ...	„ ...	7	Punjab.
	Naick ...	Shaikh Diam ...	Naick ...	7	N. W. P.
	„ ...	Golam Hussein...	„ ...	7	Presidency.
	„ ...	Kalee Churn ...	„ ...	7	„
	Sepoy ...	Brigoo Nath Singh.	Sepoy ...	4	„
	„ ...	Sewdial Pandy...	„ ...	4	N. W. P.
	„ ...	Jowahir Khan ...	„ ...	4	„
	„ ...	Sobah Singh ...	„ ...	4	Presidency.
	„ ...	Ramgolam Singh	„ ...	4	„
		10th Regiment of Native Infantry.			
	Subadar...	Soochit Doobey	Subadar...	*40	N. W. P.
	Jemadar...	Pygumber Sing...	Jemadar...	12	Presidency.
	„ ...	Sewgoolam Sing	„ ...	12	„
	Naick ...	Gungapursaud Doobey.	Naick ...	7	N. W. P.
	„ ...	Bullee Ram ...	„ ...	7	Presidency.
	Sepoy ...	Surwon Sing ...	Sepoy ...	4	„
		13th (The Shekhawattee) Regiment of Native Infantry.			
	Jemadar ...	Tej Ram ...	Jemadar...	12	N. W. P.
	Havildar	Hurree Sing ...	Havildar	7	„
	„ ...	Tota Ram ...	„ ...	7	„
	„ ...	Gunga Sahae ...	„ ...	7	„
	„ ...	Luchmun Sing...	„ ...	7	„
	„ ...	Kurreem Bux ...	„ ...	7	Presidency.
	Naick ...	Shere Khan ...	Naick ...	7	N. W. P.
	Sepoy ...	Hossienny Khan	Sepoy ...	4	Presidency.
		17th (The Loyal Poorbeah) Regiment of Native Infantry.			
	2nd Class Hospital Assistant.	Jehangeer Khan	2nd Class Hospital Assistant.	13-4	N. W. P.

* Increased rate of pension.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		19th (Punjab) Regiment of Native Infantry.		Rs.	
	Subadar Major.	Boodh Singh ...	Subadar Major.	25	Punjab.
	Havildar	Sham Singh ...	Havildar	7	„
	„ ...	Goordith Singh...	„ ...	7	„
	„ ...	Samundur Khan	„ ...	7	„
	„ ...	Keemut Khan ...	„ ...	7	„
	„ ...	Mahomeddeen ...	Naick ...	7	„
	„ ...	Zureef Khan ...	„ ...	7	„
	Naick ...	Oomra ...	„ ...	7	„
	„ ...	Kundun ...	„ ...	7	„
	„ ...	Wurryam Singh	„ ...	7	„
	„ ...	Bussawa Singh...	„ ...	7	„
	„ ...	Lehna Singh ...	„ ...	7	„
	Sepoy ...	Bhugwan Singh...	Sepoy ...	4	„
	„ ...	Mudesur Khan...	„ ...	4	„
	„ ...	Shahan Khan ...	„ ...	4	„
	„ ...	Lall Khan ...	„ ...	4	„
	„ ...	Hurditgir ...	„ ...	4	„
	„ ...	Gaihna Singh ...	„ ...	4	„
	„ ...	Sheik Muttu ...	„ ...	4	Allahabad.
	„ ...	Rutchpal Singh	„ ...	4	„
	„ ...	Buldeo Singh ...	„ ...	4	„
	„ ...	Nujju Khan ...	„ ...	4	„
	Bhistie ...	Keema ...	Bhistie ...	3	Punjab.
		24th (Punjab) Regiment of Native Infantry.			
	Jemadar	Gazoodeen ...	Jemadar	12	Punjab.
	Havildar	Bysaka Sing ...	Havildar	7	„
	„ ...	Saida Sing ...	Naick ...	7	N. W. P.
	„ ...	Bootah Khan ...	„ ...	7	Punjab.
	„ ...	Gulloo Sing ...	„ ...	7	„
	Naick ...	Shaick Emamdeen	„ ...	7	N. W. P.
	„ ...	Jeewun Sing ...	„ ...	7	Punjab.
	„ ...	Chunder Sing ...	„ ...	7	„
	„ ...	Bhugwan Sing...	„ ...	7	„
	Sepoy ...	Jowahir Sing ...	Sepoy ...	4	„
	„ ...	Didar Bux ...	„ ...	4	„
	„ ...	Nutteh Khan ...	„ ...	4	„
	„ ...	Heerah ...	„ ...	4	„
	„ ...	Dyah Sing ...	„ ...	4	„
		24th (Punjab) Regiment of Native Infantry, —contd.		Rs.	
	Sepoy ...	Wuzeer Sing ...	Sepoy ...	4	Punjab.
	„ ...	Bysaka Sing ...	„ ...	4	„
	„ ...	Durssunnoo ...	„ ...	4	„
	„ ...	Nugeenah ...	„ ...	4	„
	„ ...	Gundah Sing ...	„ ...	4	„
	„ ...	Doona Sing ...	„ ...	4	„
	„ ...	Khem Sing ...	„ ...	4	„
	„ ...	Hurnam Sing ...	„ ...	4	„
	„ ...	Maun Sing ...	„ ...	4	„
	Bhistie ...	Saub Sing ...	Bhistie ...	3	„
		25th (Punjab) Regiment of Native Infantry.			
	Subadar...	Lall Shah ...	Subadar...	25	Punjab.
	„ ...	Kassim Ali ...	„ ...	25	„
	Jemadar..	Bolaka Sing ...	Jemadar...	12	„
	Havildar	Wuzzeerah ...	Havildar	7	„
	„ ...	More Sing ...	„ ...	7	„
	„ ...	Gunda Sing ...	„ ...	7	„
	„ ...	Jehoree Sing ...	Naick ...	7	„
	„ ...	Dittoo ...	„ ...	7	„
	Naick ...	Sham Sing ...	„ ...	7	„
	„ ...	Wulleedad Khan	„ ...	7	„
	„ ...	Mahomed Buksh	„ ...	7	„
	„ ...	Kunnaiyah Lall...	„ ...	7	„
	„ ...	Nihal Sing ...	„ ...	7	„
	„ ...	Goordittah ...	„ ...	7	„
	„ ...	Azeem ...	„ ...	7	„
	1st Bugle Major.	George Smith ...	1st Bugle Major.	10	N. W. P.
	2nd Bugle Major.	Jyeram Chowby	2nd Bugle Major.	7	„
	Sepoy ...	Ruttah ...	Sepoy ...	4	Punjab.
	„ ...	Gamah ...	„ ...	4	„
	„ ...	Punjab Sing ...	„ ...	4	„
	„ ...	Sohna ...	„ ...	4	„
	„ ...	Nihal Sing ...	„ ...	4	„
	„ ...	Phullee Sing ...	„ ...	4	„
	„ ...	Heera ...	„ ...	4	„
	„ ...	Gussawun ...	„ ...	4	„
	„ ...	Heerah ...	„ ...	4	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		25th (Punjab) Regiment of Native Infantry, contd.		Rs.	
	Sepoy ...	Dyal Sing ...	Sepoy ...	4	Punjab.
	„ ...	John Brown ...	„ ...	4	„
	Lascar ...	Sookhye ...	Lascar ...	3	N. W. P.
	Bhistie ...	Chogutta ...	Bhistie ...	3	Punjab.
	„ ...	Uggra ...	„ ...	3	„
		27th (Punjab) Regiment of Native Infantry.			
	Jemadar	Behzad ...	Jemadar...	12	Punjab.
	Naick ...	Jhunda Sing ...	Naick ...	7	„
	Sepoy ...	Jyemul Sing ...	Sepoy ...	4	„
	„ ...	Lurjah ...	„ ...	4	„
	„ ..	More Sing ...	„ ...	4	„
	„ ...	Sham Sing ...	„ ...	4	„
	„ ...	Keysur Sing ...	„ ...	4	„
	„ ...	Moollah Sing ...	„ ...	4	„
	„ ...	Nek Mahomed ..	„ ...	4	„
	„ ...	Buhadur ...	„ ...	4	„
	„ ...	Ahmed Khan ...	„ ...	4	„
	„ ...	Golam Ally ...	„ ...	4	„
	„ ...	Ameer Bux ...	„ ...	4	„
	„ ...	Muddie ...	„ ...	4	„
		28th (Punjab) Regiment of Native Infantry.			
	Havildar	Sheikh Heera ...	Naick ...	7	Punjab.
	„ ...	Jeewun ...	Havildar	7	„
	Naick ...	Boora ...	Naick ...	7	„
	„ ...	Boota Singh ...	„ ...	7	„
	Sepoy ...	Mungul Singh ...	Sepoy ...	4	„
	„ ...	Kaissur ...	„ ...	4	„
	„ ...	Nehalla ...	„ ...	4	„
		33rd (The Allahabad) Regiment of Native Infantry.			
	Sepoy ...	Hoossain Buksh	Sepoy ...	4	N. W. P.
		36th (The Bareilly) Regiment of Native Infantry.			
	Subadar...	Tikwul Sing ...	Subadar...	25	Allahabad.
	Havildar	Chumput Sing ...	Naick ...	7	„
	„ ...	Chait Ram ...	Havildar	7	„
		36th (The Bareilly) Regiment of Native Infantry,—contd.		Rs.	
	Sepoy ...	Meerace Sing ...	Sepoy ...	4	Allahabad.
	„ ...	Narain Sing ...	„ ...	4	„
	„ ...	Koondun Sing ...	„ ...	4	„
	„ ...	Bhoopal Sing ...	„ ...	4	„
	„ ...	Dumber Sing ...	„ ...	4	„
	„ ...	Doorgah ...	„ ...	4	„
	Lascar ...	Sewdeen ...	Lascar ...	3	„
		39th (The Allygurh) Regiment of Native Infantry.			
	Subadar...	Gunda Sing ...	Subadar...	25	Punjab.
	Havildar	Wuzeer Sing ...	Havildar	7	„
	„ ...	Putram ...	Naick ...	7	N. W. P.
	„ ...	Goolab Sing ...	„ ...	7	„
	„ ...	Koomer Sen ...	„ ...	7	„
	„ ...	Hurson ...	„ ...	7	„
	„ ...	Heerah ...	Havildar	7	„
	„ ...	Bissoon Dutt ...	„ ...	7	„
	„ ...	Dhurrum Dutt...	Naick ...	7	„
	„ ...	Kullian ...	„ ...	7	„
	Naick ...	Bahoor Sing ...	„ ...	7	Punjab.
	„ ...	Chuttah ...	Sepoy ...	4	N. W. P.
	„ ...	Lall Sing ...	„ ...	4	„
	Sepoy ...	Gopall Sing ...	„ ...	4	Punjab.
	„ ...	Gunda ...	„ ...	4	Presidency.
	„ ...	Dhunnye Ram...	„ ...	4	Punjab.
	„ ...	Oomra ...	„ ...	4	„
	„ ..	Alladeen ...	„ ...	4	N. W. P.
	„ ...	Neka Sing ...	„ ...	4	„
	„ ...	Pursar ...	„ ...	4	„
	„ ...	Hurbhujun ...	„ ...	4	„
	„ ...	Bisson Sing ...	„ ...	4	„
	„ ...	Lulla Sing ...	„ ...	4	„
	„ ...	Mohun ...	„ ...	4	„
	„ ...	Bustee Sing ...	„ ...	4	„
	„ ...	Motee Sing ...	„ ...	4	„
	„ ...	Khuwanee ...	„ ...	4	„
	„ ...	Khunjun Sing ...	„ ...	4	„
	„ ...	Mouzie Sing ...	„ ...	4	„
	„ ...	Beharee Sing ...	„ ...	4	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		39th (The Allygurh) Regiment of Native Infantry, —contd.		Rs.	
	Sepoy ...	Pahulwan Sing 1st	Sepoy ...	4	N. W. P.
	„ ...	Pahulwan Sing 2nd.	„ ...	4	„
	„ ...	Ramdeen Sing ...	„ ...	4	„
	„ ...	Dutt Ram ...	„ ...	4	„
	„ ...	Beer Sing ...	„ ...	4	Presidency.
	„ ...	Shib Sing ...	„ ...	4	N. W. P.
	„ ...	Motee Ram ...	„ ...	4	„
	„ ...	Bulbudder Sing...	„ ...	4	„
	„ ...	Shiblall Sing ...	„ ...	4	„
		43rd (Assam) Regiment of Native (Light) Infantry.			
	Subadar...	Emam Bux ...	Subadar...	40*	N. W. P.
	Havildar	Sobha Dooby ...	Havildar	7	„
	Color Havildar.	Madar Bux ...	„ ...	7	„
	Color and Pay Havildar.	Gunness Sing ...	„ ...	7	„
	„ ...	Kalka Tewarry...	„ ...	7	„
	„ ...	Singbir ...	Naick ...	7	Presidency.
	Naick ...	Slamutally Khan	„ ...	7	„
	„ ...	Gunga Sing ...	„ ...	7	„
	Bugler ...	Bannaram ...	Bugler ...	4	„
	Sepoy ...	Lutchmun Sing...	Sepoy ...	4	„
	„ ...	Belbung ...	„ ...	4	„
	„ ...	Fawda Sing ...	„ ...	4	„
	„ ...	Sreenath ...	„ ...	4	„
		45th (Rattray's Sikhs) Regiment of Native Infantry.			
	Bugler ...	James Pollock...	Bugler ...	4	N. W. P.
		4th Regiment, Punjab Cavalry.			
	Duffadar	Chutter Singh ...	Duffadar	7	Punjab.
	„ ...	Shadal Khan ...	„ ...	7	„
	„ ...	Jowalah Singh...	„ ...	7	„
	Sowar ...	Chunda Singh ...	Sowar ...	4	„
	„ ...	Meher Singh ...	„ ...	4	„
	„ ...	Hossain Khan ...	„ ...	4	„
	„ ...	Ismael Beg ...	„ ...	4	„
		4th Regiment, Punjab Cavalry, —contd.		Rs.	
	Sowar ...	Ayah Singh ...	Sowar ...	4	Punjab.
	„ ...	Pall Singh ...	„ ...	4	„
	„ ...	Jhunda Singh ...	„ ...	4	„
	„ ...	Mardan Singh ...	„ ...	4	N. W. P.
		Corps of Guides (Queen's Own) Cavalry.			
	Jemadar ...	Nihal Sing ...	Jemadar...	12	Punjab.
	Kote Duffadar.	Gholam Russul...	Kote Duffadar.	7	„
	Duffadar	Azim Shah ...	Duffadar	7	„
	„ ...	Gholam Ali ...	„ ...	7	„
	„ ...	Des Raj ...	„ ...	7	„
	„ ...	Sham Sing ...	„ ...	7	„
	„ ...	Gukhur Mul ...	„ ...	7	„
	„ ...	Uttur Sing ...	„ ...	7	„
	Sowar ...	Budh Sing ...	Sowar ...	4	„
	„ ...	Uttur Sing ...	„ ...	4	„
	„ ...	Hurjus ...	„ ...	4	„
	„ ...	Rama ...	„ ...	4	„
	„ ...	Kaisur Sing ...	„ ...	4	„
	„ ...	Jowahir Sing ...	„ ...	4	„
	„ ...	Emam Baksh ...	„ ...	4	„
	„ ...	Mahamedi ...	„ ...	4	„
	„ ...	Buta Sing ...	„ ...	4	„
	„ ...	Haider ...	„ ...	4	„
		Corps of Guides (Queen's Own) Infantry.			
	Havildar	Punjab Sing ...	Havildar	7	Punjab.
	„ ...	Summunda ...	„ ...	7	„
	„ ...	Guman Sing ...	„ ...	7	„
	„ ...	Wazir Sing ...	Naick ...	7	„
	Naick ...	Ala Sing ...	„ ...	7	„
	„ ...	Lall Sing ...	„ ...	7	„
	„ ...	Bajung ...	„ ...	7	„
	Sepoy ...	Sham Sing ...	Sepoy ...	4	„
	„ ...	Sawan Sing ...	„ ...	4	„
	„ ...	Rur Sing ...	„ ...	4	„
	„ ...	Jiwand Sing ...	„ ...	4	„
	„ ...	Nihal Sing ...	„ ...	4	„

* Increased rate of pension.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		Corps of Guides (Queen's Own) Infantry,—contd.		Rs.	
	Sepoy ...	Sham Sing ...	Sepoy ...	4	Punjab.
	„ ...	Jai Sing ...	„ ...	4	„
	„ ...	Hashum Ali ...	„ ...	4	„
	„ ...	Gurdit Sing ...	„ ...	4	„
	„ ...	Bulbir ...	„ ...	4	„
	„ ...	Sunt Sing ...	„ ...	4	„
	„ ...	Mohun Bir ...	„ ...	4	N. W. P.
	„ ...	Raj Bir ...	„ ...	4	Punjab.
	„ ...	Munny Raj ...	„ ...	4	„
	„ ...	Billund ...	„ ...	4	„
	„ ..	Dewa Sing ...	„ ...	4	„
	„ ...	Dulli ...	„ ...	4	„
	„ ...	Kutub Din ...	„ ...	4	„
	„ ...	Fazil ...	„ ...	4	„
	„ ...	Nizam Din ...	„ ...	4	„
	„ ...	Rur Sing ...	„ ...	4	N. W. P.
		2nd Regiment, Punjab Infantry.			
	Havildar	Nihala ...	Havildar...	7	Punjab.
	„ ...	Shah Mahamad	„ ...	7	„
	Naick ...	Jalla ...	Naick ...	7	„
	„ ...	Baja ...	„ ...	7	„
	„ ...	Ahmad Alli ...	„ ...	7	„
	„ ...	Jani ...	„ ...	7	„
	„ ...	Kan Singh ...	„ ...	7	„
	„ ...	Kassim Khan ...	„ ...	7	„
	Sepoy ...	Gulab ...	Sepoy ...	4	„
	„ ...	Mangal Singh ...	„ ...	4	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		2nd Regiment, Punjab Infantry, —contd.		Rs.	
	Sepoy ...	Jowahir Singh ...	Sepoy ...	4	Punjab.
	„ ...	Saija ...	„ ...	4	„
	„ ...	Morah ...	„ ...	4	„
	„ ...	Rajad Singh ..	„ ...	4	„
	„ ...	Roshmat Khan...	„ ...	4	„
	„ ...	Faquiria ...	„ ...	4	„
	„ ...	Suda ...	„ ...	4	„
	„ ...	Jitta ...	„ ...	4	„
	„ ...	Bassau ...	„ ...	4	„
	„ ...	Dude Khan ...	„ ...	4	„
		1st Regiment, Central India Horse.			
	Duffadar	Bir Singh ...	Duffadar...	7	N. W. P.
	„ ...	Budun Singh ...	„ ...	7	Punjab.
	„ ...	Hurdut Singh ...	„ ...	7	„
	Sowar ...	Maitab Khan ...	Sowar ...	4	N. W. P.
	„ ...	Surmukh Singh	„ ...	4	Punjab.
	„ ...	Nehal Singh ...	„ ...	4	„
	„ ...	Gurmukh Singh	„ ...	4	„
	„ ...	Uttum Singh ...	„ ...	4	„
	„ ...	Aluf Khan ...	„ ...	4	N. W. P.
	„ ...	Mir Gholam Abbas	„ ...	4	Punjab.
	„ ...	Hamed Khan ...	„ ...	4	N. W. P.
	„ ...	Burmah Persad	„ ...	4	„
	„ ...	Meru Khan ...	„ ...	4	Punjab.
	„ ...	Uttur Singh ...	„ ...	4	„
	„ ...	Maid Singh ...	„ ...	4	„

No. 770 *of* 1876.—The undermentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Thomas Reid Davidson } 15th July
Captain Hamilton Chapman } 1876.

No. 771 *of* 1876.—The services of Surgeon W. Beatson, Medical Department, Officiating Civil Surgeon, Hooghly, are placed temporarily at the disposal of the Foreign Department.

No. 772 *of* 1876.—The services of Captain W. A. Lawrence, Bengal Staff Corps, 1st Squadron Subaltern, 1st Bengal Cavalry, Officiating Assistant Adjutant General, Hyderabad Contingent, are placed temporarily at the disposal of the Government of the Punjab.

The 21st July 1876.

No. 773 *of* 1876.—It is hereby announced that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer good service pensions on the undermentioned Officers, with effect from the 15th February 1876 and 1st March 1876, respectively, in room of Surgeon-General *Sir* J. C. Brown, K.C.B., Bengal Medical Department, retired, and Colonel J. M. Macgregor, Madras Staff Corps, succeeded to the Colonel's allowance:—

COLONEL HENRY EDWARD LANDOR THUILLIER, C.S.I.,
Royal (late Bengal) Artillery.

2nd Lieutenant, Bengal Artillery ...	14th December	1832
1st Lieutenant ...	1st September	1840
Captain (Brevet) ...	14th December	1847
Captain (Bengal Artillery) ...	2nd February	1851
Major (Official) ...	23rd June	1856
Lieutenant-Colonel, Royal (Bengal) Artillery ...	18th February	1861
Colonel ...	20th September	1865
Appointed Assistant Revenue Surveyor, Jynteeah ...	2nd January	1837
Promoted to Revenue Surveyor ...	July	1839
Served as Revenue Surveyor in Southern Division, Cuttack, Sylhet and Cachar up to ...	February	1844
Appointed Deputy Surveyor General, Superintendent of Revenue Surveys, and of the Mathematical Instrument Department on ...	5th February	1847
Appointed Surveyor General of India and Superintendent of the Topographical Surveys on ...	12th March	1861
Appointed a Companion of the Star of India ...	28th May	1870

Lord Napier of Magdala has recorded his opinion to the effect "that Colonel Thuillier merits "consideration for the good service pension on "account of his long and honorable service. That "in every military field duty in which His Excel"lency had been engaged, Colonel Thuillier had "had the direction of the Topographical Depart"ment of the Survey, and that nothing could be "more marked than the zealous and prompt assist"ance which he had given in furnishing maps of "the scene of operations, and that whatever the "scale of operations or the rank of the officers "directing them, the best exertions of the Topogra"phical Department were given to prepare the "maps from the latest information available." His Lordship added that "he had no hesitation in "saying that in this manner Colonel Thuillier had "rendered very valuable service in military opera"tions."

COLONEL CHARLES MAXTON SHAKESPEAR,
Madras Staff Corps.

Served during the Second Burmese war 1852-53; was present during the operations before and attack on Rangoon on the 11th, 12th, 13th and 14th April 1852. Assault and capture of Bassein, 19th May 1852. Medal for Pegu.

Ensign ...	12th December	1838.
Lieutenant ...	16th July	1842
Brevet Captain	12th December	1853
Captain ...	23rd November	1856
Major ...	18th February	1861
Lieut.-Colonel	12th December	1864
Brevet-Colonel	12th December	1869

Appointments.

Quartermaster, 9th Regiment, Native Infantry, 8th February 1850.

Adjutant, 9th Regiment, Native Infantry, 12th July 1851.

Second in Command, 4th Infantry, Hyderabad Contingent, 6th July 1854.

Assistant Commissioner, 1st Class, Nagpore Provinces, 6th February 1860.

Personal Assistant to Commissioner of Nagpore, 6th February 1860.

Deputy Commissioner, 3rd Class, Central Provinces, 7th January 1862.

Senior Wing Commandant, 9th Regiment Native Infantry, November 1865.

Officiating Commandant, 9th Regiment, Native Infantry, 19th April 1871.

Commandant, 9th Regiment, Native Infantry, 10th November 1871.

Commandant, 38th Regiment, Native Infantry, 16th October 1874.

Commandant, 10th Regiment, Native Infantry, 2nd August 1875.

No. 774 *of* 1876.—With reference to G. G. O. No. 747 of 1875, the following alteration is made at page 6 of the Equipment Table therein referred to:—

For "Chisels, hand, cold, cross-cut, 7 inch," *read* "Chisels, cross-cut, 7 inch."

No. 775 *of* 1876.—Before the word "death" in lines 1 and 3 of G. G. O. No. 645 of 1869, enter the words *birth or*.

No. 776 *of* 1876.—The services of Lieutenant C. W. Ravenshaw, Bengal Staff Corps, 2nd Wing Subaltern, 9th Regiment of Native Infantry, are placed temporarily at the disposal of the Foreign Department.

No. 777 *of* 1876.—The undermentioned outpensioners of the Royal Hospital at Chelsea are permitted to draw their pensions in India, from the dates they cease to receive regimental pay:—

Battery Sergeant-Major John Greig, late 20th Brigade, Royal Artillery,—Two shillings per diem, chargeable to Imperial revenues.

Private Henry Patrick Tonner, late 2nd Battalion, 19th Foot,—One shilling per diem.

No. 778 *of* 1876.—With reference to G. G. O. No. 1205 of 1875, at line 5, paragraph 267, Regulations for the Volunteer Forces in India, for the word "past" substitute *ensuing*.

No. 779 *of* 1876.—The following order issued by the Resident at Hyderabad, is confirmed:—

No. 188 *dated 27th June* 1876.—Placing temporarily at the disposal of the Civil Department, the services of Surgeon-Major C. T. Eves, in medical charge, 6th Infantry, Hyderabad Contingent.

No. 780 *of* 1876.—The following promotions are made in the undermentioned Corps, from the 1st May 1876:—

14th (The Ferozepore) Regiment of Native Infantry.

Jemadar Suhail Singh, to be Subadar, *vice* Kaun Singh, invalided.

Havildar Ram Singh, to be Jemadar, *vice* Suhail Singh, promoted.

17th (The Loyal Poorbeah) Regiment of Native Infantry.

Havildar Choonee, to be Jemadar, *vice* Radha Sookul, invalided.

No. 781 *of* 1876.—The undermentioned Officer is admitted to the Bengal Staff Corps from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India.

Lieutenant Robert Ramsay Napier Sturt, 39th Foot, 2nd Wing Subaltern, 2nd Punjab Infantry, Punjab Frontier Force,—11th June 1875.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 15th July 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned Commissioned Officer, on the date specified, was received in the Military Department from 1st to 15th July 1876:—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
General List, Infantry	Captain F. H. Williams ...	30th June 1876	Shillong.		

Statement of Deposits on account of Estates from 1st to 15th July 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
Indian Military Service.					*Rs. a. p.*		
Charles Raikes (*a*) ...	Lieut.-Col.	Royal (late Madras) Artillery.	27th April 1876.	Intestate ...	1,621 1 0		

(*a*). *Widow*—Mrs. Mary Raikes.

Brother—Brigadier-General Thomas Raikes, Commanding Presidency District, Madras.

ALLEN JOHNSON, *Colonel*,
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 15th July 1876.

No. 319.—Mr. H. Bell, Superintendent of Way and Works, Rajputana State Railway, is appointed to officiate, with effect from 4th July 1876, as Engineer-in-Chief, Sindia State Railway, in addition to his own duties during the absence on privilege leave of Lieutenant-Colonel C. J. Mead, or until further orders.

The 18th July 1876.

No. 320.—Mr. W. H. P. Sherman, Assistant Engineer 1st Grade, Central Provinces, is transferred to British Burmah for employment in the Railway Branch.

The 19th July 1876.

No. 322.—Mr. E. H. Stone, Assistant Engineer 1st Grade, His Highness the Nizam's State Railway, is transferred to British Burmah for employment in the Railway Branch.

No. 323.—Mr. C. E. Cardew, appointed by Her Majesty's Secretary of State to be an Assistant Locomotive Superintendent, is posted to the State Railway Revenue Establishment in Class IV, and his services placed at the disposal of the Director of State Railways.

The 20th July 1876.

No. 324.—Corporal J. Hart, R. E., is appointed to the Public Works Department as an Overseer 1st Grade, and posted to British Burmah.

No. 325.—Mr. E. Lund, Accountant 4th Grade, Military Works Branch, is transferred to the Office of the Director of State Railways.

No. 326.—Baboo Dwarka Nath Roy, Accountant 4th Grade, Indus Valley State Railway, is temporarily promoted to the 3rd Grade with effect from the 5th June 1876.

No. 327.—Mr. Dhondoo Sakharam Sathaye is appointed an Engineer Apprentice, and posted to the Central Provinces.

No. 328.—Mr. (late Sergeant) J. Cameron, Accountant 4th Grade (temporary 3rd Grade), Rajputana State Railway, having obtained his discharge from the Army on the 15th March 1876, is re-appointed from that date to the Accounts Branch as a civilian in the same grade.

This re-appointment does not affect the temporary rank he now holds.

The 21st July 1876.

No. 329.—Mr. W. J. Galwey, Executive Engineer 1st Grade, on the Establishment of the Director of State Railways, is temporarily promoted to Superintending Engineer 3rd Grade, and posted to the Mooltan District of the Indus Valley State Railway.

No. 330.—With reference to Public Works Department Notification No. 267, dated 14th June 1876, Mr. J. R. De Salis, Assistant Examiner of Accounts, joined the Office of the Accountant General, Public Works Department, on the afternoon of the 24th idem.

No. 331.—The Governor General in Council is pleased to make the following promotions in the Military Works Branch of the Public Works Department, with effect from the dates specified:—

Names.	Present Grade.		Grade to which promoted.		With effect from	Nature of promotion.	REMARKS.
Maitland, Captain G. T., *S. C.*	Executive Engineer	3	Executive Engineer	2	11th February 1876	Temporary	*Vice* Mr. Harington, on furlough.
Greenstreet, Lieutenant W. L., *R. E.*	Ditto ditto	4	Ditto ditto	3	Ditto	Ditto.	
Broadbent, " J. E., *R. E.*	Assistant ditto	1	Ditto ditto	4	Ditto	Ditto.	
Peacocke, " W., *R. E.*	Ditto ditto	2	Assistant ditto	1	Ditto	Ditto.	
Blair, Major H. F., *R. E.*	Executive ditto	2	Executive ditto	1	16th February 1876	Permanent	*Vice* Colonel Sir E. Leeds, deceased.
Padday, Captain C. A., *R. E.*	Temporary Executive Engineer	2	Ditto ditto	2	Ditto	Ditto.	
Hildebrand, Lieutenant G., *R. E.*	Ditto ditto	3	Ditto ditto	3	Ditto	Ditto.	
Bromley, W. B.	Ditto ditto	4	Ditto ditto	4	Ditto	Ditto.	
Stratt, Lieutenant F. T. N., *R. E.*	Ditto Assistant Engineer	1	Assistant ditto	1	Ditto	Ditto.	
Clive, Captain H. S., *R. E.*	Executive Engineer	3	Executive ditto	2	Ditto	Temporary	*Vice* Captain Padday, R. E., permanently promoted.
Turner, Lieutenant S. C., *R. E.*	Ditto ditto	4	Ditto ditto	3	Ditto	Ditto.	
Lackersteen, M. R.	Assistant ditto	1	Ditto ditto	4	Ditto	Ditto.	
Barker, W. R.	Ditto ditto	2	Assistant ditto	1	Ditto	Ditto.	
Crichton, Captain H. McV., *R. E.*	Temporary Executive Engineer	1	Executive ditto	1	11th March 1876	Permanent	*Vice* Major Tucker, R. E., promoted to Superintending Engineer.
Crowdy, " J. H., *R. E.*	Ditto ditto	2	Ditto ditto	2	Ditto	Ditto.	
Cotton, " F. F., *R. E.*	Ditto ditto	3	Ditto ditto	3	Ditto	Ditto.	
Nicholson, Lieutenant W. G., *R. E.*	Ditto ditto	4	Ditto ditto	4	Ditto	Ditto.	
Thurburn, " J. W., *R. E.*	Temporary Assistant Engineer	1	Assistant ditto	1	Ditto	Ditto.	
Penny, A.	Executive Engineer	2	Executive ditto	1	Ditto	Temporary	*Vice* Captain Crichton, permanently promoted.
Hildebrand, Lieutenant G., *R. E.*	Ditto ditto	3	Ditto ditto	2	Ditto	Ditto.	
Johnson, W. H.	Ditto ditto	4	Ditto ditto	3	Ditto	Ditto.	
Eckstein, W.	Assistant ditto	1	Ditto ditto	4	Ditto	Ditto.	
Morton, A.	Ditto ditto	2	Assistant ditto	1	Ditto	Ditto.	
Cotton, Captain F. F., *R. E.*	Executive ditto	3	Executive ditto	2	31st March 1876	Ditto	*Vice* Lieut. Hildebrand, reverting on taking furlough.
LeLievre, E.	Ditto ditto	4	Ditto ditto	3	Ditto	Ditto.	
Hilton, J. E.	Assistant ditto	1	Ditto ditto	4	Ditto	Ditto.	
Ward, Lieutenant A. E., *S. C.*	Ditto ditto	2	Assistant ditto	1	Ditto	Ditto.	
Dundas, Captain J., *V. C.*, *R. E.*	Executive ditto	2	Executive ditto	1	Ditto	Ditto	*Vice* Major Judge, R. E., on furlough.
Plunkett, " G. T., *R. E.*	Temporary Executive Engineer	3	Ditto ditto	2	Ditto	Ditto.	
Bromley, W. B.	Executive Engineer	4	Ditto ditto	3	Ditto	Ditto.	
King, W. H.	Assistant ditto	1	Ditto ditto	4	Ditto	Ditto.	
Moore, Lieutenant R. F., *R. E.*	Ditto ditto	2	Assistant ditto	1	Ditto	Ditto.	
Toller, Captain J. E., *R. E.*	Temporary Executive Engineer	3	Executive ditto	2	Ditto	Ditto	*Vice* Captain Sim, R. E., on furlough.
Goldie, " B. J., *R. E.*	Ditto ditto	4	Ditto ditto	3	Ditto	Ditto.	
Garwood, Lieutenant J. F., *R. E.*	Assistant Engineer	1	Ditto ditto	4	Ditto	Ditto.	
Cameron, " E. H., *R. E.*	Ditto ditto	2	Assistant ditto	1	Ditto	Ditto.	
Toller, Captain J. E., *R. E.*	Temporary Executive Engineer	3	Executive ditto	2	17th May 1876	Ditto	*Vice* Mr. Wright, on furlough.
Goldie, " B. J., *R. E.*	Ditto ditto	4	Ditto ditto	3	Ditto	Ditto.	
Garwood, Lieutenant J. F., *R. E.*	Assistant Engineer	1	Ditto ditto	4	Ditto	Ditto.	
Cameron " E. H., *R. E.*	Ditto ditto.	2	Assistant ditto	1	Ditto	Ditto.	
Greenstreet, " W. L., *R. E.*	Temporary Executive Engineer	3	Executive ditto	2	Ditto	Ditto	*Vice* Capt. Plunkett, R. E., reverting on taking furlough.
Wright, " J. T., *R. E.*	Ditto ditto	4	Ditto ditto	3	Ditto	Ditto.	
Robinson, J.	Assistant ditto	1	Ditto ditto	4	Ditto	Ditto.	
D'Aguilar, Lieutenant F. B. G., *R. E.*	Ditto ditto	2	Assistant ditto	1	Ditto	Ditto.	

The following Officers reverted to their substantive grades from the dates specified :—

From 26th January 1876, *consequent on the return of Captain W. H. Beckett from furlough.*

Captain G. T. Maitland, *S.C.*, to Executive Engineer 3rd grade.

Lieutenant W. L. Greenstreet, *R.E.*, to Executive Engineer 4th grade.

Lieutenant J. E. Broadbent, *R.E.*, to Assistant Engineer 1st grade.

Lieutenant W. Peacocke, *R.E.*, to Assistant Engineer 2nd grade.

From 8th April 1876, *consequent on the return of Captain C. Crawford, R.E., from military duty at the Straits.*

Captain J. E. Toller, *R.E.*, to Temporary Executive Engineer 3rd grade.

Captain B. J. Goldie, *R.E.*, to Temporary Executive Engineer 4th Grade.

Lieutenant J. F. Garwood, *R.E.*, to Assistant Engineer 1st grade.

Lieutenant E. H. Cameron, *R.E.*, to Assistant Engineer 2nd grade.

No. 332.—The Governor General in Council is pleased to make the following promotions in the Railway Branch of the Public Works Department with effect from the dates specified :—

Names.	Present grade.		Grade to which promoted.		With effect from	Nature of promotion.	REMARKS.
Avern, F. M. ...	Exe. Engineer	3	Exe. Engineer	2	1875. 23rd May	Temporary	*Vice* Mr. W. Scott, on furlough.
Faber, Major H. R., *R. E.*	Ditto	4	Ditto	1	23rd Aug.	Ditto ...	*Vice* Mr. Parker, made tempy. Supdg. Engr.
Armstrong, L. H. C. ...	Asstt. Engineer	1	Ditto	4	Ditto	Ditto	
Marrecco, H. F. ...	Ditto	2	Asstt. Engineer	1	Ditto	Ditto	
Storey, F. H. ...	Exe. Engineer	2	Exe. do.	1	19th Oct.	Ditto ...	*Vice* Mr. Lambert, made tempy. Supdg. Engr.
Hunt, W. ...	Ditto	3	Ditto	2	Ditto	Ditto	
Hawkes, F. A. ...	Ditto	4	Ditto	3	Ditto	Ditto	
Froude, R. H. ...	Asstt. Engineer	1	Ditto	4	Ditto	Ditto	
Grant, T. W. ..	Ditto	2	Asstt. Engineer	1	Ditto	Ditto	
Faber, Major H. R., *R. E.*	{ Exe. Engineer { Tempy. do.	4 1	} Exe. do.	2	21st Oct.	Permanent	*Vice* Mr. Elwes, retired.
Davidson, J. Y. ...	Tempy. Exe. Engr.	4	Ditto	4	Ditto	Ditto	
Spring, F. J. E. ...	Ditto Asstt. do.	1	Asstt. Engineer	1	Ditto	Ditto	
Landon, F. H. ...	Ditto	1	Ditto	1	24th Nov.	Ditto ...	*Vice* Mr. Robertson, deceased.
Grant, T. W. ...	Asstt. Engineer	2	Ditto	1	Ditto	Temporary	*Vice* Mr. Landon, promoted.
Ledger, J. C. ...	Tempy. Exe. Engr.	3	Exe. Engineer	3	1876. 4th Jan.	Permanent	*Vice* Mr. R. C. Anderson, resigned.
Barron, J. ...	Ditto	4	Ditto	4	Ditto	Ditto	
Scott, Lieut. D. A., *R. E.*	Tempy. Asstt. Engr.	1	Asstt. Engineer	1	Ditto	Ditto	
Hawkes, F. A ...	Exe. Engineer	4	Exe. Engineer	3	Ditto	Temporary	*Vice* Mr. Ledger, promoted.
Froude, R. H. ...	Asstt. do.	1	Ditto	4	Ditto	Ditto	
Dease, P. P. ...	Ditto	2	Asstt. Engineer	1	Ditto	Ditto	
Dease, P. P. ...	Ditto	2	Ditto	1	26th Jan.	Ditto ...	*Vice* Lieut. Connor, on furlough.
Lesmond, W. A. ...	Ditto	2	Ditto	1	28th Jan.	Ditto ...	*Vice* Lieut. Barlow, R. E., on furlough.
Duns, D. A. ...	Ditto	2	Ditto	1	8th Feb.	Ditto ...	*Vice* Mr. Jenkinson, on furlough.
Hawkes, F. A. ...	Exe. Engineer	4	Exe. Engineer	3	1st Mar.	Ditto ...	*Vice* Major Jopp, R. E., on furlough.
Froude, R. H. ...	Asstt. do.	1	Ditto	4	Ditto	Ditto	
Beeston, R. C. ...	Ditto	2	Asstt Engineer	1	Ditto	Ditto	
Mellis, R. McH. ...	Ditto	2	Ditto	1	1st April	Ditto ...	*Vice* Mr. E. J. Moore, on furlough.
Faber, Major H. R., *R. E.*	Tempy. Exe. Engr.	1	Exe. Engineer	1	10th April	Permanent	*Vice* Major Lindsay, R. E., made Supdg. Engr.
Boughey, Capt. G. F. O., *R. E.*	Exe. Engineer	3	Ditto	2	Ditto	Ditto	
Joseph, Capt. F. W., *S. C.*	Tempy. do.	3	Ditto	3	Ditto	Ditto	
Thomas, G. E. ...	Tempy. do.	4	Ditto	4	Ditto	Ditto	
Jenkinson, C. H. G. ...	Asstt. Engineer	2	Asstt. Engineer	1	Ditto	Ditto	
Storey, F. H. ...	Exe. do.	2	Exe. Engineer	1	Ditto	Temporary	*Vice* Major Faber, R. E., promoted.
Avern, F. M. ...	Ditto	3	Ditto	2	Ditto	Ditto	
Little, Capt. J. A., *S. C.*	Ditto	4	Ditto	3	Ditto	Ditto	
Shanks, W. W. ...	Asstt. Engineer	1	Ditto	4	Ditto	Ditto	
Elston, J. ...	Ditto	2	Asstt. Engineer	1	Ditto	Ditto	

The following Officers reverted to their substantive grades with effect from the dates specified :—

From 14th November 1875, *consequent on the return of Mr. W. J. Galwey from furlough.*

Storey, F. H., to Executive Engineer, 2nd grade.

Hunt, W., to " " 3rd "

Hawkes, F. A., to " " 4th "

Froude, R. H., to Assistant " 1st "

Grant, T. W., to " " 2nd "

From 18*th January* 1876, *consequent on the return of Mr. J. M. Luff from furlough.*

Avern, F. M., to Executive Engineer, 3rd grade.
Hawkes, F. A., to „ „ 4th „
Froude, R. H., to Assistant „ 1st „
Dease, P. P., to „ „ 2nd „

TELEGRAPH.

The 18*th July* 1876.

No. 321.—The following appointments are made on the Medical Staff of the Persian Telegraph:—

Dr. T. F. Odling, Assistant Medical Superintendent, to officiate as Medical Superintendent, with effect from 12th May 1876, during the absence of Dr. Baker on leave, or until further orders.

Dr. P. de H. Haig to officiate as Assistant Medical Superintendent with effect from 1st May 1876, and to have medical charge of the 1st and 2nd Divisions of the Persian Telegraph.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 31. SIMLA, SATURDAY, JULY 29, 1876. Register No. 33.

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

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Report of Select Committee and Oudh Laws Bill No. II, 1876.

SUPPLEMENT No. 33.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 28th July 1876.

No. 1232.—In exercise of the powers conferred by Section 10 of Act XXII of 1869, the Governor General in Council is pleased to appoint Mr. G. H. Damant, C.S., Assistant Commissioner of Cachar, and Mr. J. B. Shadwell, Extra Assistant Commissioner of the Khási and Jaintiá Hills, to determine the boundary between the Khási and Jaintiá Hills District and the District of Cachar.

ESTABLISHMENTS.

The 28th July 1876.

No. 492.—The Hon'ble Sir John Strachey, K.C.S.I., made over charge of the office of Lieutenant-Governor of the North-Western Provinces to Sir George Couper, Bart., C.B., on the afternoon of the 25th instant.

No. 494.—The Hon'ble J. B. Phear, a Judge of the High Court of Judicature at Fort William in Bengal, resumed his seat on the Bench of the High Court on the forenoon of the 19th instant.

No. 496.—The services of Mr. W. F. McDonell, V.C., of the Bengal Civil Service, are replaced at the disposal of the Government of Bengal with effect from the 19th instant.

MEDICAL.

The 24th July 1876.

No. 416.—The services of Apothecary G. R. Jenkins are placed at the disposal of the Commissioner of the Central Provinces for appointment as Assistant to the Civil Surgeon of Saugor, in the room of Apothecary J. N. White.

The 28th July 1876.

No. 434.—Surgeon B. Evers is confirmed in his appointment of Civil Surgeon of Seoni in the Central Provinces with effect from the 16th April last.

ECCLESIASTICAL.

The 28th July 1876.

No. 273.—The services of the Reverend A. C. Pearson are temporarily placed at the disposal of the Government of Bengal. This cancels Home Department Notification No. 242, dated the 8th instant.

PATENTS.

The 26th July 1876.

No. 38.—Specifications of the undermentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department, at the Presidency, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying:—

No. 42 *of* 1876.—Mr. R. P. Pictet, residing at Geneva in Switzerland, Civil Engineer, for "Improvements in producing cold and in the manufacture of sulphurous acid and in apparatus for these purposes."

No. 43 *of* 1876.—Mr. G. A. Biddell, of Ipswich in the County of Suffolk, England, for "Improvements in the permanent way of railways."

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 27th July 1876.

No. 631.—Mr. W. E. A. James, Assistant Superintendent in the Mysore Revenue Survey, is promoted from the 3rd to the 2nd Grade, with effect from the 8th June 1876.

CUSTOMS AND SALT.

The 25th July 1876.

No. 187.—Mr. G. H. M. Batten, Commissioner of Inland Customs, has been granted privilege leave of absence for three months from the 25th instant, or any later date on which he may avail himself of it.

MINERAL AND GEOLOGICAL SURVEY.

The 22nd July 1876.

No. 90.—Mr. T. H. Turner, Officiating Curator and Registrar of the Geological Museum, is granted one month's privilege leave under Section 21, Chapter VI of the Civil Leave Code, with effect from the date on which he may avail himself of it.

COMMERCE AND TRADE.

The 22nd July 1876.

No. 425.—The Governor General in Council is pleased to direct the publication of the following Orders, dated the 17th May last, issued by Her Majesty the Queen in Council:—

AT THE COURT AT WINDSOR,

The 17th day of May 1876.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Foreign Deserters Act, 1852," it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign power, Her Majesty may, by Order in Council, [illegible] such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to such power when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient:

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of His Majesty the Emperor of Brazil.

NOW, THEREFORE, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the *London Gazette*, seamen not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to the Empire of Brazil, shall be liable to be apprehended and carried on board their respective ships.

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And the Secretaries of State for India in Council, the Home Department, and the Colonies, are to give the necessary directions herein accordingly.

C. L. PEEL.

AT THE COURT AT WINDSOR,

The 17th day of May 1876.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the "Foreign Deserters Act, 1852," it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to such power when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient:

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of His Most Serene Highness Mohammed Essadock Bey, Lord of the Regency of Tunis.

NOW, THEREFORE, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the *London Gazette*, seamen, not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to the Regency of Tunis, shall be liable to be apprehended and carried on board their respective ships:

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And the Secretaries of State for India in Council, the Home Department, and the Colonies, are to give the necessary directions herein accordingly.

C. L. PEEL.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 27th July 1876.

No. 1726*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. H. Scheppelmann as Acting Consul for Norway and Sweden at Rangoon during the absence of Mr. Barckhausen.

No. 1728*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. H. Scheppelmann as Acting Consul for the German Empire at Rangoon during the absence of Mr. Barckhausen.

GENERAL.

The 27th July 1876.

No. 1601*G.*—*Leave.*—Mr. C. B. Saunders, C.B., late Resident at Hyderabad, is granted leave on urgent private affairs with retrospective effect from 6th December 1875 to 30th May 1876, both days inclusive, together with subsidiary leave for the following periods, namely (1) one day, *viz.*, 5th December 1875, preparatory to proceeding to England, and (2) from 31st May to 4th June 1876 on his return to duty.

The 28th July 1876.

No. 1610*G.*—*Appointment.*—Surgeon W. Beatson, Indian Medical Service, to officiate as Medical [illegible] in charge of the Erinpoorah Irregular [illegible] with effect from the date of taking charge, [illegible] J. Scully, until further orders.

No. 1611*G.*—*Promotion.*—Captain H. DeP. Rennick, Assistant Commissioner, 3rd Class, Hyderabad Assigned Districts, to officiate as Assistant Commissioner, 2nd Class, with effect from 6th June 1876.

No. 1617*G.*—*Leave.*—Lieutenant G. E. Money, 2nd Squadron Subaltern, on probation, 1st Regiment, Central India Horse, is granted leave on medical certificate for six weeks with effect from 21st January 1876, in extension of the leave granted him by G. O. C. C. dated 13th January 1876.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCE DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 26th July 1876.

No. 1931.—*Cash balances in the Government Treasuries in India on the last day of the month of June* 1876, *compared with those on the same date in* 1875 *and* 1874:—

	1874.	1875.	1876.
	Rs.	Rs.	Rs.
Govt. of India	2,21,51,302	3,53,17,033	3,64,40,006
Bengal ...	2,19,97,101	1,78,55,838	1,55,25,295
Assam ...	12,12,744	33,65,111	32,96,979
British Burmah	15,59,806	50,26,258	29,60,440
N.-W. Provinces	1,99,91,724	2,45,49,213	2,60,27,208
Oudh ...	46,81,792	62,75,669	64,62,243
Punjab ...	1,30,57,070	1,28,16,662	1,33,61,130
Bombay ...	2,07,30,311	2,05,96,427	3,52,01,508
Central Provs.	52,70,369	56,13,618	55,86,549
Madras ...	2,27,05,482	2,90,46,157	2,72,42,163
TOTAL ...	13,33,57,701	16,04,61,986	17,21,03,521

LEAVE AND ALLOWANCES.

The 27th July 1876.

No. 1922.—The Governor General in Council directs that the following be inserted as Rule 5 under Section 12 of Supplement F. to the Civil Leave Code :—

5. A man transferred on or before the 3rd May 1861, from the Army or the Oudh Military Police, or any other Military body, to the Oudh Civil Police, is allowed to accumulate privilege leave on full pay to the extent of six months if his home is east of the River Indus, and seven months if his home is west of that river.

PENSIONS AND GRATUITIES.

The 28th July 1876.

No. 1924.—With the sanction of Her Majesty's Secretary of State for India in Council, the Governor General in Council directs that the following be substituted for Section 75 of the Civil Pension Code:—

***Section* 75.—In a case falling clearly and strictly within the letter of the rules, the Local Government may grant the pension or gratuity admissible. Whenever such grant of a pension or gratuity is communicated to an officer, he should be at the same time informed that the grant is subject to revision by the Government of India in the Financial Department, and that should the amount granted be found to be in excess of that to which the Government of India in the Financial Department considers him entitled under the rules, he will be called upon to refund such excess. If any interpretation of the rules is involved, or if any indulgence not provided for by the rules is proposed, the Local Government should submit the case with its opinion and recommendation to the Government of India in the Department in which the officer has served. Until the reply of the Government of India is received, a recommendation of this nature should never be communicated, directly or indirectly, to the officer concerned.**

MINT AND CURRENCY.

The 27th July 1876.

No. 1932.—*Silver received and coined in the Mints at Calcutta and Bombay.*

	Bullion or Coin received.		Coined and examined.
	From Government.	From Merchants.	
In the month of June 1876.	Rs.	Rs.	Rs.
Calcutta	1,12,742	29,40,265	4,88,424
Bombay	8,041	25,51,338	28,99,275
TOTAL ..	1,20,783	54,91,603	33,87,699
From 1st January to 30th June 1876.			
Calcutta	1,38,831	73,83,612	32,33,954
Bombay	8,250	1,64,23,732	1,59,65,515
TOTAL ..	1,47,081	2,38,07,344	1,91,99,469

The 28th July 1876.

No. 1940.—Privilege leave for three months, beginning on the 20th July 1876, is granted to Colonel J. F. Tennant, R. E., Officiating Master of Her Majesty's Mint at Calcutta.

Major C. H. Luard, R. E., is appointed to officiate as Master of Her Majesty's Mint at Calcutta, during the absence of Colonel Tennant, or until further orders. Major Luard received charge of the Mint, afternoon, on the 19th July 1876.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 25th July 1876.

No. 782 *of* 1876.—Captain Everard Strangways Neave, Bengal Staff Corps, 3rd Squadron Officer, 18th Bengal Cavalry, is allowed furlough to Europe on urgent private affairs for six months, under Rule XI of the Regulations of 1868.

No. 783 *of* 1876.—His Excellency the Governor General in Council is pleased to make the following temporary appointment in the Administrative Medical Staff of Her Majesty's British Forces :—

Surgeon-Major C. G. Irwin, M.B., doing duty in the Lahore Circle of medical administration, to officiate with temporary rank as Deputy Surgeon-General, Lahore Circle, *vice* Officiating Deputy Surgeon-General J. Gibbons, transferred to Rangoon, and during the absence on sick leave of Deputy Surgeon-General W. G. Trousdell, M.D., or until further orders.

No. 784 *of* 1876.—The following promotions are made, subject to Her Majesty's approval :—

Corps.	Rank and Names.	To what rank promoted.	From what date.	In whose room.
Cavalry ...	Lieutenant-Colonel (Brevet Colonel) Francis Walker Drummond.	Colonel with Colonel's allowance.	16th July 1876...	Agreeably to paragraph 13 of Secretary of State's despatch published in G. G. O. No. 869 of 1862.
	Major R. Alexander, 20th Hussars.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Brevet-Colonel) F. W. Drummond, promoted.
Cadre of the late 2nd European Light Cavalry.	Captain (Brevet Lieutenant-Colonel) Henry Melvill.	Major ...		

Corps.	Rank and Names.	To what rank promoted.	From what date.	In whose room.
Cavalry ...	Major (Brevet Lieutenant-Colonel) John Boyd Saunders.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Major in 20th Hussars) R. Alexander, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 4th European Light Cavalry.	Captain (Brevet Major) Robert Cunliffe Low.	Major ...		
Cavalry ...	Lieutenant-Colonel (Brevet Colonel) William Fraser Stephens.	Colonel with Colonel's allowance.	16th July 1876...	Agreeably to paragraph 13 of Secretary of State's despatch published in G. G. O. No. 869 of 1862.
	Major (Brevet Colonel) Charles John Stanley Gough, C.B., V.C.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Brevet Colonel) W. F. Stephens, promoted.
Cadre of the late 5th European Light Cavalry.	Captain (Brevet Major) Alexander Kincaid Johnston Canning Mackenzie.	Major ...		
Infantry ...	Lieutenant-Colonel (Brevet Colonel) Henry Borlase Stevens.	Colonel with Colonel's allowance.	16th July 1876...	Agreeably to paragraph 13 of Secretary of State's despatch published in G. G. O. No. 869 of 1862.
	Major E. S. Fox (Staff Corps)	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Brevet Colonel) H. B. Stevens, promoted.
Cadre of the late 72nd Native Infantry.	Captain (Major in Staff Corps) C. J. Griffiths.	Major ...		
Infantry ...	Major (Lieutenant-Colonel in Staff Corps) A. D. Vanrenen.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Major in Staff Corps) E. S. Fox, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 71st Native Infantry.	Captain (Lieutenant-Colonel in Staff Corps) F. B. Foote.	Major ...		
Infantry ...	Major (Captain in Staff Corps) T. D. Madden.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel A. D. Vanrenen, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 64th Native Infantry.	Captain William Duncan Macturk.	Major ...		
Infantry ...	Major (Captain in Staff Corps) C. J. Garstin.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Captain in Staff Corps) T. D. Madden, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 29th Native Infantry.	Captain Henry Archibald McNair.	Major ...		
Infantry ...	Major R. A. Wauchope (Staff Corps).	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Captain in Staff Corps) C. J. Garstin, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 57th Native Infantry.	Captain (Major in Staff Corps) E. C. Codrington.	Major ...		
Infantry...	Major Harvey Woodhouse ...	Lieut.-Col....	16th July 1876...	Lieutenant-Colonel (Major in Staff Corps) R. A. Wauchope, removed from the list of Regimental Lieutenant-Colonels.
	Lieutenant Colonel (Brevet-Colonel) William Martin Cafe, V.C.	Colonel with Colonel's allowance.	16th July 1876...	Agreeably to paragraph 13 of Secretary of State's despatch published in G. G. O. No. 869 of 1862.
	Major (Captain in Staff Corps) A. England.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Brevet Colonel) W. M. Cafe, V.C., promoted.
Cadre of the late 44th Native Infantry.	Captain John Henry Willoughby Osborne.	Major ...		
Infantry ...	Major (Captain in Staff Corps) H. M. Pratt.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Captain in Staff Corps) A. England, removed from the list of Regimental Lieutenant-Colonels.
[illegible]	Captain Arthur Edward Downing.	Major ...		

Corps.	Rank and Names.	To what rank promoted.	From what date.	In whose room.
Infantry ...	Major H. A. Lewes (Staff Corps).	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Captain in Staff Corps) H. M. Pratt, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 20th Native Infantry.	Captain (Major in Staff Corps) A. Vivian.	Major ...		
Infantry ...	Major (Captain in Staff Corps) R. M. Clifford.	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Major in Staff Corps) H. A. Lewes, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 60th Native Infantry.	Captain Charles Herbert Bergman.	Major ...		
Infantry ...	Major James Johnstone ...	Lieut.-Col....	16th July 1876	Lieutenant-Colonel (Captain in Staff Corps) R. M. Clifford, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 68th Native Infantry.	Captain J. H. Baldwin (Staff Corps).	Major ...		
Infantry ...	Lieutenant-Colonel (Brevet Colonel) Frederick Charles Maisey.	Colonel with Colonel's allowance.	16th July 1876...	Agreeably to paragraph 13 of Secretary of State's despatch published in G. G. O. No. 869 of 1862.
	Major Henry Vansittart Riddell	Lieut.-Col. ...	16th July 1876...	Lieutenant-Colonel (Brevet Colonel) F. C. Maisey, promoted.

The 26th July 1876.

No. 785 *of* 1876.—His Excellency the Governor General in Council is pleased to make the following appointments :—

Judge Advocate General's Department.

Colonel J. N. Young, Deputy Judge Advocate, to be Deputy Judge Advocate General, *vice* Colonel F. C. Maisey, who vacates the appointment upon succeeding to the Colonel's allowance.

Captain M. Clementi, Bengal Staff Corps, 3rd Squadron Officer, 1st Bengal Cavalry, to be Deputy Judge Advocate, *vice* Colonel Young.

No. 786 *of* 1876.—The following extracts from the *London Gazettes* of the 30th May and 13th June 1876, pages 3246, 3247, 3455 and 3456, are published for general information :—

BREVET.

Deputy Assistant Commissary Joseph Mole, Warrant Officer, Bengal Establishment, to have the honorary rank of Lieutenant, but to be junior of that rank for one year. Dated 7th November 1874.

Apothecary Miles Craggs, Madras Medical Department, to have the honorary and local rank of Surgeon. Dated 31st May 1876.

The first Christian name of Lieutenant-Colonel and Brevet Colonel E. L. Scott, Bombay Staff Corps, who was granted the honorary rank of Major-General on retirement in the Gazette of the 22nd October 1875, is *Edwin*, and not *Edward*, as therein stated.

India Office, 30th May 1876.

Her Majesty has been pleased to approve of the following promotions amongst Officers of the Staff Corps and of Her Majesty's Indian Military Forces made by the Governments in India :—

BREVET.

Captain William Hay Macnaghten, Bengal Cavalry, to be Major, in succession to Lieutenant-General F. H. Sandys, Bengal Infantry, deceased. Dated 29th December 1874.

Captain William Sim Macleod to be Major, in succession to Lieutenant-General T. H. Shuldham, deceased. Dated 6th February 1875.

Captain Arthur Farrer, Madras Cavalry, to be Major, in succession to Lieutenant-General H. James, Bombay Infantry, deceased. Dated 10th March 1875.

Captain Victor Edmund Law, Madras Cavalry, to be Major, in succession to General J. Briggs, Madras Infantry, deceased. Dated 28th April 1875.

Major William James Morris, Madras Cavalry, to be Lieutenant-Colonel, Captain Harry Cavaye Stevens, Madras Cavalry, to be Major, in succession to Major-General Sir H. B. Lumsden, K.C.S.I., C.B., Bengal Staff Corps, retired. Dated 15th September 1875.

Major Archibald Ernest Arbuthnot, Madras Cavalry, to rank from 2nd December 1874, in succession to Colonel (name borne on the Indian List as Major-General) R. T. Snow, deceased.

SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major (Brevet Lieutenant-Colonel) Robert Chalmers. Dated 7th September 1875.

Major William Henry Joseph Lance. Dated 18th September 1875.

Major John Paton Martin. Dated 20th September 1875.

Major Thomas Norris Baker. Dated 20th September 1875.

Major Robert J. Logan Crutchley. Dated 23rd November 1875.

Major (Brevet Lieutenant-Colonel) Charles Nedham. Dated 4th January 1876.

Major Henry Doveton Battye. Dated 7th January 1876.

Major (Brevet Colonel) George Richard Westmacott. Dated 20th January 1876.

Major William Cadogan Mitchel. Dated 21st January 1876.

Major Melmoth Alister Douglas Orchard. Dated 21st January 1876.

To be Majors.

Captain Robert Stanwix Robertson. Dated 4th February 1874.

Captain Charles Edward Stewart. Dated 14th April 1874.

Captain Robert Byng Patricia Price Campbell. Dated 4th September 1875.

Captain Alexander Graham Owen. Dated 4th October 1875.

Captain Robert Adam Wauchope. Dated 4th October 1875.

Captain Hugh Arthur Lewes. Dated 4th October 1875.

Captain Henry George Saunders. Dated 20th October 1875.

Captain Charles O'Loughlin L. Prendergast. Dated 23rd October 1875.

Captain (Brevet Major) Henry Archibald Mallock. Dated 11th October 1875.

Captain Arthur Robert Chapman. Dated 4th January 1876.

Captain Edward Christopher Codrington. Dated 4th January 1876.

To be Captains.

Lieutenant William Brydon. Dated 28th August 1875.

Lieutenant Lorn Robert Henry Dick Campbell. Dated 28th August 1875.

Lieutenant Charles Henry Stoddart. Dated 11th September 1875.

Lieutenant James Graves Kelly. Dated 11th September 1875.

Lieutenant Henry Vere Hunt. Dated 11th September 1875.

Lieutenant John Briscoe Watts. Dated 11th September 1875.

Lieutenant (Brevet Captain) Montague Jocelyn King-Harman. Dated 3rd October 1875.

Lieutenant Frank Ranken Cave Voyle. Dated 9th October 1875.

Lieutenant Walter Hailes. Dated 9th October 1875.

Lieutenant Frank Barrow. Dated 6th November 1875.

Lieutenant Charles Folliott Powell. Dated 12th November 1875.

Lieutenant William John Vousden. Dated 8th January 1876.

Lieutenant Samuel John Dunlop. Dated 8th January 1876.

Lieutenant Charles Boswell Norman. Dated 15th January 1876.

BENGAL ARMY.

Infantry.

Lieutenant-Colonel (Brevet Colonel) Gordon Caulfeild to be Colonel. Dated 1st October 1875.

To be Lieutenant-Colonels.

Major Ellis Buroughs Ward. Dated 17th September 1875.

Major George William Holdsworth. Dated 1st October 1875.

Major Montague Millett. Dated 1st October 1875.

Late 2nd European Fusiliers.

Captain Henry Vansittart Riddell to be Major. Dated 1st October 1875.

Late 39th Native Infantry.

Captain Woodburn Francis Bartleman to be Major. Dated 1st October 1875.

Late 43rd Native Infantry.

Captain Robert Hastie Inglis to be Major. Dated 1st October 1875.

Late 63rd Native Infantry.

Captain Henry Rowband to be Major. Dated 1st October 1875.

Late 68th Native Infantry.

Captain James Johnstone to be Major. Dated 1st October 1875.

BREVET.

The Commission as Brevet Colonel of Lieutenant-Colonel Francis Dawson, Madras Staff Corps, to be antedated to 1st March 1875.

The promotion to Brevet rank of Lieutenant-Colonel, on 5th April 1876, of Major H. D. Battye, Bengal Staff Corps, to be cancelled, he having subsequently obtained the substantive rank of Lieutenant-Colonel with a prior date.

Major Charles A. deKantzow, Bengal Staff Corps, to be Lieutenant-Colonel. Dated 20th March 1876.

The undermentioned promotion to take place in Her Majesty's Indian Military Forces consequent on the death of Lieutenant-General Colin Troup, C.B., Bengal Infantry, on 19th March 1876 :—

Major-General George William Bishop, Bengal Infantry, to be Lieutenant-General. Dated 20th March 1876.

To be Lieutenant-Colonels.

Major Henry P. Close, Bombay Staff Corps. Dated 20th March 1876.

* * * *

The undermentioned Officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement :—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel Augustus Kay Moffat, Bengal Infantry. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Herbert Raban, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel George McAndrew, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Frederick Henry Smith, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Francis George Stainforth, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel William Ruxton Eneas Alexander, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel John Peter William Campbell, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel John Richardson Auldjo, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel George Hutchinson, C.B., C.S.I., Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Francis Applegath, Madras Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Frederick Phillips, Bombay Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Hamilton Robert Hathway, Bombay Staff Corps. Dated 14th June 1876.

To be Colonels.

Lieutenant-Colonel Charles Mathew Longmore, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel William Campbell MacDougall, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel John Robert Currie, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Robert Durie Griffin, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Henry Macfarlane Norris, Madras Infantry. Dated 14th June 1876.

Lieutenant-Colonel William Waddington, Bombay Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Clarence Augustus Collier, Bombay Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel James Currie, Bombay Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Edmund Willoughby Lyons, Bombay Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Charles Payne Barras, Bombay Staff Corps. Dated 14th June 1876.

To be Surgeon-General.

Deputy Surgeon-General Henry Young, Madras Establishment. Dated 14th June 1876.

To be Deputy Surgeons-General.

Surgeon-Major John Young Smith, M.D., Bombay Establishment. Dated 14th June 1876.

Surgeon-Major Robert Gillman Lord, M.D., Bombay Establishment. Dated 14th June 1876.

Surgeon-Major John Mills, Bombay Establishment. Dated 14th June 1876.

No. 787 *of* 1876.—Premo, widow of Sepoy Chunda Sing, 27th (Punjab) Regiment of Native Infantry, is admitted to the Native Family Pension Establishment on a pension of Rs. 2-12 per mensem for life, with effect from the 22nd June 1873, payable in the Punjab Circle.

No. 788 *of* 1876.—*Erratum.*—In G. G. O. No. 664 of 1876, *for* Havildar "Jaba Sing," 13th (The Shekhawattee) Regiment of Native Infantry, *read* Havildar *Jata* Sing.

Order books to be corrected accordingly.

No. 789 *of* 1876.—Lieutenant-Colonel Frank Barnard Foote, Bengal Staff Corps, 2nd in Command and Wing Officer, 16th (The Lucknow) Regiment of Native Infantry, is allowed furlough to Europe on medical certificate for two years, under Rule XIV, Clause I, of the Regulations of 1868.

No. 790 *of* 1876.—Major Joseph Barnard Smith, Bengal Staff Corps, Deputy Assistant Commissary General, 2nd Class, is permitted to proceed to Europe on furlough for two years,—1 year 5 months and 14 days on private affairs under Rules IX and XV, and the remaining period on medical certificate under Rule XIV, Clause II, of the Regulations of 1868.

No. 791 *of* 1876.—Lieutenant Thomas Lloyd Lewis, Bengal Staff Corps, Adjutant, 26th (Punjab) Regiment of Native Infantry, has been permitted to proceed to Europe on furlough on private affairs for two years under Rules IX and XV of the Regulations of 1868.

No. 792 *of* 1876.—The undermentioned Officer has reported his return from England:—

Captain C. H. Garbett, Bengal Staff Corps, Assistant Commissioner, 2nd Grade, Chota Nagpore, Lohardugga, Bengal,—date of arrival at Fort William, 25th May 1876.

No. 793 *of* 1876.—Captain Charles Edward Shepherd, Bengal Staff Corps, Executive Engineer, 3rd Grade, Public Works Department, is allowed furlough to Europe on medical certificate for sixteen months, under Rule XIV, Clause I, of the Regulations of 1868.

No. 794 *of* 1876.—The following promotions are made in the undermentioned Corps of the Punjab Frontier Force, from the 1st May 1876:—

2nd Sikh Infantry.

Jemadar Emul Khan, to be Subadar, *vice* Ghupelia, invalided.

Havildar Luchmun, to be Jemadar, *vice* Emul Khan, promoted.

No. 795 *of* 1876.—Jemadar Ahmed Khan appointed on probation to the 1st Punjab Infantry, Punjab Frontier Force, in G. G. O. No. 405 of 1874, is confirmed in that rank, with effect from the 17th April 1874.

No. 796 *of* 1876.—Honorary Captain and Deputy Commissary Edward Quin, Ordnance Commissariat Department, is transferred to the Pension Establishment on an invalid pension of Rs. 240 per mensem, under G. G. O. No. 69 of 1868, payable in India.

No. 797 *of* 1876.—*Appointment.*

HYDERABAD CONTINGENT.

4th Cavalry.

Lieutenant G. Adye, 2nd Battalion, 12th Foot, a candidate for the Bengal Staff Corps, to be Officiating Squadron Subaltern, on probation, during the period Lieutenant W. J. B. Bird may officiate as Adjutant, or until further orders.

The 27th July 1876.

No. 798 *of* 1876.—The services of Captain W. N. Carey, 21st Foot, are placed at the disposal of the Foreign Department.

The 28th July 1876.

No. 799 *of* 1876.—The following Notification by the Financial Department, No. 1392, dated the 7th July 1876, is republished for general information:—

No. 1392.

LEAVE AND ALLOWANCES.

The 7th July 1876.

The Governor General in Council directs the substitution of the following for Rule 2 (*a*) in Chapter XI of the Civil Leave Code:—

2 (*a*). A Military Officer in civil employ proceeding on furlough cannot obtain a last-pay certificate until he submits to the Accountant General a certificate by the Military Department of the Presidency to which he belongs, in Form A, B, or C (as the case may be) contained in Appendix C.

The Governor General in Council also directs that the following be inserted as Appendix C to the Civil Leave Code:—

Appendix C.

FORM A.

OBVERSE.

Furlough Rules of 1854.

Certified that A. B. has years months days' furlough on private affairs at his credit, and is under the Furlough Rules of 1854.

A. B. is eligible for such furlough for years months days on English furlough pay, and to such extension on medical certificate without pay, as may be granted.

Should A. B. proceed on medical certificate, he will be eligible for furlough for twenty months on pay in the first instance, drawing for the first six months Indian pay (or pay and allowances) and half staff salary, and for the remaining fourteen months English furlough pay. Extension of this leave up to three years in all on English furlough pay can be given on medical certificate, but any further extension will be without pay.

MILITARY DEPARTMENT; { *The* 187 . { *Secy. to the Govt. of*

NOTE.—On the back is noted the date of beginning and ending of any leave already taken, the nature of such leave, and the rule under which it was taken.

Reverse.

LEAVE ALREADY TAKEN.		Nature of leave.	Rule under which taken.
Date of beginning.	Date of ending.		

FORM B.

OBVERSE.

Furlough Rules of 1868.

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

A. B. is eligible for furlough on "furlough pay" up to years months days in all, on private affairs, also to years months days more, if granted an extension on medical certificate.

But no pay can be granted to A. B. under any circumstances after he has been three years absent.

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Note.—(As in Form A.)

Reverse.

(As in Form A).

FORM C.

OBVERSE.

Furlough Rules of 1868.—*Rule XI.*

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

Not being eligible for ordinary furlough.

A. B. can only obtain it under Rule XI for a period not exceeding six months on pay equivalent to the British regimental pay of his rank.

This furlough cannot be extended beyond six months except on medical certificate, on the same pay and for such periods as the Secretary of State may think fit. But any extension allowed after three years' absence must be without pay.

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Note.—(As in Form A).

Reverse.

(As in Form A.)

No. 800 *of* 1876.—With reference to the Notification issued by the Government of Bengal, dated the 4th July 1876, the services of Surgeon R. L. Dutt, M. D., late Officiating Civil Surgeon, Sonthal Pergunnahs, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 801 *of* 1876.—Major George Machardy Bowie, Madras Staff Corps, District Superintendent of Police, 1st Grade, Patna, Officiating Inspector General of Jails, Lower Provinces, is allowed to proceed to Europe on medical certificate, under the Regulations of 1868, in anticipation of the furlough which will be granted to him by the Government of his own Presidency.

No. 802 *of* 1876.—Puckallie Eman Bux, B. Battery, 11th Brigade, Royal Artillery, is granted a pension of Rs. 3 per mensem from the date of his discharge, payable in the North-Western Provinces Circle.

No. 803 *of* 1876.—The undermentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel James Fairbrother, Bombay Staff Corps,—19th July 1876.

Lieutenant-Colonel William James Pratt Barlow, Bengal Staff Corps.
Lieutenant-Colonel Charles Armstrong, Bengal Staff Corps.
Lieutenant-Colonel James Murray Grant, Madras Staff Corps.
} 22nd July 1876.

No. 804 *of* 1876.—*Appointments.*

Army Commissariat Department.

Captain H. V. Hunt, Sub-Assistant Commissary General, 3rd Class, and Officiating Sub-Assistant Commissary General, 2nd Class, to officiate as Sub-Assistant Commissary General, 1st Class, from the 17th May 1876, during the absence on furlough to Europe of Captain J. R. Yule, Sub-Assistant Commissary General, 1st Class, or until further orders.

Lieutenants A. G. Yaldwyn, and E. C. C. Sandys, Sub-Assistant Commissaries General, 3rd Class, on probation, to officiate as Sub-Assistant Commissaries General, 2nd Class, in existing vacancies, from the 1st and 3rd June 1876, respectively, or until further orders.

Captain W. G. Smith, Sub-Assistant Commissary General, 1st Class, and Officiating Deputy Assistant Commissary General, 2nd Class, to officiate as Deputy Assistant Commissary General, 1st Class.
Captain W. R. Bunbury, Sub-Assistant Commissary General, 1st Class, to officiate as Deputy Assistant Commissary General, 2nd Class.
Lieutenant C. S. Hogge, Sub-Assistant Commissary General, 3rd Class, and Officiating Sub-Assistant Commissary General, 2nd Class, to officiate as Sub-Assistant Commissary General, 1st Class.
} From 30th June 1876, during the absence on furlough to Europe of Major J. B. Smith, Officiating Deputy Assistant Commissary General, 1st Class, or until further orders.

No. 805 *of* 1876.—Third Class Hospital Assistant Mahomed Syud, No. 116, attached to the Jail and Police Hospital at Tezpore, is permitted to resign the service.

See G. G. O. No 968 of 1870.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 24th July 1876.

Statement of Deposits on account of Estates from 16th to 22nd July 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
Indian Military Service.					*Rs. a. p.*		
Charles Edward Hunter (*a*)...	Captain ...	Bengal Staff Corps.	4th December 1875.	Testate ...	1,024 6 9		

(*a*).—R. A. Lyall, Esq., Calcutta, administering.

ALLEN JOHNSON, *Colonel,*
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 25th July 1876.

No. 336.—Mr. W. Atkins, Assistant Engineer 1st Grade, Irrigation Branch, North-Western Provinces, is appointed to the Office of the Accountant General, Public Works Department, with the temporary rank of Deputy Examiner.

Mr. Atkins joined that Office on the forenoon of the 17th July 1876.

No. 337.—Lieutenant C. H. Bagot, R.E., Superintendent of Instruction, Sapper and Miners, is graded in the Public Works Department as an Executive Engineer 4th Grade, with effect from 11th April 1876.

The 26th July 1876.

No. 338.—Madaree Lall is appointed an Accountant 4th Grade on probation, and posted to the Punjab Northern State Railway.

No. 339.—Mr. (late Sergeant) T. O'Connor, Overseer 1st Grade, North-Western Provinces, Irrigation Branch, having obtained his discharge from the Army on 11th December 1875, is re-appointed to the Public Works Department as a civilian in the same grade with effect from that date.

No. 340.—With reference to Public Works Department Notification No. 276, dated 16th June 1876, the transfer of Captain F. G. Oldham, R. E., Examiner of Public Works Accounts, from Hyderabad to Oudh, is cancelled.

Mr. A. R. Becher, Officiating Examiner, Public Works Accounts, Hyderabad, is transferred to Oudh.

The 27th July 1876.

No. 341.—Mr. J. Moran is appointed an Accountant 4th Grade on probation, and posted to the Rajpootana State Railway.

No. 342.—Mr. W. Ogden, Accountant 4th Grade, Rajpootana State Railway, is temporarily promoted to the 3rd Grade with effect from the 18th June 1876.

The 28th July 1876.

No. 343.—The services of Major C. H. Luard, R.E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, are placed temporarily at the disposal of the Financial Department for employment as Officiating Mint Master, Calcutta.

No. 344.—Lieutenant D. A. Scott, R.E., Assistant Engineer 1st Grade, on the Establishment of the Director of State Railways, is appointed to officiate as Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, during the absence of Major C. H. Luard, R.E., or until further orders.

No. 345.—Mr. W. H. Brand, Deputy Examiner (temporary rank), North-Western Provinces, is temporarily deputed to the Public Works Department Secretariat of the Government of India for special duty.

Mr. Brand joined that Secretariat on the forenoon of the 3rd July 1876, from which date the unexpired portion of the privilege leave granted to him in Public Works Department Notification No. 237, dated 20th May 1876, is cancelled.

TELEGRAPH.

The 22nd July 1876.

No. 333.—With reference to the rules for inland telegraphic messages published in the *Gazette of India* of the 21st December 1872, the Governor General in Council is pleased to direct the publication of the following alteration :—

Rule 43.—*The foot-note* will now be as follows :—

As the East India and Madras Railway Companies declare their inability to make over prepaid reply deposits to addresses, messages addressed to stations on those Railways to which replies are prepaid are not transferred to the Railway Telegraph, but *posted* (with telegraph stamps enclosed) *from the nearest Government Telegraph station direct to the addressee.* Postal registration is compulsory in this case, as also in that of a message to which a reply is prepaid addressed to a station where there is no Telegraph Office.

The 24th July 1876.

No. 335.—The Governor General in Council is hereby pleased to direct the publication of the following modification of Rule 26 of the rules for Foreign telegraphic messages published in the *Gazette of India* of the 11th December 1875 :—

Article LIV, Multiple messages.

Rule 26. The final clause will stand as follows :—

A message addressed to several persons in the same locality, or to one person at several places of residence in the same locality (whether with or without transmission by post), is charged for as a single message ; but a copying fee of 4 annas per 20 words, plus 4 annas for the excess, is charged for each destination after the first.

RAILWAY.

The 24th July 1876.

No. 334.—In exercise of the powers conferred by Section 26 of Act XVIII of 1854, as amended by Acts XIII of 1870 and XXV of 1871, the Engineer-in-Chief of the Muttra and Hattrass Light Railway (being the officer at present entrusted with the control of the said Railway) has, with the sanction of the Governor General in Council, adopted for the said Railway the general rules and regulations published in the notification of this Department, No. 1 Railway of the 3rd April 1873, but substituting for the first three of the said rules and regulations the following, that is to say :

I. No train or engine shall leave a station without the permission of the Station Master given to the Guard or Driver.

II. All trains working on this Railway shall invariably stop at each station on the line. For each space intervening between each pair of stations one brass ticket shall exist only, on which the names of the two stations will be inscribed, and the giving up of the said brass ticket by the Station Master to the Guard or Driver shall be a token of permission granted to take an engine or train in either direction. No Guard or Driver shall leave a station unless he has in his possession (*a*) the brass ticket belonging to the section of line on which he has to travel, or (*b*) the written authority of the Station Master.

III. If two trains have to leave any station, one following the other, in the same direction, the Station Master shall keep back the brass ticket for the second train, and shall pass the first train on by a written pass. On such pass shall be inscribed the number of the train and the time of permission for its departure from the station, together with the probable time of arrival at the next station. This written pass will be available only for the one journey to be performed, and until the train or engine that it covers has reached its destination, when it shall be delivered by the Guard or Driver of the train to the Station Master, who shall at once cancel it after having entered thereon the time of arrival of the train. No Station Master shall give a written paper pass unless he holds and keeps in his possession the brass ticket for the section concerned.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 32. SIMLA, SATURDAY, AUGUST 5, 1876. Register No. 33.

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

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Report of Select Committee and Oudh Laws Bill No. II, 1876.

SUPPLEMENT No. 34.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 3rd August 1876.

No. 505.—*Appointment.*—Mr. Shriram Bhikajee Jatar, B. A., Deputy Educational Inspector, Berar, to be Educational Inspector, Hyderabad Assigned Districts, *vice* Mr. F. A. H. Elliott transferred to Baroda.

MEDICAL.

The 31st July 1876.

No. 446.—Assistant Surgeon Goberdhun Dutt is dismissed from the service of Government with effect from the 29th May last.

JUDICIAL.

The 31st July 1876.

No. 1286.—In exercise of the powers conferred by Sections 5 and 6 of Act XIV of 1874 (the Scheduled Districts Act), and with the previous sanction of the Governor General in Council, the Chief Commissioner of Coorg is pleased to extend the Indian Oaths Act, X of 1873, to the Chief Commissionership of Coorg, and to direct that the powers conferred on the High Court by Section 7 of such Act shall be exercised by the Judicial Commissioner of Coorg.

ECCLESIASTICAL.

The 2nd August 1876.

No. 281.—The Reverend J. B. Morewood, Chaplain of Morar, has obtained two months leave on medical certificate, with effect from the 1st instant, or any subsequent date on which he may avail himself of it.

No. 282.—*Appointment.*—The Reverend K. E. Barrow, Chaplain of Lucknow Cantonment, to be Chaplain of Morar, during the absence of the Reverend J. B. Morewood.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.

MINERALS AND GEOLOGICAL SURVEY.

Simla, the 29th July 1876.

No. 93.—Messrs. F. R. Mallet and C. A. Hacket, Assistants in the Geological Survey of India, acted in the 1st and 2nd Grades, respectively, from the date on which Mr. W. Theobald, Assistant of the 1st Grade, availed himself of the furlough granted to him in the Notification of this Department, No. 38, dated the 23rd March last, to the date on which Mr. A. B. Wynne, Senior Assistant in the 2nd Grade, returned from furlough.

No. 94.—Mr. A. B. Wynne, 2nd Grade Assistant in the Geological Survey, is appointed to act in the 1st Grade, with effect from the date of his return from leave, *vice* Mr. Theobald, on furlough.

Mr. F. Fedden, Assistant in the 3rd Grade, will act in the 2nd Grade, *vice* Mr. Wynne.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Simla, the 3rd August 1876.

No. 1659*G.*—*Appointment.*—Captain W. N. Carey, Her Majesty's 21st Foot, to be Adjutant, Bangalore Rifle Volunteers, *vice* Captain Haleman.

The 4th August 1876.

No. 1673*G.*—Captain R. G. E. Dalrymple, Boundary Settlement Officer, Bhopal, and Lieutenant D. W. K. Barr, 1st Assistant Agent to the Governor General, Central India, passed on the 10th July 1876 an examination in the Persian language, according to the tests prescribed in the Resolution of the Foreign Department, No. 541P., dated 17th March 1871, for officers in political employ.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 31st July 1876.

No. 1967.—The following Resolution is published for general information:—

Read again—

The Estimates of the Revenues and Expenditure of British India in 1876-77.

RESOLUTION.—The embarrassment occasioned to the finances of this empire by the present disturbance in the relative values of gold and silver has, for some time past, been under the anxious consideration of the Viceroy and Governor General in Council; and His Excellency has been led by such consideration to the conclusion that it is now advisable to notify to the Local Governments the wishes of the Government of India in regard to those preliminary measures of retrenchment and economy which are necessitated by the immediate exigencies of the financial situation.

2. It was a part of the budget arrangements of this year that the Secretary of State in Council should borrow in England £2,640,000 for the construction of Extraordinary Public Works. An incidental effect of that arrangement was to reduce, by the above mentioned sum, the amount that must, otherwise, have been raised by bills for the supply of the Home Treasury, and, according to the rate of exchange assumed in the estimates, *viz.*, Re. 1=1*s.* 8½*d.*, to diminish the entry under *Loss by Exchange*, and improve the nominal balance of the year, by Rs. 45,00,000. Notwithstanding this and other advantages, the surplus revenue of the year was estimated at only Rs. 14,40,000.

3. It was calculated, at that time, that the supply of £13,660,000 to the Home Treasury by bills would cost Rs. 15,99,20,000; and, accordingly, the sum of Rs. 2,33,20,000 was provided under the adjusting head *Loss by Exchange*. Subsequently, however, to the publication of the estimates, the

Secretary of State found it convenient to increase the amount borrowed in England to £4,000,000. The incidental relief to the estimates of the year from this source would thus be, if the rate of exchange could be calculated as before, Rs. 68,30,000. The relief obtained may now be estimated at a much larger sum. In judging of the financial position and future prospects of the Government of India, it is necessary to bear this fact in mind.

4. The sum to be raised in England having been thus increased, the amount to be supplied to the Home Treasury, by bills, during the year is now reduced to £12,300,000, of which £3,344,134 has been obtained to date, by the sale of bills for Rs. 4,06,10,000, the adjustment entered under *Loss by Exchange* being, already, Rs. 71,68,660.

5. It is at present impossible to frame any approximate estimate of the cost, in rupees, of supplying to the Home Treasury the sum of £8,956,446, which still remains to be raised by bills: but the Government of India cannot now expect that the whole entry under *Loss by Exchange* will not be largely in excess of the grant.

6. Moreover, the prospects of the customs revenue are, by reason of the adverse exchange, unfavorable; the charge for interest will be increased for the increased amount borrowed in England; and the cost of the unprecedentedly large opium crop in Bengal is expected to cause the expenditure under *Opium* to exceed the grant by about Rs. 50,00,000; although there will, of course, be a corresponding addition to the opium in reserve.

7. Altogether, the financial prospects give cause for such grave anxiety that the Governor General in Council deems it necessary to invite the earnest co-operation of the Local Governments and Heads of Departments in reducing, by every possible means, the threatened deficit.

8. The authorities at the head of each department, whether administered by the Imperial or Local Governments, should, therefore, take prompt measures to stop all outlay of public money which is not absolutely necessary; or to which the Government is not committed; or the discontinuance of which will not cause disproportionate loss and waste. An early report should be made to the Government of India in the Financial Department of the measures adopted for giving effect to these instructions, and of the saving which may be expected under each Government and in each Department. The Governor General in Council will be unable to sanction any new expenditure that is not indispensable.

9. The financial disorder which demands these measures is exclusively due to the recent rapid fall of the value of silver in relation to gold, and the consequent enhancement of the cost in silver of all payments in gold. The Governor General in Council is not prepared, at present, to say what measures the Government of India may be compelled to take, in order to permanently restore the financial equilibrium; but, pending the adoption of such measures, it is incumbent on His Excellency in Council to warn all Local Governments that he may be reluctantly compelled to call upon them for sacrifices which, if requisite for the public welfare, those Governments will, he feels assured, be ready to accept in the loyal and generous spirit evinced by them on previous occasions of great financial pressure.

10. The Governor General in Council has resolved, for the present, largely to reduce the expenditure on Extraordinary Public Works, and, in regard to many of the measures which may be necessary to effect that object, he confides in the valuable assistance of the Local Governments.

11. Moreover, the means at the disposal of the Government of India for granting loans to Municipal and other corporations, and to Native States or private persons are, so long as the present state of things lasts, likely to be limited; and, therefore, no application for such loans should be made or forwarded by any Government officer, except for purposes which admit of no postponement.

PENSIONS AND GRATUITIES.

The 4th August 1876.

No. 1995.—The Governor General in Council directs that the following be inserted as Rule 10 under Section 35 of the Civil Pension Code :—

10. The pension, leave and acting allowances of an officer transferred from qualifying service to service whether acting or permanent under a Native State, Municipality or other body financially independent of the Government of India, are regulated by the rules which apply to officers of the Government of India. Any saving arising from the absence of a permanent officer accrues to his employers.

SEPARATE REVENUE—OPIUM.

The 4th August 1876.

No. 2060.—*Opium Revenue to date compared with the Estimate for the year* 1876-77 :—

PRESIDENCY.	LATEST MONTH.			FIVE SALES OF BENGAL OPIUM AND FOUR MONTHS' DUTY ON MALWA OPIUM.			
	Estimate.	Actual.	Better than Estimate.	Estimate.	Actual.	Better than Estimate.	Worse than Estimate.
	£	£	£	£	£	£	£
Bengal	449,624	507,738	58,114	2,248,120	2,508,799	260,679	...
Bombay	186,357	284,460	98,103	818,694	809,460	...	9,234
TOTAL ...	635,981	792,198	156,217	3,066,814	3,318,259	251,445	...

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 29th July 1876.

No. 806 *of* 1876.—The undermentioned portion of Royal Artillery Regimental Order No. 57 (new series), dated Horse Guards, War Office, 25th November 1873, relative to clothing, is made applicable to India :—

CLOTHING.

His Royal Highness the Field Marshal Commanding-in-Chief, with the concurrence of the Secretary of State for War, has approved of the adoption of the Infantry ankle boot for Garrison Artillery, and dismounted men of Field Brigades in lieu of the existing pattern.

The issue of the present pattern Artillery ankle boot will be continued to the mounted men of the regiment.

No. 807 *of* 1876.—Lieutenant A. T. S. A. Rind, Bengal Staff Corps, Sub-Assistant Commissary General, 3rd Class, is allowed leave of absence for thirty days, from the date he may avail himself of it, to visit Calcutta, preparatory to applying for furlough to Europe on medical certificate.

No. 808 *of* 1876.—Captain Thomas St. Quintin Clutterbuck, General List, Infantry, is allowed furlough to Europe on urgent private affairs for six months, under Rule XI of the Regulations of 1868.

The 1st August 1876.

No. 809 *of* 1876.—The Right Hon'ble the Governor General in Council is pleased to notify, in supersession of Clause 1, paragraph 133 of the Regulations for the Volunteer forces in India, that the pay of the 1st Class Sergeant Instructors will in future be as follows :—

Pay of Regimental Sergeant-Major of Infantry as laid down in G. G. O. No. 96 of 1874—

	Rs.	A.	P.
Ration money ...	8	9	3
Staff pay ...	37	0	0

This order will not affect present incumbents who may be drawing the consolidated rates fixed in the above paragraph.

This order is applicable to the three Presidencies

No. 810 *of* 1876.—In continuation of G. G. O. No. 753, dated the 15th July 1876, the undermentioned Officer is permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876 :—

No.	RANK AND NAME.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
34	Lieutenant-Colonel (Brevet Colonel) Gordon Cavenagh.	Staff Corps	365 0 0	324 4 0	.....	1st August 1876.	England.

No. 811 *of* 1876.—*Appointment.*—

Garrison Instruction Staff.

Captain P. C. Story, 40th Foot, Garrison Instructor, to be Chief Garrison Instructor, *vice* Major A. S. Cameron, 2nd Battalion, 25th Foot, resigned, with effect from the date of embarkation at Bombay of the latter to rejoin his battalion in England.

No. 812 *of* 1876.—*Appointment.*—

Hyderabad Contingent.

Major R. W. Sartorius, V.C., C.M.G., 1st Squadron Subaltern, 6th Bengal Cavalry, to officiate as Assistant Adjutant General, *vice* Captain W. A. Lawrence, and during the absence on furlough to Europe of Major C. V. Conway-Gordon, or until further orders.

No. 813 *of* 1876.—The following letter received from the Right Hon'ble the Secretary of State for India, is published for general information, and all previous orders on the subject referred to, are cancelled :—

Military, INDIA OFFICE;
No. 120. *London, 4th May* 1876.

To

His Excellency the Right Hon'ble the Governor General of India in Council.

PARA. 1. Your letter No. 16, dated 28th January 1876, inquires how the Indian Furlough Regulations are to be held to apply to British Officers holding Staff appointments in India, seconded in their regiments.

2. I consider that all British Officers holding Staff appointments in India necessitating their being seconded from regiments on the Indian Establishment, and Officers appointed from regiments serving elsewhere than in India (whether seconded or not), should be placed in the same position, and that such Officers should be allowed, during their five years' tenure of office, six months' leave on sick certificate, with absentee allowances regulated under the Furlough Rules of 1868, or leave on private affairs for four months, with British pay from Indian revenues. Any leave obtained in excess of either of these periods will involve loss of appointment, and only one grant of leave out of India will be allowed.

3. This decision should be published in General Order, in substitution of all previous orders on the subject.

I have, &c.,
(Sd.) SALISBURY.

The 2nd August 1876.

No. 814 *of* 1876.—It is notified, in continuation of G. G. O. No. 859 of 1873, that when regimental schools are closed temporarily during outbreaks of sickness or on the march, full pay, staff and other allowances will be continued as usual to schoolmasters and schoolmistresses (acting included), pupil teachers or assistant schoolmistresses, and to the senior soldier assistants drawing Rs. 10 per mensem.

During such periods the pay of the other soldier assistants and of the monitresses will cease.

This order is applicable to the three Presidencies.

No. 815 *of* 1876.—With reference to the Notification issued by the Government of the North-Western Provinces, No. 480A, dated 18th July 1876, the services of Surgeon-Major G. B. Hadow, late Officiating Civil Surgeon, Aligarh, are at his own request replaced at the disposal of His Excellency the Commander-in-Chief.

No. 816 *of* 1876.—The following promotions are made in the undermentioned Corps from the dates specified :—

10th Regiment of Native Infantry.

Havildar Muhais Singh to be Jemadar, *vice* Pygumber Singh, invalided.

Havildar Gooman Singh to be Jemadar, *vice* Sewgoolam Singh, invalided.

18th (The Alipore) Regiment of Native Infantry.

Jemadar Runjeet Thappa to be Subadar, *vice* Byjnath Tewaree, invalided.

Color Havildar Sunman Singh to be Jemadar, *vice* Sewburrut Singh, invalided.

Drill and Color Havildar Rambhungun Singh to be Jemadar, *vice* Runjeet Thappa, promoted.

} 1st May 1876.

35th (The Mynpoorie) Regiment of Native Infantry.

Jemadar Punjab Singh to be Subadar, *vice* Essoorie Singh, deceased,—11th February 1876.

Havildar Kassie Singh to be Jemadar, *vice* Hurry Tewarry, deceased,—24th September 1875.

Havildar Poonchee Ram to be Jemadar, *vice* Punjab Singh, promoted,—11th February 1876.

No. 817 *of* 1876.—*Appointment.*—

Army Commissariat Department.

Lieutenant E. Palmer, Bengal Staff Corps, 2nd Wing Subaltern, 41st (The Gwalior) Regiment of Native Infantry, to be a Sub-Assistant Commissary General, 3rd Class, on probation, with effect from the 12th July 1876, to fill an existing vacancy.

No. 818 *of* 1876.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the death of Lieutenant-General C. Troup, C.B., Bengal Infantry, on the 19th March 1876, the name of

Major-General G. Ramsay, Bengal Staff Corps; is placed on the list of Lieutenant-Generals, that of

Colonel R. A. Doria, Madras Infantry, is placed on the list of Major-Generals; and that of

Major W. Tweedie, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels on the Indian Gradation List.

No. 819 *of* 1876.—The following promotion is made, subject to Her Majesty's approval :—

Brevet.

Rank, Name and Corps.	To what rank promoted.	From what date.	In succession to
Captain Richard Graham Birch, Bengal Cavalry.	Major ..	20th March 1876.	Lieutenant-General G. Troup, C.B., Bengal Infantry, deceased.

No. 820 *of* 1876.—With reference to G. G. Os. Nos. 267 and 467 of 1875, the undermentioned out-pensioners of the Royal Hospital at Chelsea are granted permanent pensions from dates on which they originally commenced drawing the temporary pensions:—

Trumpeter Patrick Dwyer, late 23rd Brigade, Royal Artillery,—Nine pence per diem.

Gunner William Dwyer, late 23rd Brigade, Royal Artillery,—Nine pence per diem.

No. 821 *of* 1876.—The undermentioned Officer of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Jonathan Keer, Bengal Staff Corps,—26th July 1876.

No. 822 *of* 1876.—The undermentioned Officer of the Bengal Staff Corps, having completed 26 years' service, is promoted to the rank of Lieutenant-Colonel, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Major Henry Scott Vincent Fisher,—28th July 1876.

No. 823 *of* 1876.—The undermentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions in India, which are chargeable to Imperial revenues:—

Trumpet-Major George Lemmon, late 23rd Brigade, Royal Artillery,—Two shillings per diem from the 29th May 1876.

Corporal Thomas Hill, late 1st Battalion, 17th Foot,—One shilling and five pence per diem from the date he ceases to receive regimental pay or allowance.

No. 824 *of* 1876.—Captain Adam Wilson Graham, General List, Infantry, Quartermaster, 38th (The Agra) Regiment of Native Infantry, is permitted to proceed to Europe on furlough on private affairs, for two years under Rules IX and XV of the Regulations of 1868.

No. 825 *of* 1876.—*Erratum.*—In G. G. O. No. 726 of 1876, opposite "Cavalry," "Infantry" and "Convalescent Depôt," in the detail of fuel allowed "for the ordinary purposes of an armourer's shop," for the words "coal monthly" read *coal smithy*, in each case.

Order books to be corrected accordingly.

No. 826 *of* 1876.—The undermentioned Officer has reported his return from England:—

Captain H. B. Hanna, Bengal Staff Corps, Deputy Assistant Quartermaster General,—date of arrival at Fort William, 17th July 1876.

No. 827 *of* 1876.—The undermentioned men are granted pensions, as specified from dates of their discharge:—

Names.	Monthly stipend.	Circle of payment.
	Injury. Rs. A. P.	
Duffadar Fouzdar Khan, 15th Bengal (Cureton's Mooltanee) Cavalry.	7 7 6	Punjab.
	Wound. Rs. A. P.	
Naick Kurndhoje Rai, 44th (Sylhet) Regiment of Native (Light) Infantry.	10 8 0	Presidency.
	Injury. Rs. A. P.	
Bullock-driver Gunga Persaud (1st), 4-13th Royal Artillery.	1 13 3	N. W. P.

No. 828 *of* 1876.—Surgeon-Major Annesley Charles Castriot DeRenzy, Medical Department, Sanitary Commissioner, Punjab, has been permitted to proceed to Europe on furlough on private affairs, for eighteen months, under Rules IX and XV of the Regulations of 1868.

The 3rd August 1876.

No. 829 *of* 1876.—The following extract from List No. 11, dated 7th July 1876, received from the India Office, is published for general information:—

Permitted to return to duty.

Major G. C. Ross, S.C.
Major R. C. Low, Cavalry.
Lieutenant C. C. C. Barlow, R.E.
Surgeon H. Johnstone.
Captain W. H. Pierson, R.E.

Granted extensions of leave.

Captain T. H. Lewin, S.C., 6 months, medical certificate.
„ H. P. Kirke, Infy., 4 „ „
„ S. H. Cowan, S.C., 4 „ „
Lieut.-Col. T. E. Gordon, S.C., 3 months, private affairs.
Captain A. Conolly, S.C., 4 months, medical certificate.

No. 830 *of* 1876.—The following alterations are made in G. G. O. No. 908 of 1873:—

I.—Paragraphs 8 to 12, Section II and paragraph 8, Section III, are cancelled.

II.—Paragraph 13, Section II, is reconstructed as follows:—

All Officers of the Indian Armies not in the Staff Corps and not being Field Officers, will be required, after 1st January 1875, to pass the qualifying examinations for regimental appointments, and for those on the general staff of the army.

III.—Paragraph 11, Section III, omit the words "and of Field Officers."

No. 831 *of* 1876.—Native Medical Pupil Shaikh Asgur Ali, No. 896, is dismissed the service with effect from the 1st July 1876.

G. G. O. No. 1046 of 1875.

No. 832 *of* 1876.—*Appointments*—

PUNJAB FRONTIER FORCE.

2nd Punjab Cavalry.

Lieutenant E. C. Dowse, 45th Foot, a candidate for the Bengal Staff Corps, to be Officiating 2nd Squadron Subaltern, on probation, during the period Lieutenant L. T. Bishop may officiate as Adjutant, or until further orders.

4th Sikh Infantry.

Lieutenant V. C. Tonnochy, 1st Battalion, 6th Foot, a candidate for the Bengal Staff Corps, to be Officiating 2nd Wing Subaltern, on probation, *vice* Lieutenant E. B. J. Vaughan, appointed Officiating 1st Wing Subaltern, 6th Punjab Infantry.

The 4th August 1876.

No. 833 *of* 1876.—His Excellency the Governor General in Council is pleased to make the following temporary appointment in the Administration Medical Staff of Her Majesty's British Forces:—

Surgeon-Major D. J. Doherty, Medical Department, in medical charge, 2nd Battalion, 12th Foot, to officiate with temporary rank as Deputy Surgeon-General, Peshawur Circle, *vice* Deputy-Surgeon General H. G. Gordon, M.D., appointed Principal Medical Officer, Gibraltar.

No. 834 *of* 1876.—The undermentioned Officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India—

Lieutenant Charles Pulley, 86th Foot, Officiating 2nd Wing Subaltern, 3rd Goorkha (The Kemaoon) Regiment,—7th May 1875.

No. 835 *of* 1876.—Lieutenant Alexander Thomas Seton Abercromby Rind, Bengal Staff Corps, Sub-Assistant Commissary General, 3rd Class, is permitted to proceed to Europe on furlough on private affairs for eighteen months, under Rules IX and XV of the Regulations of 1868.

No. 836 *of* 1876.—The undermentioned Officer has reported his return from England:—

Captain A. L. Playfair, Bengal Staff Corps,—date of arrival at Fort William, 21st July 1876.

No. 837 *of* 1876.—The following Military letter from the Right Hon'ble the Secretary of State for India is published for general information:—

Military, INDIA OFFICE;
No. 148. *London, 15th June* 1876.

To

His Excellency the Right Hon'ble the Governor General of India in Council.

PARA. 1. Having had under my consideration in Council the subject of the rates of pay drawn by Officers of the Indian cadres of Royal Artillery while on leave in this country from brigades serving in India, I have decided to assimilate those rates to the rates drawn by Officers of the old Royal Artillery, making an exception, however, in favor of certain General Officers and of the Lieutenant-Colonels of Foot Artillery on the Indian cadres, the former of whom will receive pay according to Indian rates when those rates are more favorable to them, while the latter will, as heretofore, receive pay at 1*l.* a day.

2. In the case of the Adjutant of a Brigade, being an Officer of an Indian cadre, and on leave in this country, the same deduction must be made from the Staff pay of the Officer acting for him during such absence as is made from the pay of an Officer officiating for an Adjutant of the old Imperial List.

3. This change will take effect from the 1st April 1876.

I have, &c.,
(Sd.) SALISBURY.

These rates of furlough pay will also be issued in India, in substitution of those promulgated in G. G. O. No. 538 of 1872.

No. 838 *of* 1876.—Captain Michael Alexander Rowlandson, Madras Staff Corps, Assistant Military Accountant, is permitted to proceed to Europe on furlough on private affairs for two years under Rules IX and XV of the Regulations of 1868.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 1st August 1876.

No. 346.—Mr. H. J. R. DeSalis, Assistant Examiner 1st Grade (temporary rank), attached to the Office of the Accountant General, Public Works Department, is granted privilege leave of absence for one month with effect from the 28th July 1876.

The 2nd August 1876.

No. 348.—Mr. F. Moore, Deputy Examiner of Accounts, temporarily attached to the Northern Bengal State Railway, is granted privilege leave of absence for three months with effect from the afternoon of the 1st August 1876.

The 3rd August 1876.

No. 349.—*Erratum.*—In Public Works Department Notification No. 336, dated 25th July 1876, appointing Mr. W. Atkins to the Office of the Accountant General, Public Works Department, for the words "with the temporary rank of Deputy Examiner" *substitute* "as Officiating Deputy Examiner."

The 4th August 1876.

No. 350.—Mr. T. Lobb, Assistant Engineer 1st Grade, Military Works Branch, is transferred to Hyderabad with the temporary rank of Executive Engineer 4th Grade.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 33. SIMLA, SATURDAY, AUGUST 12, 1876. Register No. 33.

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

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Report of Select Committee and Oudh Laws Bill No. II, 1876.

SUPPLEMENT No. 35.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 10th August 1876.

No. 521.—The Hon'ble J. F. D. Inglis, C. S. I., received charge of the office of Chief Commissioner of Oudh from Sir George Couper, Bart., C.B., on the forenoon of the 26th ultimo.

The 11th August 1876.

No. 525.—*Appointments.*—G. E. L. Weidemann, C. S, Assistant Commissioner of the 4th Grade in British Burma, to be Assistant Commissioner of the 3rd Grade, with effect from the 28th January last, *vice* Mr. E. J. Sinkinson, C. S., appointed to be Junior Secretary to the Chief Commissioner of British Burma.

Baron J. Bentinck, Supernumerary Assistant Commissioner, to be Assistant Commissioner of the 4th Grade *vice* Mr. Weidemann.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—STATISTICS.

Simla, the 4th August 1876.

No. 426.—*Erratum.*—In the list of names of important places in the Hyderabad Assigned Districts appended to Notification No. 300, dated the 6th May 1876, *for* "Gáwelgarh" *read* "Gawilgurh."

COMMERCE AND TRADE.

The 11th August 1876.

No. 12 *of* 1876.—The following Notice is published for general information :—

NOTICE TO MARINERS.

India—Malabar Coast—Cochin.

DISPLACEMENT OF THE BUOY IN NARAKEL ROADSTEAD.

The Government of Madras has given notice that the buoy in Narakel roadstead has shifted from its position. Commanders of vessels picking up anchorage should therefore be guided solely by bearings.

The anchorage, distant about 3 miles off shore, is in 4 to 5 fathoms, with—

Narakel flagstaff bearing from	...	...	...	E. by S. to E. S. E.
Cochin flagstaff	...	...	...	S. E. ¼ S. to S. E. ¾ S.

Convenient and safe anchorage in 4 fathoms, about 2¾ miles off shore, may also be found to the southward on the following bearings :—

Narakel flagstaff	...	...	...	East.
Cochin lighthouse	...	...	...	S. E. by S.

India—Malabar Coast—Travancore.

BUOY MARKING THE SMOOTH-WATER ANCHORAGE TO THE SOUTHWARD OF ALIPEE (AULAPOLAY).

The authorities of the port of Alipee announce that the *red* buoy marking the smooth-water anchorage or mud bank, which has shifted further to the southward of Alipee, is now in 4½ fathoms, 2 miles off shore, on the following bearings :—

Alipee lighthouse	...	...	...	N. ½ W.
Porcat, or Porcaud, Church in line with a large tree			...	E. by S. ½ S.

[*Bearings are Magnetic. Variation* 0°40′ *Easterly in* 1876.]

MARINE SURVEY DEPT.,
CALCUTTA,
20*th July* 1876.

A. DUNDAS TAYLOR,
Commander, late I. N.,
Superintendent, Marine Survey of India.

By Order,
A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 10th August 1876.

No. 1815*P.*—In recognition of the services rendered to Government by Khoda Bux, Native Assistant to the Executive Engineer in charge of Eastern Nara Division, Sind, the Viceroy and Governor General is pleased to confer upon him the title of "Khan Bahadoor" as a personal distinction.

No. 1816*P.*—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. W. H. Griffin as Consular Agent for the United States of America at Bassein.

GENERAL.

The 10th August 1876.

No. 1706*G.*—*Appointment.*—Major H. W. Harris, Bombay Staff Corps, to be Assistant Cantonment Magistrate, Mhow, with effect from the date of assuming charge, *vice* Major Strong on furlough, or until further orders.

No. 1707*G.*—Senior Apothecary H. D. Cooper was in medical charge of the Nipal Residency from the afternoon of 28th June to the forenoon of the 11th July 1876.

No. 1709*G.*—The services of Surgeon-Major H. R. Oswald, M.D., Surgeon of the Mysore Commission, are replaced at the disposal of the Government, Fort St. George, in the Military Department, with effect from the 15th August 1876.

No. 1711*G.*—*Erratum.*—In the Notification of this Department, No. 1449G, dated 7th July 1876, *for* "Eduljee Jamasjee" *read* "Eduljee Bymanjee Dustoor."

The 11th August 1876.

No. 1733 *G.*—With reference to Notification No. 57, dated 19th January 1864, the following despatch from Her Majesty's Secretary of State for India and its enclosure are published for general information :—

STATISTICS AND COMMERCE.
No. 58.

INDIA OFFICE;
London, 6th July 1876.

To His Excellency the Right Hon'ble the Governor General of India in Council.

MY LORD,

I forward herewith for your Excellency's information a copy of a Declaration* prolonging the duration of the Treaty of Commerce and Navigation of the 6th of August 1863, between Her Majesty and the King of Italy, to the 30th April 1877.

* Dated 22nd May 1876.

I have, &c.

(Sd.) SALISBURY.

Declaration prolonging the duration of the Treaty of Commerce and Navigation between Her Majesty and the King of Italy of the 6th of August 1863.

SIGNED AT ROME, MAY 22, 1876.

WHEREAS the Treaty of Commerce and Navigation between Great Britain and Italy of 6th August 1863, would cease to be in force on the 26th June 1876, in consequence of a denunciation made by the Italian Government; and the two Governments having recognized the utility of prolonging its duration, the undersigned, duly authorized to this effect, have agreed to declare as follows :—

The Treaty of Commerce and Navigation between Great Britain and Italy of the 6th August 1863 will continue to remain in force until the 30th April 1877.

In faith of which they have signed the present Declaration, made in duplicate, and have affixed their seals.

Done at Rome on the 22nd of May 1876.

(L. S.) A. B. PAGET.
(L. S.) MELEGARI.

IL Trattato di Commercio e di Navigazione fra la Gran Bregtagna e l'Italia del 6 Agosto 1863, dovendo cessare d'essere en vigore a datare dal 26 Giugno 1876, in seguito a denunzia fattane dal Governo Italiano, ed i due Governi avendo reconoseuito l'utiliâ di prorogarne la durata, i Sottoscritti, debitamente autorizzati a quest' effetto, sono convenuti didichiarare quanto appresso :

Il Trattato di Commercio e di Navigazione fra la Gran Bretagna e l'Italia del 6 Agosto 1863, continuara a restare in vigore fino al 30 Aprile 1877.

In fede di che essi hanno firmato la presente Dichiarazione, fatta in doppio esemplare, e vi hanno apposto i loro sigilli.

Fatto in Roma, il 22 Maggio 1876.

(L. S.) MELEGARI.
(L. S.) A. B. PAGET.

No. 1741*G.*—Captain R. G. E. Dalrymple reverted to his substantive appointment of Boundary Settlement Officer, Bhopal, from 3rd July 1876, on which date he was relieved of the charge of the office of Political Agent at Bhopal by Lieutenant-Colonel J. W. W. Osborne, C.B.

No. 1742*G.*—Consequent on the death of Colonel E. Thompson, Political Agent 1st Class, the following changes in the graded list of Political Officers are made with effect from 25th May 1876 :—

Colonel W. D. Dickson, Officiating Political Agent 2nd Class, to be confirmed in that class.

Colonel W. C. Lester, Political Agent 3rd Class, to officiate as Political Agent 2nd Class.

Major C. Grant, Political Agent 3rd Class, to officiate as Political Agent 2nd Class.

Mr. R. B. Shaw, Political Agent 3rd Class, to officiate as Political Agent 2nd Class.

Lieutenant-Colonel W. F. Kincaid, Political Agent 3rd Class, and Officiating Political Agent 1st Class, to officiate as Political Agent 2nd Class.

No. 1743*G.*—Consequent on the return of Lieutenant-Colonel J. W. W. Osborne, C.B., Officiating Political Agent 3rd Class, from privilege leave, the following reversions will take place among the Political Officers on the Graded List with effect from 3rd July 1876 :—

Major P. W. Bannerman from Officiating Resident 3rd Class, to be Political Agent 1st Class.

Lieutenant-Colonel M. Thomson from Officiating Political Agent 1st Class, to officiate as Political Agent 2nd Class.

Lieutenant-Colonel W. F. Kincaid from Officiating Political Agent 2nd Class, to be Political Agent 3rd Class.

Mr. R. H. Pilcher, Officiating Political Agent 3rd Class, to be Political Assistant 1st Class.

Captain C. W. Burton, Officiating Political Assistant 1st Class, to be Political Assistant 3rd Class.

No. 1744*G.*—Consequent on the return of Colonel C. Herbert, Resident 2nd Class, from privilege leave, the following reversions will take place among the Political Officers on the Graded List with effect from 6th July 1876 :—

Dr. J. P. Stratton from Officiating Resident 3rd Class, to be Political Agent 1st Class.

Major C. G. Gunning from Officiating Political Agent 1st Class, to revert to his appointment as Officiating Commandant, Meywar Bheel Corps.

No. 1745*G.*—Consequent upon the departure of Lieutenant-Colonel J. W. W. Osborne, C.B., Officiating Resident 3rd Class, on subsidiary leave preparatory to furlough, the following promotions and appointment are made with effect from 13th July 1876:—

Dr. J. P. Stratton, Political Agent 1st Class, to officiate as Resident 3rd Class.

Lieutenant-Colonel M. Thomson, Officiating Political Agent 2nd Class, to officiate as Political Agent 1st Class.

Lieutenant-Colonel W. F. Kincaid, Political Agent 3rd Class, to officiate as Political Agent 2nd Class.

Captain E. Temple, Officiating Political Assistant 1st Class, to officiate as Political Agent 3rd Class.

Mr. H. M. Durand, Bengal Civil Service, to officiate as Political Assistant 1st Class.

No. 1746*G.*—Lieutenant N. C. Martelli, Officiating Political Assistant 3rd Class, is placed on special duty at Ulwar with effect from taking charge.

No. 1747*G.*—The following postings are made with effect from date of taking charge until further orders:—

Lieutenant-Colonel W. F. Kincaid, Officiating Political Agent 2nd Class, as Political Agent Bhopal.

Colonel W. C. Lester, Officiating Political Agent 2nd Class, as Bheel Agent Bhopawur, and Commandant Malwa Bheel Corps.

Captain E. Temple, Officiating Political Agent 3rd Class, as Cantonment Magistrate, Mhow.

Captain J. W. Ridgeway, Officiating Political Agent 3rd Class, as Political Agent, Eastern States, Rajpootana.

Mr. H. M. Durand, Officiating Political Assistant 1st Class, as First Assistant to the Agent to the Governor-General, Rajpootana.

Lieutenant C. E. Yate, Officiating Political Assistant 3rd Class, as Assistant to the Agent to the Governor-General, Rajpootana.

Framjee Bhikajee (lately employed on special duty at Oodeypore) as Political Assistant at Banswarra.

No. 1748*G.*—From the date on which Framjee Bhikajee resumes charge of his duties at Banswarra, Lieutenant C. E. Yate reverts from Officiating Political Assistant 2nd Class, to Officiating Political Assistant 3rd Class.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.

PENSIONS AND GRATUITIES.

Simla, the 11th August 1876.

No. 2150.—*Erratum.*—In the Notification No. 1995, dated 4th August 1876, published at page 420 of Part I of the *Gazette of India* of the 5th idem, *for* "Rule 10" *read* "Rule 11."

MINT AND CURRENCY.

The 11th August 1876.

No. 2155.—The following Resolution is published for general information:—

Read the following correspondence regarding a difficulty which has arisen about the form of the certificate to be given by the Assay Master of the Calcutta Mint under Section 24 of the Indian Coinage Act, 1870, for the net produce of Furruckhabad rupees received in the Mint for coinage under Section 19 of the said Act:—

From Master of the Mint, Calcutta, No. 1173, dated 2nd February 1876.
To Master of the Mint, Calcutta, No. 1825, dated 31st March.
To Assay Master, Calcutta, ditto ditto.
From ditto ditto, No. 4, dated 6th April.
To Master of the Mint, „ 2446, „ 29th „
From ditto ditto, „ 165, „ 6th May.

OBSERVATIONS.—By the 17th Section of the Indian Coinage Act, 1870, it is provided that—"If a coin which has been coined and issued by the authority of the Government of India has lost, by reasonable wearing, more than two per cent. in weight, or has been called in by proclamation, the officer cutting or breaking the same shall receive it at the rate of one rupee per tola."

In accordance with this provision of the law, the 8th Rule for the receipt under Section 19 of the said Indian Coinage Act, of bullion and coin into the Calcutta Mint, authorises the receipt of Madras, Furruckhabad, Company's or Government rupees, reduced by ordinary wear without payment of duty at one rupee a tola, and the 9th Rule for the receipt of bullion into the Bombay Mint provides that there shall be no seignorage on short weight, Madras, Furruckhabad or Government rupees.

RESOLUTION.—The foregoing Mint Rules should be made applicable to Furruckhabad rupees, and all other coins coined and issued by the authority of the Government of India, of full weight, received at the Mints for recoinage under Section 19 of the Indian Coinage Act.

The only point to be certified in regard to such coins so received is that they have been coined and issued by the authority of the Government of India; and unless the Assay Master thinks it necessary to assay them in order to ascertain that they are genuine, they need not be assayed at all. The certificate granted by the Assay Master under Section 24 of the Indian Coinage Act for the net produce of such coins payable on behalf of the Government by the Bank of Bengal or the Bank of Bombay, as the case may be, should merely state their weight and the corresponding amount in Government rupees at one rupee a tola. Payment is not made for such coins upon their assay value, and the Assay Master's certificate should not state their assay value.

No. 2184.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency:—*

Date.	Circles of Issue.	Currency Notes in circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	Total Reserve.
		Rs.	Rs.	Rs.	Rs.	Rs.
	Calcutta	4,78,89,735	1,21,24,638	....	2,58,74,402	3,79,99,040
	Madras	1,13,47,260	60,64,717	....	59,28,463	1,28,93,180
	Bombay	3,15,20,280	1,67,49,423	96,303	1,55,85,209	3,24,30,935
	Allahabad	76,81,199	1,01,98,309	....	30,03,291	1,32,01,600
	Lahore	64,85,215	38,25,953	....	32,00,037	70,25,990
	Calicut	23,96,460	18,77,901	....	7,00,059	25,77,960
	Coconada	33,03,425	28,88,511	....	4,00,059	32,88,570
	Nagpore	15,18,985	14,37,663	....	7,47,902	21,85,565
	Kurrachee	17,16,540	6,70,799	....	12,00,106	18,70,905
	Akola	15,22,130	16,07,475	....	3,00,000	19,07,475
	TOTAL ..	11,53,81,220	5,83,45,389	96,303	5,69,39,528	11,53,81,220

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 5th August 1876.

No. 839 *of* 1876.—With reference to the provisions of the 165th Article of War (Act V of 1869), it is hereby announced that the Commander-in-Chief in India has, under the authority of the Governor General in Council, prescribed "Fines" as a minor punishment, which may be awarded to Hospital Assistants and others of the classes of the Native Subordinate Medical Department named in that article, on the commission of offences which are not of so serious a nature as to require trial by Court-martial, or dismissal from the service under the 4th Article of War.

Rules for the award of the minor punishment of "Fine."

Fine to any extent, not exceeding five days of the offender's pay, to be awarded by the Officer Commanding the Regiment, Detachment, or Depôt to which the offender is attached, on the report and requisition of the Medical Officer under whom he is serving.

A copy of the report and award is to be forwarded for the information of the Deputy Surgeon General of the circle.

Any fine so awarded, to be stopped from the offender's monthly pay next coming to him, and to be accounted for in the pay lists supported by a certified copy of the award by the Commanding Officer or Deputy Surgeon General, as a voucher for the deduction.

A record of all fines awarded under this order will be kept by the Medical Officer of the Regiment, Detachment, or Depôt, in which must be specified the name, class of the offender, the date and nature of the offence committed, the amount of fine, and by whom awarded.

In the event of the offender being subsequently transferred to any other appointment or duty, such record is to be transmitted to the Medical or other Officer under whom he is to be employed.

The 8th August 1876.

No. 840 *of* 1876.—*Appointment—*

Army Remount Department.

Veterinary Surgeon G. A. Oliphant, Officiating Veterinary Surgeon in charge of Reserve Remount Depôt, is confirmed in that appointment.

The 9th August 1876.

No. 841 *of* 1876.—The undermentioned candidates are admitted into the service as Native Medical pupils, with effect from the dates noted against their respective names :—

General No.	Names.	Date of passing the preliminary examination.	Date of passing the English qualification according to the new test.
1047	Jowahir Sing ...	15th April 1876.	15th April 1876.
	Goran Ditta ...	do	do
	Mohamad Ali ...	do	do
1050	Bromanund ...	do	do
	Golam Mustafa ...	do	do
	Devi Ditta ...	do	do
	Chundoo Lall ...	do	do
	Nehal Chand ...	do	do
1055	Ram Kishen ...	do	do
	Jamit Roy ...	do	
	Sham Lall ...	do	
	Sohail Singh ...	do	
	Ahmud Deen ...	do	
1060	Vulli Mohomed ...	do	
	Gholam Moheoden ...	do	
	Shah Deen ...	do	
	Davee Doss ...	do	
	Jehangeer Bux ...	do	15th April 1876.
1065	Sooltan Ahmud ...	do	do
	Jugat Singh ...	do	
	Hem Singh ...	do	15th April 1876.
	Gunga Ram ...	do	
	Myia Singh ...	do	
1070	Bishen Singh, 1st ...	do	
	Doonee Chund ...	do	
	Mehr Sing ...	do	
	Bishan Sing, 2nd ...	do	
	Meeran Buksh ...	do	
1075	Nanak Chand ...	do	
	Ram Kishen ...	do	
	Kooshial Sing ...	do	
	Gholam Mahomed ...	do	
	Mohomed Imran ...	do	15th April 1876.
1080	Pir Khan ...	do	
	Ram Singh ...	do	15th April 1876.
	Manooher Pershad ...	do	
	Muggar Sing ...	do	
	Atta Mohomed ...	do	
1085	Binjraj ...	do	
	Raheem Buksh ...	do	
	Ameer Allee ...	do	
	Deeoo Ram ...	do	
	Raja Ram, 1st ...	do	
1090	Girdhur Roy ...	do	
	Kaka Singh ...	do	
	Mohun Lall ...	do	
	Achroo Mull ...	do	
	Kurta Ram ...	do	
1095	Chunda Singh ...	do	
	Raja Ram, 2nd ...	do	
	Golam Gous ...	do	
	Abdoola ...	do	
	Jowala Parshad ...	15th May 1876.	
1100	Karim Baksh ...	do	
	Gopal Parshad ...	do	
	Gulam Nabi ...	do	
	Rahmat Ullah ...	do	
	Nur Khan ...	do	
1105	Amanullah ...	do	
	Latafut Kurreem ...	do	
	Abdool Hossain ...	do	
	Shaick Mohomed Ishuq ...	do	
	Shaikh Mohomed Shadick ...	do	
1110	Syed Johur Ali ...	do	15th May 1876.
	Shaick Ahmud Hossain ...	do	
	Shaick Abdool Aziz ...	do	
	Ramzun Ali ...	do	
	Mozhur Hossain ...	do	
1115	Shaick Altaff Hossain ...	do	
	Bhagwan Panday ...	15th May 1876.	15th May 1876.
	Shaick Kurreem Bux ...	do	
	Nazeer Uddin ...	do	
	Shaick Abdool Hafiz ...	do	
1120	Shaick Feda Hossain ...	do	
	Shoobsurn Lall ...	do	
	Mohomed Nayim Oollah ...	do	
	Shaick Bushrut Huq ...	do	
	Mohomed Hossain ...	do	
1125	Rohim Ooddeen ...	do	
	Shaick Amir Ali ...	do	
	Abdool Guffar ...	do	
	Shaikh Jafer Ali ...	do	
	Ather Ali Khan ...	do	
1130	Mohomed Uzim Ooddeen	do	
	Abdool Mujed Khan ...	do	
	Shaick Warish Ali ...	do	
	Tufazul Hossain ...	do	
	Syed Woolfut Hossain ...	do	
1135	Budroodeen ...	do	
	Jotadharee ...	do	
	Doomarum ...	do	
	Deoshurn ...	do	
	Suna ...	do	
1140	Masih Piyara ...	do	
	Mahaboob Ali ...	do	
	Kadir Bux ...	do	
	Ahmud Hossain ...	do	
	Mohomed Warish Ali ...	do	
1145	Subhan Bakhsh ...	do	
	Shekh Abdul Shakur ...	do	15th May 1876.
	Abdul Kadir ...	do	
	Kabil Ahmad ...	do	15th May 1876.
	Muhammad Usman ...	do	
1150	Beni Prashad ...	do	
	Muhammad Ashraf ...	do	
	Ashfuk Hussen ...	do	
	Birbal ...	do	
	Debi Prashad ...	do	
1155	Anant Prashad ...	do	
	Mahaber Prashad ...	do	
	Behari Lal ...	do	
	Sahai Ram Das ...	do	15th May 1876.
	Maha Narain ...	do	do.
1160	Sobha Ram ...	do	do.
	Ram Khelawan ...	do	
	Shekh Muhammad Jaffar ...	do	
	Shekh Karim Bakhsh ...	do	
	Ram Jatan Lal ...	do	
1165	Mir Akbar Ali ...	do	
	Lal Khan ...	do	
	Rahim Beg ...	do	
	Mohun Lall ...	do	
	Ram Churn ...	do	
1170	Doorga Pershaud ...	do	
	Mohomed Wajid UlleeKhan	do	
	Elahi Bux ...	do	
	Ram lal ...	do	
	Kania Lall ...	do	
1175	Mahmed Beig ...	do	
	Gourie Churn ...	do	
	Sheikh Abdoollah ...	do	
	Kummoo Khan, D* ...	do	
	Tufuzul Hossein ...	do	
1180	Mohomed Hossein ...	do	
	Abdool Ruheem ...	do	
	Gunga Sahoy ...	do	
	Sheikh Mahomed Buksh ...	do	
	Ram Churn ...	do	
1185	Desraj ...	do	
	Rajcoomar Panday ...	do	
	A. Rungiah ...	do	15th May 1876.

* Dresser.

General No.	Names.	Date of passing the preliminary examination.	Date of passing the English qualification according to the new test.
	Narrain Vittal ...	15th May 1876.	15th May 1876.
	Hari Govind ...	do	do
1190	Chintamah Gujaband ...	do	do
	Kanniappen ...	do	
	Mahomed Curreem Oollah	do	15th May 1876.
	Mathapersad ...	do	do
	Poonnoo Sawmy ...	do	
1195	Gobind Anunt ...	do	15th May 1876.
	Khooda Bux ...	do	
	Abdool Rymon Khan ...	do	
	Syed Hemed ...	do	
	Gopaul Sheshadri ...	do	
1200	Bhoorhameddeen ...	do	
	Mahomed Ameer ...	do	
	Ramessur Persad ...	do	
	Ramjee Lall ...	do	
	Lutchmi Narayan ...	do	15th May 1876.
1205	Munbir Singh ...	do	
	Dwarika Nath ...	do	
	Oodai Singh ...	do	15th May 1876.
	Santabir Thappah ...	do	
	Moula Buksh ...	do	
1210	Mynoodeen ...	do	15th May 1876.
	Abdul Kadir ...	do	
	Narain Dutt ...	do	
	Bindrabun ...	do	
	Soorujbullee ...	do	
1215	Kasheedeen ...	do	15th May 1876.
	Bulbhudder Pershad ...	do	
	Juggunnath Pershad ...	do	
	Hurdyal ...	do	
	Ram Charitra ...	do	
1220	Abdool Suttar Khan ...	do	
	Yakoob Khan ...	do	
	Ramghoolam ...	15th May 1876.	15th May 1876.
	Naseerooddeen Khan ...	do	
	Gopal Singh ...	do	
1225	Abdool Guffar Khan ...	do	
	Purbhoo Singh ...	do	
	Mahabullee Pershad ...	do	
	Meeajan Khan ...	do	15th May 1876.
	Zamin Ali ...	do	
1230	Buldeo Sahai ...	do	
	Vassee Oollah ...	do	15th May 1876.
	Abool Hossein ...	do	
	Villait Hossein ...	do	15th May 1876.
	Abdullah ...	do	
1235	Babu ram ...	do	
	Padum Nath ...	do	
	Ruttun lall ...	do	15th May 1876.
	Mohamed Yousif ...	do	
	Futteh Mohamed ...	do	15th May 1876.
1240	Chotey lall ...	do	do.
	Mohamed Kareem Oollah	do	
	Cheddhoo Singh ...	do	
	Ram Dyal ...	do	
	Goor Sahoy ...	do	
1245	Bakur Hossein Khan ...	do	
	Kumar Ooddeen ...	do	
	Ameer Ally Khan ...	do	
	Nazeer Khan ...	do	15th May 1876.
	Abdool Rohim ...	do	
1250	Dal Chund ...	do	15th May 1876.
	Hur Kishun Lall ...	do	
	Abdool Razack Khan, D*	17th May 1876.	
1253	Buctowar Khan, D* ...	do	

* Dresser.

No. 842 *of* 1876.—Private Matthew Gallagher, late 85th Foot, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension of one shilling and three pence per diem in India, from the date he ceases to receive regimental pay, chargeable to imperial revenue.

No. 843 *of* 1876.—The undermentioned Native Medical Pupils of the Agra Medical School, who have passed their final examination, are promoted to the grade of Passed Medical Pupils, with effect from the 14th July 1876, and placed at the disposal of the Surgeon General, Indian Medical Service :—

Muhammud Moyeen-ood-deen.

Rama Anund.

No. 844 *of* 1876.—Puckallie Khoda Bux, C. Battery, 11th Brigade, Royal Artillery, is granted an invalid pension of Rs. 3 per mensem, from the date of his discharge, payable in the Presidency Circle.

No. 845 *of* 1876.—Muthooria, widow of Subadar Luchman Gossain, 41st (The Gwalior) Regiment of Native Infantry, is admitted to the 3rd Class Order of Merit pension, *viz.*, Rs. 3 per mensem for three years from the 6th September 1875, payable in the North-Western Provinces Circle.

No. 846 *of* 1876.—The following order issued by the Resident at Hyderabad, is confirmed :—

No. 204, *dated the 13th July* 1876.—Granting Surgeon J. F. Sargent, Madras Medical Department, in medical charge, 5th Infantry, Hyderabad Contingent, leave of absence to Bombay for thirty days preparatory to proceeding on furlough to Europe on private affairs.

No. 847 *of* 1876.—The undermentioned Officer has reported his return from England :—

Lieutenant C. C. C. Barlow, Royal Engineers, Assistant Engineer, 1st Grade, Public Works Department,—date of arrival at Bombay, 27th July 1876.

No. 848 *of* 1876.—The following extract from the *London Gazette* of the 4th July 1876, page 3820, is published for general information :—

INDIA OFFICE,
The 3rd July 1876.

Her Majesty has been pleased to approve of the transfer to the half-pay list of the undermentioned Officer :—

Lieutenant Edward Chetwood Hamilton, Bengal Staff Corps. Dated 27th June 1876.

No. 849 *of* 1876.—The undermentioned Hospital Assistants passed their English qualification examination according to the test laid down in G. G. O. No. 945 of 1868, on the dates specified against their respective names :—

Names.	Date of rank.	Date of passing the examination in English according to the new test.
1st Class Hospital Assistant.		
Shaik Jaun Allie ...	7th April 1849	30th June 1876.
2nd Class Hospital Assistant.		
Ram Chund ...	21st April 1866	6th June 1876.
3rd Class Hospital Assistants.		
Mahomed Jan Ally ...	22nd April 1871	15th April 1876.
Golam Moheeooddeen ...	„ „	1st June 1876.
Hashim Alli ...	1st May 1872	31st May „
Mungul Beer Sing ...	29th April 1873	15th April „
Gunda Mul ...	1st May 1873	„ „
Shekh Nizamooddeen ...	14th April 1876	17th „ „
Alexander ...	21st Feb. 1876	6th „ „

No. 850 *of* 1876.—The undermentioned Native Medical Subordinates passed the prescribed English qualification examination, on the dates specified, according to the test laid down in G. G. O. No. 945 of 1868 :—

Native Medical Pupil Mukana Singh, No. 925,—6th May 1876.

Passed Medical Pupil Hoosain Bux,—6th June 1876.

No. 851 *of* 1876.—Subadar Surnam Sing, "Bahadoor," 37th (The Meerut) Regiment of Native Infantry, is transferred to the pension establishment on the increased pension of his rank for service exceeding forty years, *viz.*, Rs. 40 per mensem, payable in the North-Western Provinces Circle.

The 11th August 1876.

No. 852 *of* 1876.—It is hereby notified that Clause 63 of Army Circulars, 1st May 1876, is made applicable to India :—

LONG-BUTT AND SHORT-BUTT ARMS.

Clause 63.—In the issues of Martini-Henry rifles to the Land and Sea Services, the following proportions of Long-Butt and Short-Butt arms will be observed, *viz.* :—

Land Service (except in the case of the Battalions of Foot Guards, which will be supplied exclusively with Long-Butt rifles).	⅔ Long-Butt. ⅓ Short-Butt.
Sea Service	⅓ Long-Butt. ⅔ Short-Butt.

No. 853 *of* 1876.—The following direct appointment of a Native gentleman is made :—

Secunder Khan, to be Jemadar on probation, in the 11th (Prince of Wales' Own) Bengal Lancers, *vice* Esur Singh, invalided, with effect from date of joining the appointment.

No. 854 *of* 1876.—With reference to G. G. O. No. 747 of 1875, the following additions are to be made at page 7, column 4, of the Artillery Equipment Table therein referred to, under the general heading "Tools, Artificers" :—

Hammers, handled, turning, farriers ...	2
Files, bastard, half-round, 10 inch ...	1
Files, warding, 3½ inch ...	1

No. 855 *of* 1876.—Native Medical Pupil Nadir Hossein, No. 961, is struck off the strength of the army from the 1st June 1876.

Admitted by G. G. O. No. 1046 of 1875.

No. 856 *of* 1876.—The undermentionod Officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant George Edward Money, 16th Lancers, 1st Squadron Subaltern, 1st Regiment, Central India Horse,—12th March 1875.

No. 857 *of* 1876.—It is hereby announced that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned Officer with effect from the 27th December 1875, in room of Lieutenant-General R. R. Younghusband, C.B, Bombay Staff Corps, succeeded to the Colonel's allowance :—

DEPUTY SURGEON-GENERAL DAVID WYLLIE, M.D.,
Bombay Medical Establishment.

Served in medical charge, 19th Regiment of Native Infantry, with the Bombay Column, Army of the Punjab in 1848-49; at the siege and surrender of Mooltan; battle of Goojerat and pursuit and surrender of the Sikh Army (medal and two clasps); as Staff Surgeon and Deputy Medical Storekeeper at the siege and capture by assault of Kotah on the 30th March 1858, and in pursuit of the Gwalior rebel army from June to September 1858; present at the action of Sanganeer on the 8th, and at the battle of Bunass on the 14th August 1858 (medal and clasp). Served with the Abyssinian Expeditionary Force as Field Surgeon, 1st Division; present at the capture of Magdala (medal).

Assistant Surgeon, 1st January 1844.
Surgeon, 8th June 1861.
Surgeon-Major, 1st January 1864.
Deputy Surgeon-General, 1st November 1874.

No. 858 *of* 1876.—With reference to G. G. Os. noted in the margin, it is notified that on and after the 1st April 1877, "Captain Jarrett's translation of Marshman's History of India, Hindu Period," will be the test book for the Lower Standard examination, in substitution of the *Baital Pachesi*.

No. 979 of 1864.
No. 237 of 1869.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 5th August 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned Commissioned Officer, on the date specified, was received in the Military Department from 16th July to 4th August 1876 :—

Corps.	RANK AND NAME.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Bengal Staff Corps...	Captain E. L. Stehelin ...	30th July 1876	Delhi.		

Statement of Deposits on account of Estates from 23rd July to 4th August 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. a. p.		
Robert John Scott, M.B. (a)	Surgeon ...	62nd Foot ..	19th May 1876.	No Will found	916 15 7	.....	4th October 1876.
Indian Military Service.							
George Francis Blowers (b)	Captain ...	Bombay Staff Corps.	31st May 1876.	Intestate ...	2,424 14 7		

(a) Next-of-kin.—Father, Reverend W. Scott.
Lissonally, Omagh, Ireland.
(b) *Children.*—Violet Harriet Caroline.
Rose Harriet Georgina.
Newly Lodge, Falsgrave, Scarborough, England.
Father.—William Blowers, Esq.
Goniston House, Mortimer Road, Kilburn, London.
Brothers.—Lieutenant-Colonel W. H. Blowers, 20th Bombay Native Infantry, Bombay.
Captain C. E. Blowers, 10th Bombay Native Infantry, Mehidpore, Central India.
Estate transferred to Secretary to Government of Bombay, Military Department.

ALLEN JOHNSON, *Colonel*,
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 5th August 1876.

No. 351.—The permanent appointment to the Public Works Department of the following Upper Subordinates has effect from the dates specified :—

Sub-Engineers 1st Grade.

Mr. W. Batt, 12th January 1874.
„ J. Durrand, 15th December 1873.

Sub-Engineers 3rd Grade.

Mr. J. T. Browning, 4th June 1872.
„ W. Hutton, 11th July 1872.
„ P. C. Gilbooly, 10th December 1869.
„ J. E. Howe, 13th March 1872.

Supervisors 1st Grade.

Mr. [illegible] Mackenzie, 13th February 1873.
Mr. [illegible] Cousin, 22nd April 1872.
Mr. [illegible] Hamilton, 4th April 1874.
Mr. [illegible] Kirby, 23rd June 1872.

Supervisors 2nd Grade.

Mr. W. Handy, 26th July 1873.
„ W. H. Fensome, 4th June 1869.
„ J. W. Goodsir, 13th October 1872.
„ C. Kinnear, 8th June 1872.
„ E. Corcoran, 8th August 1873.

Overseers 1st Grade.

Mr. T. Reid, 1st November 1872.
„ Gunput Rao, 16th December 1873.
„ J. T. Jackson, 14th January 1874.
„ A. Joseph, 18th December 1873.
„ R. G. Barrett, 9th June 1873.

No. 352.—The following promotions are made in the Upper Subordinate Establishment of the Military Works Branch, with effect from the dates specified. This supersedes Public Works Department Notification No. 234 of 18th May 1876 :—

Name.	Present grade.		Grade to which promoted.		With effect from	Nature of promotion.	
Mr. M. Pughman ...	Supervisor	2nd	Supervisor	1st	1st Sept. 1875	Temporary	*Vice* Sergeant Chalmers, promoted to Temporary Sub-Engineer.
Anundrao Luximon, Rai Bahadoor ...	Overseer	1st	Ditto	2nd	Ditto ...	Ditto.	
Nundoo Singh ...	Ditto	2nd	Overseer	1st	Ditto ...	Ditto.	
Conductor J. Walsh ...	Supervisor	1st	Sub-Engineer	2nd	11th Sept. 1875	Permanent	*Vice* Mr. Hurst, Sub-Engineer 2nd grade, retired.
Sub.-Condr. J. Ryan ...	Ditto	1st	Ditto	3rd	Ditto ...	Ditto.	
Mr. M. Pughman ...	Temporary Supervisor.	1st	Supervisor	1st	Ditto ...	Ditto.	
„ W. Sinclair ...	Supervisor	2nd	Ditto	1st	Ditto ...	Temporary.	
Sergeant Beevers ...	Temporary Supervisor.	2nd	Ditto	2nd	Ditto ...	Permanent.	
Sub-Condr. J. H. O'Farrell	Overseer	1st	Ditto	2nd	Ditto ...	Temporary.	
Mata Pershad ...	Temporary Overseer.	1st	Overseer	1st	Ditto ...	Permanent.	
Shib Chunder Mookerjee ...	Overseer	2nd	Ditto	1st	Ditto ...	Temporary.	
Parmessur Dass ...	Ditto	3rd	Ditto	2nd	Ditto ...	Permanent.	
Anundrao Luximon, Rai Bahadoor.	Temporary Supervisor.	2nd	Supervisor	2nd	20th Oct. 1875	Ditto ...	*Vice* Mr. Mackenzie, promoted to Assistant Engineer.
Sergeant M. Heenan ...	Overseer	1st	Ditto	2nd	Ditto ...	Temporary.	
Nundoo Singh ...	Temporary Overseer.	1st	Overseer	1st	Ditto ...	Permanent.	
Jowahir Lall ...	Overseer	2nd	Ditto	1st	Ditto ...	Temporary.	
Conductor J. Walsh ...	Sub-Engineer	2nd	Sub-Engineer	1st	28th Oct. 1875	Permanent	*Vice* Mr. Whayman, Sub-Engineer 1st grade, deceased.
Sub.-Condr. J. Ryan ...	Ditto	3rd	Ditto	2nd	Ditto ...	Ditto.	
„ J. H. Quilter...	Supervisor	1st	Ditto	3rd	Ditto ...	Ditto.	
Mr. W. Sinclair ...	Temporary Supervisor.	1st	Supervisor	1st	Ditto ...	Ditto.	
„ W. Philips ...	Supervisor	2nd	Ditto	1st	Ditto ...	Temporary.	
Sub.-Condr. O'Farrell ...	Temporary Supervisor.	2nd	Ditto	2nd	Ditto ...	Permanent.	
Sergeant J. McCarthy ...	Overseer.	1st	Ditto	2nd	Ditto ...	Temporary.	
Shib Chunder Mookerjee ...	Temporary Overseer.	1st	Overseer	1st	Ditto ...	Permanent.	
Madud Hossein ...	Overseer.	2nd	Ditto	1st	Ditto ...	Temporary.	
Sergeant M. Heenan ...	Temporary Supervisor.	2nd	Supervisor	2nd	19th Jan. 1876	Permanent	*Vice* Mr. Wood, Supervisor 2nd grade, deceased.
„ W. Hill ...	Overseer	1st	Ditto	2nd	Ditto ...	Temporary.	
Jowahir Lall ...	Temporary Overseer.	1st	Overseer	1st	Ditto ...	Permanent.	
Gooroodoss Chatterjee ...	Overseer	2nd	Ditto	1st	Ditto ...	Temporary.	
Madud Hossein ...	Temporary Overseer.	1st	Ditto	1st	26th Feb. 1876	Permanent	*Vice* Shib Chunder Mookerjee, Overseer 1st grade, deceased.
Mr. A. Pascanah ...	Overseer	2nd	Ditto	1st	Ditto ...	Temporary.	
„ J. Southon ...	Supervisor	1st	Sub-Engineer	3rd	15th Mar. 1876	Permanent	*Vice* Mr. Wheeler, Sub-Engineer 3rd grade, invalided.
Sergt.-Major J. H. Radcliffe	Ditto	1st	Ditto	3rd	Ditto ...	Ditto.	
Mr. W. Philips ...	Temporary Supervisor.	1st	Supervisor	1st	Ditto ...	Ditto.	
„ W. Gatehouse ...	Supervisor	2nd	Ditto	1st	Ditto ...	Ditto.	
Kedarnath Sen ...	Ditto	2nd	Ditto	1st	Ditto ...	Temporary.	
Sergeant R. Chalmers ...	Temporary Sub-Engineer.	3rd	Sub-Engineer	3rd	16th May 1876	Permanent	*Vice* Mr. Rivett, Sub-Engineer 3rd grade, resigned.
Kadernath Sen ...	Temporary Supervisor.	1st	Supervisor	1st	Ditto ...	Ditto	
Sub-Condr. A. Forsyth ...	Supervisor	2nd	Ditto	1st	Ditto ...	Temporary.	
Sergeant J. McCarthy ...	Temporary Supervisor.	2nd	Ditto	2nd	Ditto ...	Permanent.	
Jodonath Chowdry ...	Overseer	1st	Ditto	2nd	Ditto ...	Temporary.	
Gooroodoss Chatterjee ...	Temporary Overseer.	1st	Overseer	1st	Ditto ...	Permanent.	
Shumbo Chunder Paul ...	Overseer	2nd	Ditto	1st	Ditto ...	Temporary.	

No. 353.—Lieutenant R. M. Hyslop, R. E., Assistant Engineer 1st Grade, and temporary Executive Engineer 4th Grade, North-Western Provinces Irrigation, is transferred to the Military Works Branch.

The 7th August 1876.

No. 355.—Babu Nobin Chunder Roy, Deputy Examiner (temporary rank) in the North-Western Provinces, is appointed Pay Master of the Rajputana State Railway with the rank and pay of an Assistant Examiner 1st Grade.

No. 356.—Mr. J. M. Salmond, temporary Assistant Engineer 2nd Grade, Rangoon and Irrawaddy Valley State Railway, is permanently appointed to the Public Works Department with effect from 21st July 1875.

The 11th August 1876.

No. 357.—Major J. Birney, R. E, Executive Engineer 1st Grade, Military Works Branch, is temporarily promoted to Superintending Engineer 3rd Grade, with effect from 10th July 1876, *vice* Major Falconnet, R.E, on furlough, and appointed as a temporary arrangement to the charge of the 7th Circle of Military Works in addition to his own duties.

TELEGRAPH.

The 5th August 1876.

No. 354.—Mr. G. W. Sealy, Assistant Superintendent, Persian Gulf Telegraph, officiated as Superintendent from 25th February to 26th March 1876, *vice* Mr. Possmann, on leave.

C. H. DICKENS, *Col., R. A.,*

Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 34. SIMLA, SATURDAY, AUGUST 19, 1876. Register No. 33.

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

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SUPPLEMENT No. 36.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 15th August 1876.

No. 17.—Whereas by a Resolution passed by the Secretary of State for India in Council on the fifth day of October 1871, the provisions of the thirty-third of Victoria, Chapter three, section one, were declared applicable to the Hill District of Arakan;

and whereas the Chief Commissioner of British Burma has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

and whereas the Governor General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor General's assent:

in pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India*:—

REGULATION No. V OF 1876.

A Regulation to amend the Arakan Hills Civil Justice Regulation, 1874.

Preamble.

Whereas doubts have been raised as to the jurisdiction of the Deputy Commissioner of the Hill District of Arakan to try civil suits originally instituted in his own Court: For the purpose of precluding such doubts, it is hereby enacted as follows:—

Short title.

1. This Regulation may be called "The Arakan Hills Civil Justice Amendment Regulation, 1876:"

This Regulation to be read with the Arakan Hills Civil Justice Regulation, 1874.

And it shall be read with, and taken as part of, "The Arakan Hills Civil Justice Regulation, 1874."

Original civil jurisdiction of Deputy Commissioner of Hill District of Arakan.

2. The Deputy Commissioner of the Hill District of Arakan shall have, and shall be deemed from the sixth day of March 1875 (being the date on which the said Arakan Hills Civil Justice Regulation, 1874, came into force) to have had, jurisdiction to entertain and try all civil suits originally instituted in his own Court.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATION.—ESTABLISHMENTS.

Simla, the 18th August 1876.

No. 542.—*Appointments.*—Major C. W. Street, Deputy Commissioner of the 2nd Grade and Officiating Secretary to the Chief Commissioner of British Burma, to be Deputy Commissioner of the 1st Grade (seconded), with effect from the 24th June last *vice* Major M. B. S. Lloyd, deceased:

Lieutenant-Colonel A. R. McMahon, Deputy Commissioner of the 2nd Grade, to officiate as Deputy Commissioner of the 1st Grade *vice* Major Street, seconded:

Major W. C. Plant, Deputy Commissioner of the 3rd Grade, to be Deputy Commissioner of the 2nd Grade *vice* Major Street:

Mr. J. K. Macrae, Town Magistrate of the 1st Grade, to be Deputy Commissioner of the 3rd Grade *vice* Major Plant:

Captain M. Furlong, Town Magistrate of the 2nd Grade, to be Town Magistrate of the 1st Grade *vice* Mr. Macrae:

Mr. C. J. A. Duke, Assistant Commissioner of the 2nd Grade, to be Town Magistrate of the 2nd Grade *vice* Captain Furlong:

Lieutenant J. Butler, Assistant Commissioner of the 3rd Grade, to be Assistant Commissioner of the 2nd Grade *vice* Mr. Duke:

Captain G. Alexander, Assistant Commissioner of the 4th Grade, to be Assistant Commissioner of the 3rd Grade *vice* Lieutenant Butler:

Mr. Lewis Gordon, Supernumerary Assistant Commissioner, to be Assistant Commissioner of the 4th Grade *vice* Captain Alexander.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Simla, the 15th August 1876.

No. 763.—With the consent of the Government of the North-Western Provinces, Mr. C. W. Palmer, Sub-Assistant Conservator of Forests in those Provinces, is transferred to British Burma.

Mr. Palmer reported his arrival at Rangoon on the forenoon of the 26th May last.

CUSTOMS AND SALT.

The 16th August 1876.

No. 200.—Mr. W. S. Halsey, Inspector General of Registration and Commissioner of Excise and Stamps, North-Western Provinces, is appointed to officiate as Commissioner of Inland Customs during the absence of Mr. G. H. M. Batten on privilege leave, or until further orders.

Mr. Batten and Mr. Halsey respectively made over and received charge of the office of Commissioner of Inland Customs on the afternoon of the 28th ultimo.

COMMERCE AND TRADE.

The 18th August 1876.

No. 463.—The Governor General in Council is pleased to direct the publication of the following Order issued by Her Majesty the Queen in Council:—

AT THE COURT AT WINDSOR,

The 27th day of June 1876.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the Merchant Shipping (Colonial) Act, 1869, it is (among other things) enacted, that where the Legislature of any British possession provides for the examination of and grant of certificates of competency to persons intending to act as masters, mates, or engineers on board British ships, and the Board of Trade reports to Her Majesty that they are satisfied that the examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons, and in the like manner, it shall be lawful for Her Majesty, by Order in Council—

(1) to declare that the said certificates shall be of the same force as if they had been granted under the said Acts:

(2) to declare that all or any of the provisions of the said Acts which relate to certificates of competency granted under those Acts shall apply to the certificates referred to in the said Order:

(3) to impose such conditions and to make such regulations with respect to the said certificates, and to the use, issue, delivery, cancellation, and suspension thereof, as to Her Majesty may seem fit, and to impose penalties, not exceeding fifty pounds, for the breach of such conditions and regulations

And that upon the publication in the *London Gazette* of any such Order in Council as last aforesaid, the provisions therein contained shall, from a date to be mentioned for the purpose in such Order, take effect as if they had been contained in the Act, and that it shall be lawful for Her Majesty in Council to revoke any Order made as aforesaid.

And whereas the Governor General of India in Council has by an Act, entitled "An Act for the Amendment of the Law relating to Merchant Seamen, No. 1 of 1859," and the Lieutenant-Governor of Bengal in Council has by an Act, entitled "The Steam Boat Survey Amendment Act of 1868," provided for the examination of and grant of certificates of competency for foreign ships to persons intending to act as masters, mates, or engineers on board British ships, which certificates are hereinafter denominated Colonial Certificates of Competency, and the Board of Trade have reported to Her Majesty that they are satisfied that the said examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons and in the like manner:

Now, therefore, Her Majesty, in exercise of the powers vested in Her by the said first recited Act by and with the advice and consent of Her Privy Council, is pleased—

(1) to declare that the said Colonial Certificates of Competency granted by the Lieutenant-Governor of the said British possession of Bengal shall be of the same force as if they had been granted under the said Acts:

(2) to declare that all the provisions of the said Acts which relate to certificates of competency for the Foreign Trade granted under those Acts, except so much of the 139th section of the Merchant Shipping Act, 1854, and the 10th section of the Merchant Shipping Amendment Act, 1862, as requires the delivery by the Board of Trade to any master, mate, or engineer of a copy of any certificate to which he appears to be entitled as therein mentioned, so much of the third paragraph of the 23rd section of the said last-mentioned Act as requires at the conclusion of a case relating to the cancelling or suspending of a certificate, such certificate, if cancelled or suspended, to be forwarded to the Board of Trade, and the whole of the provisions of the fourth paragraph of the same section shall apply to such Colonial Certificates of Competency:

(3) to impose and make the conditions and regulations following, numbered 1 to 10 respectively, with respect to the said Colonial Certificates of Competency, and to the use, issue, delivery, cancellation, and suspension thereof, and to impose for the breach of such conditions and regulations the penalties therein mentioned:—

Form of Certificate.

1. Every such Colonial Certificate of Competency shall be on parchment and as nearly as possible similar in shape and form to the corresponding Certificate of Competency for the Foreign Trade granted by the Board of Trade under the Acts relating to Merchant Shipping.

Name of possession to be inserted.

2. Every such Colonial Certificate of Competency shall have the name of the said possession of Bengal inserted prominently on its face and back.

Certificates to be numbered consecutively.

3. Such Colonial Certificates of Competency shall be numbered in consecutive order.

Lists of Certificates granted, cancelled, &c., to be sent to Registrar General of Seamen.

4. The Government of the said possession shall furnish the Registrar General of Seamen in London from time to time with accurate lists of all such Colonial Certificates of Competency as may be granted by the Lieutenant-Governor of the said possession as aforesaid, or as may for any cause whatsoever be cancelled, suspended, renewed, or re-issued, and shall also furnish him with duplicates of the applications for examination made by the persons to whom such certificates are granted.

Three years' domicile or service necessary.

5. Such Colonial Certificates of Competency shall be granted only to any person who, for a period of three years immediately preceding his application for such Colonial Certificate, or for several periods amounting together to three years, the earliest of which shall have commenced within five years prior to such application, has been domiciled in or has served in a ship or ships registered in any part of Her Majesty's Indian dominions.

Certificates of Competency granted contrary to this regulation shall be regarded as improperly granted.

Certificates not to be granted when former are cancelled.

6. Such Colonial Certificates of Competency shall not be granted to any person who may have had a certificate, whether granted by the Board of Trade or by the Government of a British possession, cancelled or suspended under the provisions of the said Acts or of any Act for the time being in force in any part of Her Majesty's dominions, unless the period of suspension has expired, or unless intimation has been received from the Board of Trade, or the Government by whom the cancelled or suspended certificate was originally granted, to the effect that no objection to the grant of such Colonial

Certificate is known to exist, or unless a new certificate has been granted to him by such Board or Government; and in the last-named event no such Colonial Certificate of Competency shall be for a higher grade than the certificate so last granted as aforesaid.

Colonial Certificates of Competency granted contrary to this regulation shall be regarded as improperly granted.

Certificates improperly granted may be cancelled without formal investigation.

7. Any such Colonial Certificate of Competency which appears from information subsequently acquired, or otherwise, to have been improperly granted, whether in the above or in any other respect, may be cancelled by the Lieutenant-Governor of the said possession, or by the Board of Trade in the United Kingdom, without any formal investigation, under "The Merchant Shipping Act, 1854," and the holder of such certificate shall thereupon deliver it to the Board of Trade or the Lieutenant-Governor of the said possession, or as they or either of them may direct, and in default thereof shall incur a penalty not exceeding fifty pounds in the United Kingdom, or five hundred rupees in India, which shall be recoverable in the same manner as penalties imposed by the Acts relating to Merchant Shipping are thereby made recoverable.

Cancellation, &c., of a Certificate shall involve cancellation of all the other Certificates possessed by its Owner.

8. Every decision with respect to the cancellation or suspension of a Certificate pronounced by any Board, Naval or other Court, or tribunal under the provisions of the said Acts, shall extend equally to all the Colonial Certificates at the time possessed by the person in respect of whom the decision is made, as well as to all certificates granted to him under any of the Acts relating to Merchant Shipping, and whether such certificates be specified in such decision or not.

Certificates believed to be fraudulent may be demanded.

9. Any officer of the Board of Trade, or the Registrar General of Seamen, or any of his officers or a superintendent of a mercantile marine office, or a consular officer, or duly appointed shipping officer in a British possession, may demand the delivery to him of any such Colonial Certificate of Competency which he has reason to believe has been improperly issued, or is forged, altered, cancelled, or suspended, or to which the person using it is not justly entitled, and may detain such certificate for a reasonable period for the purpose of making inquiries respecting such issue, forgery, alteration, cancellation, suspension, or possession, and any person who, without reasonable cause, neglects or refuses to comply with such demand shall incur a penalty not exceeding twenty pounds, or two hundred rupees, which shall be recoverable in the same manner as penalties imposed by the Acts relating to Merchant Shipping are thereby made recoverable.

Suspended Certificates to be re-issued only by Colony by which originally granted.

10. Any such Colonial Certificate of Competency which has from any cause been cancelled or suspended, whether by a tribunal in Bengal, or elsewhere, shall be renewed or re-issued only by the Lieutenant-Governor of Bengal.

This Order shall take effect in the said Possession of Bengal from and after the date hereof.

C. L. PEEL.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 16th August 1876.

No. 87*J.*—In supersession of Rule No. 5 of the Rules under Act XI of 1872 (the Foreign Jurisdiction and Extradition Act, 1872), published by Notification of this Department, No. 31J., dated 12th March 1875, the Governor General in Council is pleased to prescribe the following:—

"If the person surrendered under the warrant of a Political Agent, issued under Section 11, be not a British subject; or if, such person being a British subject, the Courts of the State, either by custom or by the express recognition of the Governor General in Council, try Native British subjects surrendered to them by extradition, and the Political Agent after hearing the statement, if any, of the accused, and making such further enquiry as he may deem necessary is still satisfied that there is a *primâ facie* case against the accused, and that the charge is not prompted by political motives, the Political Agent shall make over the accused to be tried by the ordinary Courts of the State in which the offence was committed; provided that the Courts of the State have, by custom or recognition as aforesaid, power to inflict the punishment which may be inflicted under the Indian Penal Code for the offence with which the accused person is charged."

POLITICAL.

The 16th August 1876.

No. 1863*P.*—With reference to Notification No. 1419P., dated 13th June 1876, the recognition by the Government of India of the appointment of Mr. James Woodtli as Acting Consul for Germany at Aden, during the absence of Mr. W. Ganslandt, has been confirmed by Her Majesty's Government.

GENERAL.

The 14th August 1876.

No. 1765*G.*—The following Station orders, Nos. 71 and 72, dated 29th June 1876, issued by Colonel H. L. Campbell, Commanding at Deolee, are confirmed:

Surgeon-Major F. W. A. DeFabeck, Deolee Irregular Force, is temporarily detached with effect from the 19th June to the 5th July 1876, on special duty.

During the absence of Surgeon-Major De Fabeck, Surgeon-Major R. Mantell, 9th Bengal Cavalry, to take over medical charge of the Deolee Irregular Force.

No. 1769*G.*—*Leave.*—Mr. A. C. Lyall, C. S., Officiating Agent to the Governor General for Rajpootana, is permitted to proceed to England on duty for six months with effect from the date on which he may relinquish charge of his office as Officiating Agent to the Governor General.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.

EXPENDITURE—(ADMINISTRATION).

Simla, the 18th August 1876.

No. 2247.—The following Resolution is published for general information:—

Read again—

Expenditure Proceedings, July 1871, Nos. 83 to 84, regarding the formation of the Department of Revenue, Agriculture and Commerce.

RESOLUTION.—The Governor General in Council is pleased to direct that the Sea Customs Revenue shall henceforth be administered in the Department of Revenue, Agriculture and Commerce of the Government of India. It is a standing rule that no measure intended to cause any increase or decrease of any item of public revenue shall be considered otherwise than in consultation with the Financial Department, and this rule will apply especially to duties of Sea Customs; but all communications relating to Sea Customs should, in future, be addressed to the Government of India in the Department of Revenue, Agriculture and Commerce.

LEAVE AND ALLOWANCES.

The 18th August 1876.

No. 2307.—The Governor General in Council directs that the word "Assam" be inserted after the words "British Burma" in Rule 1 under Section 10 (*a*) of the Civil Leave Code.

PAY AND ALLOWANCES.

The 18th August 1876.

No. 2206.—The Governor General in Council directs the addition of the following paragraph to Rule (*b*) under Section 37 of the Acting Allowance Code:—

If the Civil Surgeon retains visiting charge of the station, the Assistant Surgeon is entitled to half these allowances.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 14th August 1876.

No. 859 *of* 1876.—In continuation of G. G. O. No. 810, dated the 1st August 1876, the undermentioned Officer is permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876:—

No.	RANK AND NAME.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
[illegible]	Lieutenant-Colonel (Brevet Colonel) William Paske.	Staff Corps	365 0 0	324 4 0	.....	14th August 1876.	England.

The 15th August 1876.

No. 860 *of* 1876.—The undermentioned Officer of the Bengal Staff Corps, having completed 20 years' service, is promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Archibald Lewis Playfair,—5th August 1876.

No. 861 *of* 1876.—The undermentioned Officers having completed twelve years' service, including four years in the Staff Corps, are promoted to the

rank of Captain from the dates specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Bengal Staff Corps.

Lieutenant Thomas James Bailey,—5th August 1876.

Lieutenant Stannus Verner Gordon,—9th August 1876.

No. 862 *of* 1876.—Marriah, widow of Muttra, Sirdar attached to No. 2 Battery, Oudh Irregular Force, is admitted to the 3rd Class Order of Merit pension, *viz.*, Re. 1-12-0 per mensem, for three years from the 3rd February 1875, payable in the North-Western Provinces Circle.

No. 863 *of* 1876.—Sepoy Alladia, 26th (Punjab) Regiment of Native Infantry, is granted a pension of Rs. 4 per mensem, from the date of his discharge, payable in the Punjab Circle.

No. 864 *of* 1876.—The undermentioned Officers have reported their departure on the dates specified :—

Major-General R. Maclagan, Royal Engineers, G. G. O. No. 156 of 1876,—20th March 1876.

Lieutenant-Colonel (Brevet Colonel) F. R. Maunsell, C. B., Royal Engineers (Honorary Aide-de-Camp to the Governor General), G. G. O. No. 655 of 1876,—*Australia*, 1st June 1876, from Bombay.

Lieutenant-Colonel (Brevet Colonel) T. G. Kennedy, Bengal Staff Corps, G. G. O. No. 499 of 1876,—*Gwalior*, 2nd June 1876, from Bombay.

Major J. B. Smith, Bengal Staff Corps, G. G. O. No. 790 of 1876,—*Orion*, 20th July 1876, from Calcutta.

Captain A. Conolly, Bengal Staff Corps, G. G. O. No. 1320 of 1875,—*Cathay*, 20th December 1875, from Bombay.

Captain F. H. B. Marsh, General List, Infantry, G. G. O. No. 322 of 1876,—*Tebe*, 25th June 1876, from Bombay.

Captain H. C. Marsh, Bengal Staff Corps, G. G. O. No. 410 of 1876,—*Tebe*, 25th June 1876, from Bombay.

Captain C. W. Campbell, General List, Cavalry, G. G. O. No. 143 of 1876,—*Poona*, 27th March 1876, from Madras.

Surgeon-Major T. G. Skardon, Medical Department, G. G. O. No. 572 of 1876,—*Travencore*, 23rd June 1876, from Bombay.

Lieutenant W. Hill, Bengal Staff Corps, G. G. O. No. 194 of 1876,—*Travencore*, 23rd June 1876, from Bombay.

Lieutenant F. C. N. Goldney, Bengal Staff Corps, G. G. O. No. 768 of 1876,—*Almora*, 21st July 1876, from Calcutta.

Lieutenant L. J. H. Grey, Bengal Staff Corps, G. G. O. No. 765 of 1876,—*Orion*, 20th July 1876, from Calcutta.

No. 865 *of* 1876.—The following promotions are made in the Subordinate Medical Department :—

Rank.	Name.	To what rank promoted.	From what date.	In succession to
1st Class Assistant Apothecary.	H. W. Johnson ...	2nd Class Apothecary.	15th July 1876.*	Apothecary H. P. Smith, retired.
Passed Hospital Apprentice.	G. Gill ...	2nd Class Assistant Apothecary.	25th May 1876.	Assistant Apothecary J. Self, dismissed.
Passed Hospital Apprentice.	W. Mullins ...	Ditto	15th July 1876.	Assistant Apothecary H. W. Johnson, promoted.

* Date of passing the qualification examination.

No. 866 *of* 1876.—The undermentioned Officers are permitted to proceed to Europe on furlough on private affairs :—

Lieutenant-Colonel Thomas Francis Forster, Bengal Staff Corps, 2nd Class Deputy Commissioner, Hissár district, Punjab,—for two years, under Rule IX of the Regulations of 1868.

Major William Hay Macnaghten, late 5th European Light Cavalry, 2nd in Command and Squadron Officer, 13th Bengal Lancers,—for two years, under Rule IX of the Regulations of 1868.

No. 867 *of* 1876.—The furlough to Europe granted to Surgeon K. McLeod, M.D., Medical Department, in G. G. O. No. 45 of 1876, has effect from the 16th May 1876, instead of the 15th April 1876 as previously notified.

The 17th August 1876.

No. 868 *of* 1876.—The services of Surgeon P. A Weir, Medical Department, are placed temporarily at the disposal of the Government of Bengal.

No. 869 *of* 1876.—The following extract from the *London Gazette* of the 29th February 1876, page 1670, is published for general information :—

INDIA OFFICE,
26th February 1876.

Her Majesty has been pleased to approve of the transfer to the half-pay list of the Staff Corps of the undermentioned Officers :—

Bengal Staff Corps.

Lieutenant-Colonel Henry Brougham Chalmers. Dated 1st January 1876.

Major William George Murray. Dated 14th February 1876.

Captain John Henry Baldwin. Dated 17th March 1876.

No. 870 *of* 1876.—Native Medical Pupil Bulbhudder Pershad, No. 1216, passed the prescribed English qualification examination on the 21st of July 1876, according to the test laid down in G. G. O. No. 945 of 1868.

No. 871 *of* 1876.—The following extracts from the *London Gazettes* of the 14th and 18th July 1876, pages 4007 and 4054, are published for general information :—

Brevet.

Conductor Patrick Carr, Bengal Commissariat Department, to have the honorary rank of Lieutenant. Dated 15th July 1876.

The undermentioned Warrant Officers of the Bengal Establishment to be granted a step of honorary rank :—

Lieutenant and Deputy Commissary John Robertson to be Captain. Dated 7th December 1875.

Deputy Assistant Commissary James Judge to be Lieutenant, but junior of that rank for one year. Dated 7th December 1875.

Deputy Assistant Commissary John Lyons to be Lieutenant, but junior of that rank for one year. Dated 22nd February 1876.

Brevet.

Colonel Andrew William Macintire, C.B., Royal (late Madras) Artillery, to have the local rank of Major-General in the East Indies. Dated 21st June 1876.

To be Lieutenant-Colonels.

* * * *

Major Mark Henry Heathcote, Bengal Staff Corps. Dated 19th July 1876.

No. 872 *of* 1876.—Under the authority of the Right Hon'ble the Secretary of State for India it is hereby notified that, for the future, Administrative officers of the Indian Medical service will be placed, as regards furlough, on the same footing as officers of the same grades in the British Medical service, as laid down in G. G. O. No. 1088 of the 18th October 1872. The procedure in obtaining such furlough will follow existing rules for the Indian service.

2. Should an officer exceed the six or four months' absence from India, as the case may be, he will come under the operation of such furlough rules as he may have elected, and his furlough pay will be adjusted accordingly.

3. It is further notified that in the case of all future appointments on the Administrative Staff of the Indian Medical service, absence on leave in excess of six months on medical certificate, or four months on private affairs, will be considered as involving forfeiture of appointment.

No. 873 *of* 1876.—In the table appended to paragraph 35 of G. G. O. No. 206 of 1875, enter the following :—

Names of Articles.	Proportion.		Required per Horse Artillery Battery.			Required per Field Artillery Battery.			Period of duration of each article.	Remarks.
	No.	Per	Total.	As percentage spare.	Grand Total.	Total.	As percentage spare.	Grand Total.		
*Baskets, country-made	1	2 horses	89	...	89	55	...	55	To be obtained and renewed locally as required.	* To be procured locally by Officers Commanding batteries on contingent bills countersigned by the Officer Commanding the station, and forwarded monthly with the necessary vouchers to the Executive Commissariat Officer on the spot or at the nearest station for payment.
*Brooms ,,	1	2 ,,	89	...	89	55	...	55		

No. 874 *of* 1876.—The following paragraph is substituted for paragraph 1 of G. G. O. No. 1170, dated the 23rd November 1875 :—

1. In continuation of G. G. O. No. 155 of the 24th February 1864, the following establishment is allowed for military prisons and station and garrison cells for 20 prisoners or under :—

A cook.
A bhistie.
A sweeper.
} Total pay Rs. 18 per mensem for all, to be distributed as the Officer Commanding the station may consider desirable.

Order books to be corrected accordingly.

No. 875 *of* 1876.—With reference to G. G. O. No. 56 of 1875, enter in continuation of foot-[illegible] at page 16 of the Equipment Table for [illegible] Infantry Regiments, "Four additional [illegible] are also supplied to each regiment in the [illegible]y presidency."

The 18th August 1876.

No. 876 *of* 1876.—The services of Surgeon G. P. Mackenzie, M.B., Medical Department, officiating in medical charge, 41st (The Gwalior) Regiment of Native Infantry, are placed temporarily at the disposal of the Home Department.

No. 877 *of* 1876.—The following promotions are made in the undermentioned Corps from the 1st May 1876 :—

4th Bengal Cavalry.

Jemadar Jowahir Singh to be Ressaidar, *vice* Saheb Ali Khan, invalided.

Kote Duffadar Goolab Singh to be Jemadar, *vice* Jowahir Singh, promoted.

8th Bengal Cavalry.

Ressaidar Myboob Khan to be Ressaldar, *vice* Shaikh Raheemoolah, invalided.

Jemadar Saleh Mohomed Khan to be Ressaidar, *vice* Myboob Khan, promoted.

Kote Duffadar Ameenoolah Khan to be Jemadar, *vice* Saleh Mohomed Khan, promoted.

Corps of Bengal Sappers and Miners.

Havildar Sobha Lall to be Jemadar, *vice* Hossein Khan, invalided.

7th Regiment of Native Infantry.

Jemadar Dyah Singh to be Subadar, *vice* Adjmuth Khan, invalided.

Color Havildar Hurruck Singh to be Jemadar, *vice* Nohur Khan, invalided.

Pay Havildar Dabee Singh to be Jemadar, *vice* Shaick Cheetull, invalided.

24th (Punjab) Regiment of Native Infantry.

Havildar Raheem Ally to be Jemadar, *vice* Gazoodeen, invalided.

43rd (Assam) Regiment of Native (Light) Infantry.

Jemadar Sewpersad Ram to be Subadar, *vice* Sheik Emam Bux, invalided.

Havildar Ramphool to be Jemadar, *vice* Sewpersad Ram, promoted.

No. 878 *of* 1876.—The undermentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Lewis Maltby Boileau, 109th Foot, Officiating 2nd Wing Subaltern, 38th (The Agra) Regiment of Native Infantry,—23rd June 1875.

No. 879 *of* 1876.—His Excellency the Governor General in Council is pleased to make the following appointment:—

East Indian Railway Volunteer Rifle Corps.

Bradford Leslie, Esq., to be Honorary Colonel.

No. 880 *of* 1876.—Syces Panchoo (2nd) and Nohrie, of E. Battery, F. Brigade, Royal Horse Artillery, are each granted, as a special case, a pension of Rs. 3 per mensem, payable in the North Western Provinces Circle.

No. 881 *of* 1876.—Sooluchun, widow of Naick Hasta Beer, 18th Native Infantry, is admitted to the 3rd Class Order of Merit pension, *viz.*, Rs. 1-13-4 per mensem, for three years, from the 15th October 1874, payable in the Presidency Circle.

No. 882 *of* 1876.—The undermentioned Officer has reported his return from England:—

Surgeon-Major R. F. Hutchinson, M. D., Medical Department,—date of arrival at Fort William, 4th August 1876.

No. 883 *of* 1876.—Havildar Baisakha Sing, Sub-Overseer of the Public Works Department, formerly of the 16th Native Infantry, is granted a pension of Rs. 7 per mensem, payable in the Punjab Circle.

No. 884 *of* 1876.—*Appointments*—

PUNJAB FRONTIER FORCE.

4th Punjab Cavalry.

Captain E. A. Money, Adjutant, on rejoining, to officiate as 3rd Squadron Officer, during the period Captain T. Shepherd may officiate as 2nd Squadron Officer, or until further orders.

Lieutenant E. Lloyd, Adjutant, to revert to his former appointment of 1st Squadron Subaltern, but to officiate as Adjutant during the period Captain Money may officiate as 3rd Squadron Officer, or until further orders.

Lieutenant R. H. Forrest, 1st Squadron Subaltern, to revert to his former appointment of 2nd Squadron Subaltern, but to officiate as 1st Squadron Subaltern during the period Lieutenant Lloyd may officiate as Adjutant, or until further orders.

Corps of Guides (Queen's Own).

Captain A. J. Nicholson, whose tenure of appointment of Quartermaster has expired, to officiate as Wing Officer during the period Captain A. G. Hammond may officiate as 2nd Squadron Officer, or until further orders.

Lieutenant F. D. Battye, Squadron Subaltern, to be Quartermaster, *vice* Captain Nicholson.

Lieutenant C. G. Mansel, 2nd Squadron Subaltern, 4th Punjab Cavalry, to be Squadron Subaltern, *vice* Lieutenant Battye.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Simla, the 16th August 1876.

No. 23 *of* 1876.—Mr. James H. Nichols, 1st Class Officer of the Indian Government Steamer *Irrawaddy*, is permitted to resign his appointment in the Marine.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 14th August 1876.

No. 358.—The resignation of his appointment by Mr. J. Smart, Assistant Engineer 3rd Grade, Bengal Provincial Establishment, is accepted.

No. 359.—The following permanent and temporary promotions are made in the Establishment of Accountants on the General List, with effect from the dates specified:—

PERMANENT PROMOTIONS.

From 4th to 3rd Grade.

Mr. M. Dunhill, Mysore, from 18th May 1876.

Baboo Deenonath Banerjee, Military Works, from 18th May 1876.

Mr. W. A. Long, Mysore, from 19th May 1876.

TEMPORARY PROMOTIONS.

From 4th to 3rd Grade.

Mr. E. T. Boyton, Mysore, from 18th May 1876.

Sub-Conductor M. Shanahan, Rajpootana, from 18th May 1876.

Mr. J. H. Palmer, Accountant General's Office, from 19th May 1876.

The 15th August 1876.

No. 360.—The services of Mr. T. W. Miles, Executive Engineer 4th Grade, on the Establishment under the Director of State Railways, are placed at the disposal of the Foreign Department with effect from 22nd January 1875.

No. 361.—Mr. F. Finch is appointed to the Public Works Department as a Store-keeper 2nd Grade, on probation, with effect from 2nd March 1876, and posted to the Establishment under the Director of State Railways.

The 16th August 1876.

No. 362.—Mr. V. B. Paterson, Assistant Engineer 3rd Grade, attached to the Railway Establishment, British Burmah, having passed the prescribed examination, is promoted to the rank of Assistant Engineer 2nd Grade with effect from 18th July 1876.

No. 363.—Baboo Wopendro Chunder Bose, Probationary Accountant 4th Grade, Oudh, is confirmed in his appointment.

The 17th August 1876.

No. 364.—Mr. J. C. Oman, Accountant 1st Grade, is on return from leave posted to the Rajputana State Railway.

No. 365.—With reference to Public Works Department Notification No. 381 of 12th June 1874, Baboo Koilas Chunder Chatterjee, Probationary Accountant 4th Grade, Indus Valley State Railway, will revert to the establishment of clerks.

The 18th August 1876.

No. 366.—The services of Lieutenant-Colonel M. G. Clerk, General List, Infantry, Assistant Engineer 1st Grade, on the Establishment under the Director of State Railways, are replaced at the disposal of the Military Department.

C. H. DICKENS, *Col., R. A.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 35. SIMLA, SATURDAY, AUGUST 26, 1876. Register No. 33.

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

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SUPPLEMENT No. 37.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Erratum.—The Notification of the Legislative Department published in the *Gazette of India* of the 19th instant, Part I, should be No. 16.

Simla, the 22nd August 1876.

No. 17.—The following Statute is published for general information:—

39 VICTORIA, CHAPTER 7.

An Act to amend the law relating to certain Appointments to the Council of India.

[7TH APRIL 1876.]

Whereas by an Act of the Thirty-second and Thirty-third years of the Reign of Her present Majesty, Chapter Ninety-seven (in this Act referred to as the Act of 1869), it was, among other things, provided that the Members of the Council of India were to hold their offices for a Period of Ten Years, and for such further Period as is in Section Three of the said Act mentioned:

And whereas, regard being had to the composition of the said Council contemplated in Section Ten of the Act of the Twenty-first and Twenty-second Years of Her present Majesty, Chapter One Hundred and Six (in this Act referred to as the Act of 1858), it is expedient to amend the said first-mentioned Act in certain particulars:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows:

Appointment of persons with professional or other qualifications.

1. Notwithstanding anything in the Act of 1869, the Secretary of State for India may, if he thinks fit, subject to the Condition as to the Number of Appointments hereinafter laid down, appoint any Person having professional or other peculiar qualifications to be a Member of the said Council under this Act; and every Person so appointed shall hold his office in the same manner, and shall be entitled to the same Salary, Pension, and other Rights and Privileges, and be subject to the same Disabilities, as if he had been elected or appointed before the passing of the Act of 1869.

Where any Person appointed under this Act is at his appointment a Member of the Council, his period of service for the purposes of this Act shall be reckoned from the time of his first appointment or election to the Council.

The special reasons for every appointment under this Act shall be stated in a Minute of the Secretary of State for India, and shall be laid before both Houses of Parliament. Not more than Three Persons appointed under this Act shall be Members of the Council at the same time; nor shall the provisions of Sections Seven and Ten of the Act of 1858, with reference to the Number of the Council and the Qualification of the major part of the Members, be affected by this Act.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 21st August 1876.

No. 550.—Under the provisions of the Act of Parliament, 24 and 25 Vic., Cap. 104, Section 7, the Governor General in Council has been pleased to appoint Mr. W. F. McDonell, V. C., of the Bengal Civil Service, to act as a Judge of the High Court of Judicature at Fort William in Bengal.

The 22nd August 1876.

No. 556.—*Appointments.*—Major A. E. Campbell, Deputy Commissioner of the 3rd grade and Officiating Deputy Commissioner of the 2nd grade in Assam, to officiate as Deputy Commissioner of the 1st grade with effect from the 4th ultimo *vice* Lieutenant-Colonel J. F. Sherer employed on special duty:

Mr. H. Luttman-Johnson, Supernumerary Deputy Commissioner of the 3rd grade, to officiate as Deputy Commissioner of the 2nd grade *vice* Major Campbell:

Mr. A. C. Campbell, Assistant Commissioner of the 1st grade and Officiating Deputy Commissioner of the 4th grade, to officiate as Deputy Commissioner of the 3rd grade with effect from the 24th April last during the absence on furlough of Mr. O. G. R. McWilliam:

Captain H. J. Peet, Assistant Commissioner of the 2nd grade and Officiating Assistant Commissioner of the 1st grade, to officiate as Deputy Commissioner of the 4th grade with effect from the 4th ultimo, the date of Mr. G. H. Damant's reverting to the 1st grade of Assistant Commissioner on Mr. Luttman-Johnson taking charge of the Cachar District:

Mr. H. F. Mathews, Assistant Commissioner of the 3rd grade and Officiating Assistant Commissioner of the 2nd grade, to officiate as Assistant Commissioner of the 1st grade *vice* Captain Peet:

Mr. A. E. Heath, Assistant Commissioner of the 3rd grade, to officiate as Assistant Commissioner of the 2nd grade *vice* Mr. Mathews:

Mr. J. K. Wight, Assistant Commissioner of the 3rd grade and Officiating Assistant Commissioner of the 2nd grade, to officiate as Assistant Commissioner of the 1st grade with effect from the 6th ultimo *vice* Mr. G. H. Damant employed on special duty:

Lieutenant M. A. Gray, Officiating Assistant Commissioner of the 3rd grade, to officiate as Assistant Commissioner of the 2nd grade *vice* Mr. Wight.

JUDICIAL.

The 25th August 1876.

No. 1435.—The services of Mr. M. Brodhurst, Civil and Sessions Judge of Benares, are replaced at the disposal of the Government of the North-Western Provinces, with effect from the 1st proximo.

ECCLESIASTICAL.

The 23rd August 1876.

No. 312.—*Appointment.*—The Reverend A. C. Pearson, M. A., to be Chaplain of Moulmein in British Burma.

The 24th August 1876.

No. 315.—The Reverend T. L. J. Warneford, Junior Chaplain, to be Senior Chaplain, with effect from the 18th instant.

PATENTS.

The 24th August 1876.

No. 48.—Specifications of the undermentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department, at the Presidency, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same, on payment of the expense of copying:—

No. 11 *of* 1876.—Mr. J. Faren of Belfast in the County of Antrim in Ireland, Flax-spinner and Merchant, for "Improvements in the Process of scutching and preparing Fibrous Vegetable substances for manufacture and in the Machinery therefor."

No. 27 *of* 1876.—Mr. J. Higginbottom of Liverpool in the County of Lancaster in the Kingdom of England, Mechanical Engineer, and Mr. E. Hutchinson of the same place, Corn-miller, for "Improvements in machinery or apparatus for scouring wheat, rice, or other grain."

No. 38 *of* 1876.—Mr. C. T. Ambler, Manager of the Firm of H. Dear and Co., Timber Merchants and Contractors, Monghyr, and Mr. P. B. Johnson, Coach-builder, and Government Contractor, Allahabad, for "Certain improvements in Railway Sleepers."

No. 39 *of* 1876.—Mr. J. Rowbotham of Cheshire, England, now Permanent-way Inspector in the East Indian Railway Company, and residing in Mogul Serae, for "An improved and combined iron-plate railroad."

No. 45 *of* 1876.—Mr. A. C. G. Thompson of Brentford in the County of Middlesex, England, for "A Machine for cutting Tea leaves."

No. 46 *of* 1876.—Mr. T. Lovell, Civil Engineer and Chief Engineer of the Oudh and Rohilkund Railway of Lucknow, at present of the Junior Athenæum Club, Piccadilly, for "Improvements in apparatus for indicating and registering the inequalities or imperfections in the Permanent-way and Rolling Stock of Railways and Tramways."

No. 47 *of* 1876.—Mr. J. S. Williams of Riverton, New Jersey, United States of America, for "Improvements in Railway Switches and parts connected therewith."

No. 49 *of* 1876.—Mr. J. S. Hall of Montery in the County of Montery and State of California, one of the United States of America, for "Improvements in Sewing Machines for stitching and overseaming sacks, bags, carpets, and for other like purposes."

No. 51 *of* 1876.—Mr. E. Lawrence of No. 6 Lancaster Gate, Hyde Park, in the County of Middlesex, England, for "Improvements in fixing bolts, spikes or dogs for railway and other uses."

No. 54 *of* 1876.—Messrs. W. Haworth of London, England, and J. Thomson of Dundee, Scotland, for "Improvements in weaving sacks or bags and folded fabrics and in apparatus therefor."

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Simla, the 19th August 1876.

No. 796.—The leave of absence for 18 months granted by the Chief Commissioner of Mysore to Mr. J. Macpherson, Assistant Conservator of Forests of the 1st grade, under Section 9, Supplement F of the Civil Leave Code, with effect from the 5th February 1875, and which will expire on the 5th August 1876, is extended to the 15th December 1876.

The 24th August 1876.

No. 814.—Mr. A. L. Home, Deputy Conservator of Forests of the 2nd grade in Bengal, whose services have been placed at the disposal of the Government of India, is appointed Assistant to the Inspector General of Forests as a temporary measure.

Mr. Home joined his appointment on the forenoon of the 22nd instant.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 24th August 1876.

No. 109*J*.—In exercise of the powers conferred by Act No. XI of 1872, Section 6, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to appoint Mr. W. T. A. Cosby to be a Justice of the Peace within the State of Travancore, and to direct that commitments of European British subjects, when made by the said Justice of the Peace in the said State, shall be made either to the Court of the Resident in Travancore, acting as Sessions Judge, or to the High Court of Judicature at Madras, in accordance with the rules prescribed by Section 75 of the Code of Criminal Procedure.

POLITICAL.

The 18th August 1876.

PROCLAMATION.

No. 1891*P*.—As VICEROY AND GOVERNOR GENERAL OF INDIA, I hereby publish, for the information of the Governors, Administrators, Princes, Chiefs, Nobles, and Peoples of this Empire, the subjoined Act passed by the Imperial Parliament of Great Britain and Ireland on the twenty-seventh day of April in the year of Our Lord one thousand eight hundred and seventy-six, together with a Royal Proclamation dated at the Court of Windsor the twenty-eighth day of April one thousand eight hundred and seventy-six in the thirty-ninth year of Her Majesty's reign, transmitted to this Government by the MOST HON'BLE THE SECRETARY OF STATE FOR INDIA in His Lordship's Despatch No. 70 of the 13th July 1876.

Moreover, I now publicly notify, under this my hand and seal, that it is my intention to hold at Delhi, on the 1st day of January 1877, an Imperial Assemblage, for the purpose of proclaiming to the Queen's subjects throughout India the gracious sentiments which have induced Her Majesty to make to HER Sovereign Style and Titles an addition specially intended to mark Her

Majesty's interest in this great Dependency of HER Crown, and HER Royal confidence in the loyalty and affection of the Princes and Peoples of India.

To this Assemblage I propose to invite the Governors, Lieutenant-Governors, and Heads of Administrations, from all parts of the Queen's Indian Dominions, as well as those Princes, Chiefs, and Nobles, in whose persons the antiquity of the past is associated with the prosperity of the present, and who so worthily contribute to the splendour and stability of this great Empire.

I shall forthwith issue such orders in Council as may be suitable to the historical importance of the occasion, and in conformity with the desire which will be felt by all Her Majesty's subjects in India to manifest the affection they cherish for their august Sovereign by public rejoicings and appropriate demonstrations of loyalty.

Dated at Simla this eighteenth day of August 1876.

(Signed) LYTTON.

ANNEXURES.

[39 VIC. CAP. 10.]

No. 1.]

AN Act to enable Her Most Gracious Majesty to make an addition to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies. [27th April 1876.] A. D. 1876.

(Transmitted in Secretary of State's Despatch No. 28 (Legislative) of 29th June 1876.)

WHEREAS by the Act for the Union of Great Britain and Ireland passed in the fortieth year of the reign of His late Majesty King George the Third, chapter sixty-seven, it was provided that after such Union as aforesaid the Royal style and titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies should be such as His Majesty by His Royal Proclamation under the Great Seal of the United Kingdom should be pleased to appoint; 39 and 40 G. III. c. 67 A. D. 1800.

And whereas by virtue of the said Act and of a Royal Proclamation under the Great Seal, dated the first day of January one thousand eight hundred and one, the present style and titles of Her Majesty are "Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith:"

And whereas by the Act for the better government of India, passed in the Session of the twenty-first and twenty-second years of the reign of Her present Majesty, chapter one hundred and six, it was enacted that the government of India, theretofore vested in the East India Company in trust for Her Majesty, should become vested in Her Majesty, and that India should thenceforth be governed by and in the name of Her Majesty, and it is expedient that there should be a recognition of the transfer of government so made by means of an addition to be made to the style and titles of Her Majesty: 21 and 22 Vic. c. 106.

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Her Majesty to make addition to style and titles of Crown.

It shall be lawful for Her Most Gracious Majesty, with a view to such recognition as aforesaid of the transfer of the government of India, by Her Royal Proclamation under the Great Seal of the United Kingdom, to make such addition to the Style and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies as to Her Majesty may seem meet.

No. 2.]

No. 70, dated India Office, 13th July 1876.

From—HER MAJESTY'S SECRETARY OF STATE FOR INDIA,

To—The GOVERNMENT OF INDIA.

I FORWARD herewith, for the information of Your Excellency's Government, copy of the Queen's Proclamation notifying the assumption by Her Majesty of the title of "Empress of India."

2. This act on the part of Her Majesty is a formal and emphatic expression, for which it seemed to the Queen that the opportunity was eminently suitable, of the favorable sentiments which She has always entertained towards the Princes and People of India. I request that Your Excellency will proclaim throughout Her Majesty's Indian Dominions, in a manner suitable to Her gracious intentions, the addition which has been made to the Royal Style and Titles.

(Signed) SALISBURY.

BY THE

QUEEN.

A PROCLAMATION.

VICTORIA, R.

WHEREAS an Act has been passed in the present Session of Parliament, intituled "An Act to enable Her Host Gracious Majesty to make an addition to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies," which Act recites that, by the Act for the Union of Great Britain and Ireland, it was provided that after such Union the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies should be such as His Majesty by His Royal Proclamation under the Great Seal of the United Kingdom should be pleased to appoint: and which Act also recites that, by virtue of the said Act, and of a Royal Proclamation under the Great Seal, dated the 1st day of January, 1801, Our present Style and Titles are "Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith:" and which Act also recites that, by the Act for the better Government of India, it was enacted that the Government of India, theretofore vested in the East India Company in trust for Us, should become vested in Us, and that India should thenceforth be governed by Us and in Our name, and that it is expedient that there should be a recognition of the transfer of Government so made by means of an addition to be made to Our Style and Titles: And which Act, after the said recitals, enacts that it shall be lawful for Us, with a view to such recognition as aforesaid, of the transfer of the Government of India, by Our Royal Proclamation under the Great Seal of the United Kingdom, to make such addition to the Style and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies as to Us may seem meet; we have thought fit, by and with the advice of Our Privy Council, to appoint and declare, and We do hereby, by and with the said advice, appoint and declare that henceforth, so far as conveniently may be, on all occasions and in all instruments wherein Our Style and Titles are used, save and except all Charters, Commissions, Letters Patent, Grants, Writs, Appointments, and other like instruments, not extending in their operation beyond the United Kingdom, the following addition shall be made to the Style and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies; that is to say, in the Latin tongue in these words: "Indiæ Imperatrix." And in the English tongue in these words: "Empress of India."

And Our will and pleasure further is, that the said addition shall not be made in the Commissions, Charters, Letters Patent, Grants, Writs, Appointments, and other like instruments, hereinbefore specially excepted.

And Our will and pleasure further is, that all gold, silver, and copper moneys, now current and lawful moneys of the United Kingdom, and all gold, silver, and copper moneys which shall, on or after this day, be coined by Our authority with the like impressions, shall, notwithstanding such addition to Our Style and Titles, be deemed and taken to be current and lawful moneys of the said United Kingdom; and further that all moneys coined for and issued in any of the Dependencies of the said United Kingdom, and declared by Our Proclamation to be current and lawful money of such Dependencies, respectively bearing Our Style, or Titles, or any part or parts thereof, and all moneys which shall hereafter be coined and issued according to such Proclamation, shall, notwithstanding such addition, continue to be lawful and current money of such Dependencies respectively, until Our pleasure shall be further declared thereupon.

Given at Our Court at *Windsor*, the twenty-eighth day of *April*, one thousand eight hundred and seventy-six in the thirty-ninth year of Our Reign.

GOD save the QUEEN.

By order of His Excellency the Viceroy and Governor-General of India in Council.

GENERAL.

The 21st August 1876.

No. 1822*G.*—The following Brigade Orders dated 6th July 1876, issued by the Commandant of the Central India Horse, making certain temporary promotions in the 1st Regiment, Central India Horse, are confirmed :—

Captain and Adjutant A. H. S. Neill to officiate as 3rd Squadron Officer.

Lieutenant H. A. Vincent, 1st Squadron Subaltern, to officiate as Adjutant.

Lieutenant G. E. Money, 2nd Squadron Subaltern, to officiate as 1st Squadron Subaltern.

Lieutenant the Hon'ble J. P. Napier to officiate as 2nd Squadron Subaltern.

This Notification supersedes that portion of the Notification of this Department No. 855G, dated 20th April 1876, which relates to promotions in the 1st Regiment, Central India Horse.

No. 1823*G.*—*Promotions.*—The following temporary promotions are made in the Central India Horse, with effect from the date on which charge is assumed :—

1st Regiment.

Captain A. J. Bannerman, 2nd Squadron Officer, to officiate as 2nd in Command and Squadron Officer and as Political Assistant, Goona, *vice* Captain Buller.

Captain A. H. S. Neill, Officiating 3rd Squadron Officer, to officiate as 2nd Squadron Officer, *vice* Captain Bannerman.

Lieutenant G. E. Money, Officiating 1st Squadron Subaltern, to officiate as 3rd Squadron Officer, *vice* Captain Neill.

Lieutenant A. G. A. Durand, Her Majesty's 65th Foot, to officiate as 2nd Squadron Subaltern, *vice* Lieutenant the Hon'ble J. P. Napier.

2nd Regiment.

Lieutenant E. D. H. Daly, 2nd Squadron Subaltern (on probation), to officiate as 1st Squadron Subaltern and to perform the duties of Quarter Master in that Regiment, *vice* Lieutenant the Hon'ble J. P. Napier.

Lieutenant E. D. H. Daly, 2nd Squadron Subaltern and Officiating 1st Squadron Subaltern (on probation), to officiate as 3rd Squadron Officer, *vice* Captain Colledge.

Lieutenant N. F. FitzG. Chamberlain, Her Majesty's 11th Foot, to officiate as 2nd Squadron Subaltern, *vice* Lieutenant Daly, or until further orders.

The 23rd August 1876.

No. 1839*G.*—Lieutenant-Colonel W. Tweedie, Officiating Political Agent 1st Class at Moorshedabad, is granted subsidiary leave for 30 days preparatory to furlough, with effect from the date on which he avail himself of the same.

The 25th August 1876.

No. 1845*G.*—*Leave.*—Surgeon H. Johnstone, M.B., Residency Surgeon, Mandalay, is granted subsidiary leave for one month, with effect from the date of his return from furlough, to enable him to rejoin his appointment.

No. 1858*G.*—Captain S. A. Swinley, Station Staff Officer, Nowgong, to officiate temporarily as Political Assistant 1st Class and Cantonment Magistrate, Nowgong, in addition to his other duties.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 23rd August 1876.

No. 2408.—Mr. C. J. Rivett-Carnac is appointed to officiate as Deputy Accountant General, Punjab, during the absence on privilege leave of Mr. T. H. Biggs, or until further orders.

PENSIONS AND GRATUITIES.

The 25th August 1876.

No. 2402.—The Governor General in Council directs the addition of the following rule under Section 63 (*b*) of the Civil Pension Code :—

4. An officer should not, without urgent necessity, be invalided when he has nearly completed 30 years' service. The Government cannot undertake to overlook a deficiency of service resulting from an officer being prematurely invalided. The principle of this rule applies to all analogous cases.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 21st August 1876.

No. 885 *of* 1876.—With reference to Public Works Department Notification No. 366, dated the 18th August 1876, the services of Lieutenant-Colonel M. G. Clerk, Bengal Infantry, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 886 *of* 1876.—The services of Surgeon T. Cody, Bombay Medical Establishment, are placed at the disposal of the Foreign Department.

The 23rd August 1876.

No. 887 *of* 1876.—Lieutenant-Colonel Mowbray Thomson, Bengal Infantry, is promoted to the rank of Colonel by brevet, from the 2nd November 1875, under the operation of the Royal Warrant of the 21st December 1871, Clause *c*, paragraph 13, subject to Her Majesty's approval.

The 24th August 1876.

No. 888 *of* 1876.—The following extract from List No. 12, dated 28th July 1876, received from the India Office, is published for general information :—

Permitted to return to duty.

Lieutenant E. L. Durand, S. C.
Captain G. Alexander, S. C.
Lieutenant C. A. Coles, S. C.
Captain R. V. Riddell, R. E.
Surgeon R. T. Wright.

Granted extensions of leave.

Captain R. J. Bond, R. E.,	3 mos.,	medical certificate.	
Major H. H. Godwin-Austen, S.C.,	4 „	„	„
Surgeon-Major T. Duka,	4 „	„	„
Captain A. W. Roberts, Cavalry,	3 „	and 28 days	private affairs.
Captain R. V. Riddell R. E.,	3 weeks,	private affairs.	
Lieut.-Col. A. K. Comber, S. C.,	3 months,	„	
„ J. F. L. Fisher, S. C.,	6 weeks,	„	
Captain R. G. Birch, Cavalry,	3 mos.,	medical certificate.	
Lieut.-Col. G. C. Lloyd, Infantry,	6 „	private affairs.	

No. 889 *of* 1876.—The undermentioned Officers have reported their return from England :—

Lieutenant-Colonel E. O'B. Horsford, Bengal Staff Corps,—date of arrival at Fort William, 12th August 1876.

Major B. Cracroft, Bengal Staff Corps, 2nd Squadron Officer, 3rd Bengal Cavalry,—date of arrival at Fort William, 12th August 1876.

Captain (Brevet Major) G. C. Ross, Bengal Staff Corps, 3rd Squadron Officer, 16th Bengal Cavalry,—date of arrival at Fort William, 12th August 1876.

Captain G. Alexander, Bengal Staff Corps, Assistant Commissioner, British Burmah,—date of arrival at Bombay, 15th August 1876.

No. 890 *of* 1876.—The name of passed Medical Pupil Jahangeer Bux, No. 350, will in future be borne in the list of Native Medical Pupils as Mohummed Abdool Jubbur.

G. G. O. No. 819 of 1872.
„ „ 638 of 1876.

Order books to be corrected accordingly.

No. 891 *of* 1876.—Under the operation of G. G. O. No. 551 of 1868, Subadar Permaulloo, "Bahadoor," 8th Regiment, Madras Native Infantry, is promoted to the 1st Class of the Order of British India, with the title of "Sirdar Bahadoor," from the 28th April 1876, *vice* pensioned Subadar-Major Mahomed Sillimon, "Sirdar Bahadoor," deceased.

No. 892 *of* 1876.—The undermentioned Officers have reported their departure on the dates specified :—

Lieutenant-Colonel F. B. Foote, Bengal Staff Corps, G. G. O. No. 789 of 1876,—*Almora*, 21st July 1876, from Calcutta.

Major G. M. Bowie, Madras Staff Corps, Madras G. O. No. 488 of 1876,—*Nepaul*, 26th July 1876, from Calcutta.

Captain J. R. Yule, Bengal Staff Corps, G. G. O. No. 615 of 1876,—*City of London*, 30th May 1876, from Calcutta.

Lieutenant A. T. S. A. Rind, Bengal Staff Corps, G. G. O. No. 835 of 1876,—*City of Manchester*, 7th August 1876, from Calcutta.

Surgeon J. F. Sargent, Madras Medical Department, Madras G. O. No. 369 of 1876,—28th July 1876, from Bombay.

No. 893 *of* 1876.—Captain (Brevet Major) William Tweedie, Bengal Staff Corps, Political Agent, 2nd Class, 1st Assistant to the Resident, Hyderabad, and Assistant to the General Superintendent of Operations for the Suppression of Thuggee and Dacoity, Officiating Political Agent, 1st Class, and Agent to the Governor General at Moorshedabad, is permitted to proceed to Europe on furlough on private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

No. 894 *of* 1876.—Supernumerary Surgeon-Major William Roe Hooper, Medical Department, is brought on the establishment of Surgeons-Major to fill an existing vacancy.

The 25th August 1876.

No. 895 *of* 1876.—The following permanent and temporary promotions are made in the Warrant Grades of the Ordnance Commissariat Department from the date specified :—

Rank and Names.	To what rank promoted.	From what date.	In whose room.
Permanent.			
Honorary Lieutenant (Assistant Commissary) Henry Telfer.	Deputy Commissary.	2nd August 1876.	Honorary Captain and Deputy Commissary Quin, invalided.
Honorary Lieutenant (Deputy Assistant Commissary) John Baker.	Assistant Commissary.	ditto ..	Honorary Lieutenant and Assistant Commissary Telfer, promoted.
Conductor William Swinnerton.	Deputy Assistant Commissary.	ditto ..	Deputy Assistant Commissary Baker, promoted.
Sub-Conductor (Officiating Conductor) James Hurley.	Conductor ..	ditto ..	Conductor Swinnerton, promoted.
Sergeant George Shipnell, Overseer, Small Arm Ammunition Factory.	*Sub-Conductor*	*ditto.*	
Magazine Sergeant (Officiating Sub-Conductor) Matthew Donlon.	Sub-Conductor, on probation.	ditto ..	Sub-Conductor Hurley, promoted.
Temporary.			
Sub-Conductor Edward McCarthy.	Officiating Conductor.	ditto ..	Officiating Conductor Hurley, promoted, or until further orders.
Magazine Sergeant Andrew Gibbin.	Officiating Sub-Conductor.	ditto ..	Officiating Sub-Conductor Donlon, promoted, or until further orders.

No. 896 *of* 1876.—*Appointments—*

Garrison Instruction Staff.

Captain C. E. D. Branson, Assistant Garrison Instructor, to be Garrison Instructor, *vice* Captain P. C. Story, promoted to Chief Instructor.

Captain G. L. L. Taylor, 2nd Battalion, 16th Foot, to be Assistant Garrison Instructor, *vice* Captain St. V. A. Hammick, promoted to Garrison Instructor.

Captain G. W. B. Collis, 1st Battalion, 6th Foot, to be Assistant Garrison Instructor, *vice* Captain Branson.

These appointments are temporary pending further orders.

No. 897 *of* 1876.—The Right Honorable the Governor General in Council has been pleased to sanction the publication of a Revised Code,* embodying existing orders regarding the pay, pension and promotion of the Military Services in India.

* Volume I.—British Troops (including Officers and men of the Indian Army).
Volume II.—Native Troops.

This Code is not to be cited as authority for the admission of any claims which are not supported by the orders quoted therein, but is issued merely as a useful guide to existing rules and practice, and to the various authorities upon which its several clauses are based.

Copies of the Code will be supplied, through the Superintendent of Government Printing, to all Corps and Departments as public records, and any alterations or additions made therein subsequently to date of issue will be notified in G. G. O. in due course.

No. 898 *of* 1876.—*Appointment—*

PUNJAB FRONTIER FORCE.

Corps of Guides (Queen's Own).

Lieutenant W. R. P. Hamilton, 70th Foot, a candidate for the Bengal Staff Corps, to be Officiating Wing Subaltern during the period Lieutenant M. C. Cooke-Collis may officiate as Quartermaster, or until further orders.

No. 899 *of* 1876.—The following admissions to the Order of British India are made from the dates specified under the operation of G. G. O. No. 551 of 1868 :—

To be Members of the 2nd Class of the Order of British India, with the title of "Bahadoor."

Ressaldar Moortuza Khan, 6th Bengal Cavalry, *vice* Subadar Dwarka Doobay, "Bahadoor," deceased,—14th October 1875.

Ressaidar Kashee Deen, 19th Bengal Lancers, *vice* Subadar-Major Mehtab Singh, "Bahadoor," deceased,—3rd March 1876.

Jemadar Gurja Singh, 1st Regiment, Central India Horse, *vice* Subadar Surnam Singh, "Bahadoor," pensioned,—1st May 1876.

Subadar-Major Mattadeen Doobay, 12th (The Kelat-i-Ghilzie) Regiment of Native Infantry, *vice* Subadar Gunness Singh, "Bahadoor," pensioned,—1st May 1876.

Subadar-Major Ahmed Khan, Corps of Guides (Queen's Own), Infantry, Punjab Frontier Force, *vice* Subadar Gobind Singh, "Bahadoor," pensioned,—1st May 1876.

Subadar Gungaram, 1st Goorkha Regiment, (Light Infantry), *vice* Subadar Tegh Ally Khan, "Bahadoor," deceased,—9th June 1876.

No. 900 *of* 1876.—The undermentioned men are transferred to the Pension Establishment :—

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		A Batty., A Brig., Royal Horse Artillery.		Rs.	
	Syce ...	Solarbuccus ...	Syce ...	3	Punjab.
		B Batty., A Brig., Royal Horse Artillery.			
	Syce ...	Kooseal ...	Syce ...	3	N. W. P.
	,, ...	Paul ...	,, ...	3	,,
	,, ...	Buddulloo ...	,, ...	3	,,
	,, ...	Gopal ...	,, ...	3	,,
	Grass-cutter	Soodeen ...	Grass-cutter	3	,,
	,, ...	Surrutten ...	,, ...	3	,,
	,, ...	Gunga ...	,, ...	3	,,
	,, ...	Lulluck, 1st ...	,, ...	3	,,
	,, ...	Lulluck, 2nd ...	,, ...	3	,,
	,, ...	Sucheran ...	,, ...	3	,,
	,, ...	Nuttoo ...	,, ...	3	,,
		D Batty., A Brig., Royal Horse Artillery.			
	Grass-cutter	Persaud ...	Grass-cutter	3	N. W. P.
	,, ...	Soobdhan ...	,, ...	3	,,
	,, ...	Cheitoo ...	,, ...	3	,,
	,, ...	Ruttowah ...	,, ...	3	,,
	,, ...	Chandedeen ...	,, ...	3	,,
	,, ...	Bucktower ...	,, ...	3	,,
	Syce ...	Baddul ...	Syce ...	3	,,
	,, ...	Teekie ...	,, ...	3	,,
	,, ...	Soobekie ...	,, ...	3	,,
	,, ...	Kulloo ...	,, ...	3	,,
	Bullock-driver.	Merie ...	Bullock-driver.	3	,,
		A Batty., F Brig., Royal Horse Artillery.			
	Syce ...	Beychoo ...	Syce ...	3	Presidency.
	,, ...	Sew ...	,, ...	3	N. W. P.
	,, ...	Wuzeer Khan ...	,, ...	3	,,
	,, ...	Soban Khan ...	,, ...	3	,,
	,, ...	Kureeam Buccus	,, ...	3	,,
	,, ...	Ramjohn ...	,, ...	3	,,
	Grass-cutter	Buctour ...	Grass-cutter	3	Punjab.
	,, ...	Lica ...	,, ...	3	,,
		A Batty., F Brig., Royal Horse Artillery, —(contd.)			
	Grass-cutter	Tulsee ...	Grass-cutter	3	Punjab.
	,, ...	Daviedeen ...	,, ...	3	,,
	,, ...	Sookeah ...	,, ...	3	Presidency.
		B Batty., F Brig., Royal Horse Artillery.			
	Syce ...	Sumseer ...	Syce ...	3	N. W. P.
	,, ...	Mungerah, 1st ...	,, ...	3	,,
	,, ...	Mungerah, 2nd...	,, ...	3	,,
	,, ...	Peer Khan ...	,, ...	3	,,
	,, ...	Bindah, 1st ...	,, ...	3	,,
		C Batty., F Brig., Royal Horse Artillery.			
	Syce ...	Palid Khan ...	Syce ...	3	N. W. P.
	Grass-cutter	Nainkoo ...	Grass-cutter	3	Punjab.
	,, ...	Mykoo ...	,, ...	3	N. W. P.
	,, ...	Dooman ...	,, ...	3	Punjab.
	,, ...	Hullassee ...	,, ...	3	N. W. P.
		E Batty., F Brig., Royal Horse Artillery.			
	Syce ...	Buggoo ...	Syce ...	3	N. W. P.
	,, ...	Sookhie ...	,, ...	3	Punjab.
	Grass-cutter	Mackoo ...	Grass-cutter	3	N. W. P.
	,, ...	Purrowtie, 1st ...	,, ...	3	,,
	,, ...	Gingree ...	,, ...	3	Punjab.
	,, ...	Laskarriah ...	,, ...	3	N. W. P.
	,, ...	Purrowtie, 2nd ...	,, ...	3	,,
	,, ...	Rama ...	,, ...	3	Punjab.
		F Batty., F Brig., Royal Artillery.			
	Tindal ...	Heera ...	Tindal ...	7	N. W. P.
	Syce ...	Nobie Buksh ...	Syce ...	3	,,
	Grass-cutter	Orie, 1st ...	Grass-cutter	3	Punjab.
	,,	Mattadeen ...	,, ...	3	N. W. P.
		B Batty., 8th Brig., Royal Artillery.			
	Store Lascar.	Goordeall ...	Store Lascar.	3	Presidency.
	Grass-cutter	Gobean ...	Grass-cutter	3	,,

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		B Batty., 8th Brig., Royal Artillery, —(contd.)		Rs.	
	Grass-cutter	Oolman ...	Grass-cutter	3	Presidency.
	Syce ...	Ramdeen ...	Syce ...	3	„
	„ ...	Buckoo ...	„ ...	3	„
	„ ...	Matadeen ...	„ ...	3	N. W. P.
	Bhistie ...	Eli Bux, 1st ...	Bhistie ...	3	„
		D Batty., 8th Brig., Royal Artillery.			
	Syce ...	Chunkah ...	Syce ...	3	N. W. P.
		F Batty., 8th Brig., Royal Artillery.			
	Store Lascar.	Punchum ...	Store Lascar.	3	N. W. P.
	„ ...	Deokee ...	„ ...	3	Presidency.
	Jemadar Syce.	Dubree ...	Jemadar Syce.	3	N. W. P.
	Syce ...	Sahngoo ...	Syce ...	3	Presidency.
	„ ...	Purrowtie ...	„ ...	3	N. W. P.
	Grass-cutter	Chundee ...	Grass-cutter	3	„
		G Batty., 8th Brig., Royal Artillery.			
	Syce ...	Soobdhan ...	Syce ...	3	N. W. P.
	„ ...	Giroo ...	„ ...	3	„
	Grass-cutter	Goordeen ...	Grass-cutter	3	„
	„ ...	Sewdeen ...	„ ...	3	„
		H Batty., 8th Brig., Royal Artillery.			
	Tindal ...	Mahomd Deen ...	Tindal ...	7	N. W. P.
	Bullock-driver.	Dabee ...	Bullock-driver.	3	„
	Syce ...	Mungheer ...	Syce ...	3	„
		11th Brigade, Royal Artillery.			
	Grass-cutter	Sahtoo ...	Grass-cutter	3	N. W. P.
	„ ...	Hinchah ...	„ ...	3	„
		A Batty., 11th Brig., Royal Artillery.			
	Lascar ...	Nannoo ...	Lascar ...	3	N. W. P.
	Syce ...	Moochul ...	Syce ...	3	„
	„ ...	Muddhoo ...	„ ...	3	„
	Jemadar Syce.	Wyatt Khan ...	Jemadar Syce.	3	„
		B Batty., 11th Brig., Royal Artillery.		Rs.	
	Lascar ...	Wazer Khan ...	Lascar ...	3	N. W. P.
	Syce ...	Mungroo ...	Syce ...	3	„
	„ ...	Muttan ...	„ ...	3	„
	„ ...	Issree ...	„ ...	3	Presidency.
	Grass-cutter	Ramdut ...	Grass-cutter	3	„
		C Batty., 11th Brig., Royal Artillery.			
	Jemadar Syce.	Kisson ...	Jemadar Syce.	3	Presidency.
	Lascar	Deall ...	Lascar ...	3	N. W. P.
	Syce ...	Ossarie ...	Syce ...	3	„
	„ ...	Salar ...	„ ...	3	„
	„ ...	Ramdeen ...	„ ...	3	„
	„ ...	Ramdeall ...	„ ...	3	„
	„ ...	Kossiyall ...	„ ...	3	„
	Grass-cutter	Purroye ...	Grass-cutter	3	Presidency.
	„ ...	Kossiyall ...	„ ...	3	N. W. P.
	„ ...	Orie, 1st ...	„ ...	3	„
	„ ...	Doolan ...	„ ...	3	„
	„ ...	Rowtie ...	„ ...	3	„
	„ ...	Kullian ...	„ ...	3	„
	„ ...	Mukkoo ...	„ ...	3	„
	„ ...	Gungah ...	„ ...	3	„
	„ ...	Phalie ...	„ ...	3	„
	„ ...	Torie, 2nd ...	„ ...	3	„
		D Batty., 11th Brig., Royal Artillery.			
	Store Lascar	Lowtee ...	Store Lascar	3	N. W. P.
		G. Batty., 11th Brig., Royal Artillery.			
	Tindal ...	Meer Usefully ...	Tindal ...	7	Presidency.
		A Batty., 19th Brig., Royal Artillery.			
	Syce ...	Goolab ...	Syce ...	3	N. W. P.
	„ ...	Lodha ...	„ ...	3	„
	„ ...	Buggan ...	„ ...	3	„
	„ ...	Buzraz ...	„ ...	3	„
	Grass-cutter	Davie ...	Grass-cutter	3	„
	„ ...	Chunga ...	„ ...	3	„
	„ ...	Chuphie ...	„ ...	3	„
	Bhistie ...	Bhowani ...	Bhistie ...	3	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		No. 2 Batty., 13th Brig., Royal Artillery.		Rs.	
	Store Lascar	Shaick Manawar	Store Lascar	3	N. W. P
		No. 3 Batty., 13th Brig., Royal Artillery.			
	Lascar ...	Buchoo ...	Lascar ...	3	N. W. P.
		4th Hussars.			
	Syce ...	Oree ...	Syce ...	3	N. W. P.
	„ ...	Joharee ...	„ ...	3	„
	„ ...	Buddoo ...	„ ...	3	„
	Grass-cutter	Sookah ...	Grass-cutter	3	„
	„ ...	Jelall ...	„ ...	3	Presidency.
	„ ...	Dabie ...	„ ...	3	N. W. P.
	„ ...	Gulgar ...	„ ...	3	Presidency.
	„ ...	Bessassuer ...	„ ...	3	N. W. P.
	„ ...	Gungah ...	„ ...	3	„
	Jorawalla Grass-cutter	Dokie ...	Jorawalla Grass-cutter	3	„
	„ ...	Mattadeen ...	„ ...	3	„
		11th Hussars.			
	Syce ...	Carnoo ...	Syce ...	3	N. W. P.
	„ ...	Joco ...	„ ...	3	„
	„ ...	Jayah ...	„ ...	3	„
	„ ...	Ghazee ...	„ ...	3	„
	„ ...	Ruttan ...	„ ...	3	„
	„ ...	Jaiseree ...	„ ...	3	„
	„ ...	Rujjoo ...	„ ...	3	„
	„ ...	Dookee ...	„ ...	3	„
	Grass-cutter	Gungadeen ...	Grass-cutter	3	„
	„ ...	Gungadeen, 2nd...	„ ...	3	„
	„ ...	Ramdeen ...	„ ...	3	„
		13th Hussars.			
	Syce ...	Alideen ...	Syce ...	3	N. W. P.
		15th Hussars.			
	Syce ...	Balladean ...	Syce ...	3	N. W. P.
	Grass-cutter	Raker ...	Grass-cutter	3	„
	„ ...	Bekar ...	„ ...	3	„
	„ ...	Jarane Barwanne	„ ...	3	„
	„ ...	Gunnersee ...	„ ...	3	„
	Tent Lascar	Beriah ...	Tent Lascar	3	„
		2nd Battalion, 19th Foot.		Rs.	
	Bhistie ..	Wuzeer ...	Bhistie ...	3	Presidency.
		1st Bengal Cavalry.			
	Duffadar..	Nutteh Khan ...	Duffadar...	7	N. W. P.
	„ ...	Shaikh Dildar ...	„ ...	7	„
		8th Bengal Cavalry.			
	Bhistie ...	Nubbee Bux ...	Bhistie ...	3	N. W. P.
		12th Bengal Cavalry.			
	Naib Ressaldar.	Hookum Singh...	Naib Ressaldar.	12	Punjab.
	Duffadar	Sewa Singh ...	Duffadar	7	„
	„ ...	Furzand Hoossain	„ ...	7	N. W. P.
	Sowar ...	Jhanda Singh ...	Sowar ...	4	Punjab.
	„ ...	Motha Singh ...	„ ...	4	„
	„ ...	Narain Singh ...	„ ...	4	„
	„ ...	Heera Singh ...	„ ...	4	„
	„ ...	Ram Singh ...	„ ...	4	„
	„ ...	Jowahir Khan ...	„ ...	4	„
	„ ...	Harsa Singh ...	„ ...	4	„
	„ ...	Beer Singh ...	„ ...	4	„
	Bhistie ...	Golaub ...	Bhistie ...	3	„
		14th Bengal Lancers.			
	Duffadar	Hurjus Raie ...	Duffadar	7	N. W. P.
	„	Keisree Sing ...	„ ...	7	„
	„	Bulwunt Sing ...	„ ...	7	„
	„	Doongur Sing ...	„ ...	7	„
	Sowar ...	Sree Ram ...	Sowar ...	4	„
	„	Bheem Sing ...	„ ...	4	„
	„	Choonnee Sing ...	„ ...	4	„
		15th Bengal (Cureton's Mooltanee) Cavalry.			
	1st Class Hospital Assistant.	Bakur Khan ...	1st Class Hospital Assistant.	13-5-4	N. W. P.
		3rd Regiment of Native Infantry.			
	Subadar Major.	Khoosial Tewarry	Subadar Major.	40*	N. W. P.
	Havildar	Sheck Raheem Bux.	Havildar	12*	„

* Increased rate of pension.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		3rd Regiment of Native Infantry,—(contd.)		Rs.	
	Havildar...	Hunooman Pandy	Havildar...	7	N. W. P.
	Naick ...	Kalka ...	Naick ...	7	Presidency.
	„ ...	Munlall Singh ...	„ ...	7	„
	„ ...	Bachun Singh ...	„ ...	7	N. W. P.
	Sepoy ...	Bundhun ...	Sepoy ...	4	Presidency.
	„ ...	Meer Ramjahn Ally.	„ ...	4	N. W. P.
	„ ...	Sheck Hossen Bux	„ ...	4	Presidency.
	„ ...	Lowton ...	„ ...	4	N. W. P.
	„ ...	Seetul Singh ...	„ ...	4	„
		7th Regiment of Native Infantry.			
	Sepoy ...	Cheekhooree ...	Sepoy ...	4	N. W. P.
		10th Regiment of Native Infantry.			
	Havildar	Muthoora Sing...	Havildar	7	Presidency.
	„ ...	Dulthumun Sing	„ ...	7	N. W. P.
	„ ...	Sheik Gulam Kadir.	„ ...	7	Presidency.
	„ ...	Amir Khan ...	Naick ...	7	„
	„ ...	Kishen Sing ...	Havildar	7	N. W. P.
	Naick ...	Radhay Sing ...	Naick ...	7	Presidency.
	„ ...	Jeewun Sing ...	„ ...	7	Punjab.
	Sepoy ...	Hazee Khan ...	Sepoy ...	4	Presidency.
	„ ...	Rusun Ally Khan	„ ...	4	„
	„ ...	Koorban Khan...	„ ...	4	„
	„ ...	Adjoodhia Opudhia.	„ ...	4	„
	„ ...	Soobha Sing ...	„ ...	4	„
	„ ...	Ruhmut Ally Khan.	„ ...	4	„
	„ ...	Sowaruth Sing ...	„ ...	4	„
	„ ...	Praunput Sing ...	„ ...	4	„
	„ ...	Munnoo Sing ...	„ ...	4	„
	„ ...	Jugger Nauth Sing.	„ ...	4	„
	„ ...	Juggessur Sing...	„ ...	4	„
	„ ...	Chubee Lall Misser.	„ ...	4	„
		11th Regiment of Native Infantry.			
	Havildar	Shaik Peer Bux...	Havildar	7	N. W. P.
	„ ...	Sewsurn Sing ...	„ ...	7	Presidency.
	„ ...	Shaik Ramzan ...	„ ...	7	N. W. P.
	„ ...	Rampergas Sing	„ ...	7	Presidency.
		11th Regiment of Native Infantry,—(contd.)		Rs.	
	Havildar...	Rugberdial Sookul	Naick ...	7	N. W. P.
	Naick ...	Ramlall Sing ...	„ ...	7	Presidency.
	„ ...	Gungadhur Sing	„ ...	7	„
	Sepoy ...	Mudaree Sing ...	Sepoy ...	4	N. W. P.
	„ ...	Hussun Khan ...	„ ...	4	Presidency.
	Tindal ...	Meraie Ram ...	Tindal ...	7	N. W. P.
	Bhistie ...	Chukhun Khan	Bhistie ...	3	„
		12th (The Kelat-i-Ghilzie) Regiment of Native Infantry.			
	Jemadar	Bucktour ...	Jemadar	12	N. W. P.
	„ ...	Kasim Allie Shah	Havildar...	7	Punjab.
	Havildar	Ameer Shah ...	„ ...	7	„
	„ ...	Binda Panday ...	„ ...	7	N. W. P.
	„ ...	Ramjeawun ...	„ ...	7	„
	Naick ...	Maherban Khan	Naick ...	7	Punjab.
	„ ...	Sadoola Khan ...	„ ...	7	N. W. P.
	„ ...	Radhay Tewarry	„ ...	7	„
	„ ...	Person Doobay...	„ ...	7	„
	„ ...	Muzoola ...	„ ...	7	Punjab.
	Drummer	Mahomed Allie ..	Drummer	4	N. W. P.
	Sepoy ...	Takoor ...	Sepoy ...	4	Presidency.
	„ ...	Ramnarain Sing	„ ...	4	„
	„ ...	Ramadheen Panday.	„ ...	4	N. W. P.
	„ ...	Shaick Sullar Buksh.	„ ...	4	„
	„ ...	Sooruj Bullie Tewarry.	„ ...	4	„
	„ ...	Narain Bajpaie...	„ ...	4	„
	„ ...	Dhooree Sing ...	„ ...	4	„
	„ ...	Byjooram ...	„ ...	4	„
	„ ...	Anundiedeen Doobay.	„ ...	4	„
	„ ...	Roordoo ...	„ ...	4	Punjab.
	„ ...	Abdoolla ...	„ ...	4	„
	Lascar ...	Manghoo ...	Lascar ...	3	N. W. P.
	Bhistie ...	Maun ...	Bhistie ...	3	„
		13th (The Shekhawattee) Regiment of Native Infantry.			
	Bhistie ...	Meera Bux ...	Bhistie ...	3	N. W. P.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		15th (The Loodiana) Regiment of Native Infantry.		Rs.	
	Subadar...	Hurree Sing ...	Subadar...	25	Punjab.
	Jemadar	Soonder Sing ...	Jemadar	12	„
	Havildar	Shaick Hussain Bux.	Havildar	7	„
	„ ...	Raheem Khan ...	„ ...	7	N. W. P.
	„ ...	Suhale Sing ...	„ ...	7	Punjab.
	„ ...	Lucka Sing ...	„ ...	7	„
	„ ...	Moher Sing ...	„ ...	7	„
	„ ...	Khurruck Sing...	„ ...	7	„
	„ ...	Nehal Sing ...	„ ...	7	„
	„ ...	Bhag Sing ...	„ ...	7	„
	„ ...	Buxee Sing ...	„ ...	7	„
	„ ...	Bhugwan Sing...	„ ...	7	„
	„ ...	Ummer Sing ...	„ ...	7	„
	„ ...	Golab Sing ...	Naick ...	7	„
	„ ...	Bailah Sing ...	„ ...	7	„
	„ ...	Bhaug Sing ...	„ ...	7	„
	Naick ...	Dewa Sing ...	„ ...	7	„
	„ ...	Mehtab Sing ...	„ ...	7	„
	„ ...	Roda Sing ...	„ ...	7	„
	Sepoy ...	Dewa Sing ...	Sepoy ...	4	„
	„ ...	Sooltana ...	„ ...	4	„
	„ ...	Deep Sing ...	„ ...	4	„
	„ ...	Gunda ...	„ ...	4	„
	„ ...	Dillawur ...	„ ...	4	„
	„ ...	Jelal Khan ...	„ ...	4	„
	„ ...	Goormook Sing	„ ...	4	„
	„ ...	Shere Sing ...	„ ...	4	„
	„ ...	Mohomed Bux ...	„ ...	4	„
	Lascar ...	Poorun Massie...	Lascar ...	3	Presidency.
		16th (The Lucknow) Regiment of Native Infantry.			
	Havildar	Ally Bux Khan...	Havildar	7	Presidency.
	„ ...	Ramdial Sing ...	Naick ...	7	N. W. P.
	Naick ...	Shekh Emam Bux	„ ...	7	Presidency.
	Sepoy ...	Ramtohul Ram...	Sepoy ...	4	N. W. P
	„ ...	Deepun Sing ...	„ ...	4	Presidency.
	„ ...	Rampersaud ...	„ ...	4	N. W. P.
	„ ...	Shekh Daem ...	„ ...	4	Presidency.
	„ ...	Bhyrow Sing ...	„ ...	4	N. W. P.
		16th (The Lucknow) Regiment of Native Infantry,—(contd.)		Rs.	
	Sepoy ...	Mirza Nubbee Beg	Sepoy ...	4	N. W. P.
	„ ...	Louton ...	„ ...	4	„
	„ ...	Amjad Ally Khan	„ ...	4	Presidency.
	„ ...	Rugoonauth Sing	„ ...	4	N. W. P.
	„ ...	Bissessur Sing ...	„ ...	4	„
	„ ...	Kalka Roy ...	„ ...	4	„
	„ ...	Khoda Bux Khan	„ ...	4	„
	„ ...	Hoosein Khan ...	„ ...	4	„
	„ ...	Ameer Khan ...	„ ...	4	„
	„ ...	RamadheenTewary	„ ...	4	„
	„ ...	Sewdutt Pattuck	„ ...	4	„
	„ ...	Sunkutta Sing ...	„ ...	4	„
	„ ...	Goorbux Sing ...	„ ...	4	„
	„ ...	Shekh Heat Ally	„ ...	4	Presidency.
	„ ...	Matadeen ...	„ ...	4	N. W. P.
	„ ...	Ruchpal Sing ...	„ ...	4	„
	„ ...	Kalay Khan ...	„ ...	4	„
		20th (Punjab) Regiment of Native Infantry.			
	Jemadar	Thoploo ...	Jemadar	12	Punjab.
	Havildar	Syduck ...	Havildar	7	„
	„	Jolah ...	„	7	„
	Naick ...	Chundun ...	Naick ...	7	„
	Sepoy ...	Mahomed Bux ...	Sepoy ...	4	„
		21st (Punjab) Regiment of Native Infantry.			
	Havildar	Manh Singh ...	Havildar	7	Punjab.
	„ ...	Sarandaz Khan...	„ ...	7	„
	„ ...	Garreeboo Misser	„ ...	7	„
	„ ...	Mohamed Azim...	„ ...	7	„
	„ ...	Kehar Singh ...	„ ...	7	„
	Naick ...	Mungal Singh ...	Naick ...	7	„
	„ ...	Mohamed Ali ...	„ ...	7	„
	„ ...	Abdullah ...	„ ...	7	„
	„ ...	Maleh Khan ...	„ ...	7	„
	Sepoy ...	Labh Singh ...	Sepoy ...	4	„
	„ ...	Futteh Singh ...	„ ...	4	„
	„ ...	Nihal Singh ...	„ ...	4	„
	„ ...	Futteh Singh ...	„ ...	4	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		21st (Punjab) Regiment of Native Infantry,—(contd.)		Rs.	
	Sepoy ...	Kanh Singh ...	Sepoy ...	4	Punjab.
	,, ...	Sayad Shah ...	,, ...	4	,,
	,, ...	Buttah ...	,, ...	4	,,
	,, ...	Hira ...	,, ...	4	,,
	,, ...	Essra ...	,, ...	4	,,
	,, ...	Dhunna Singh ...	,, ...	4	,,
	,, ...	Hurri Ram ...	,, ...	4	,,
	,, ...	Mohamed Raheem Khan.	,, ...	4	N. W. P.
		22nd (Punjab) Regiment of Native Infantry.			
	Havildar	Nehal Singh ...	Havildar	7	Punjab.
	,, ...	Heera ...	,, ...	7	,,
	,, ...	Allee Mohomed...	,, ...	7	,,
	,, ...	Narain ...	,, ...	7	,,
	,, ...	Jeewun Singh ...	,, ...	7	,,
	Naick ...	Juffa ...	Naick ...	7	,,
	,, ...	Keeroo ...	,, ...	7	,,
	Sepoy ...	Ameer Bux ...	Sepoy ...	4	,,
	,, ...	Tegah ...	,, ...	4	,,
	,, ...	Mahtab ...	,, ...	4	,,
	,, ...	Kuttoo ...	,, ...	4	,,
	,, ...	Mahaiser Singh...	,, ...	4	,,
	Bhistie ...	Edah ...	Bhistie ...	3	,,
		23rd (Punjab) Regiment of Native Infantry (Pioneers).			
	Subadar...	Goormookh Sing	Subadar...	25	Punjab.
	Jemadar	Buldee ...	Jemadar...	12	N. W. P.
	Havildar	Jhunda Sing ...	Havildar	7	Punjab.
	,, ...	Booda Sing ...	,, ...	7	,,
	Naick ...	Boodh Sing ...	Naick ...	7	,,
	,, ...	Bahul Sing ...	,, ...	7	,,
	,, ...	Doola Sing ...	,, ...	7	,,
	Sepoy ...	Ram Sing ...	Sepoy ...	4	,,
	,, ...	Mustan Sing ...	,, ...	4	,,
	,, ...	Ram Sing ...	,, ...	4	,,
	,, ...	Jye Sing ...	,, ...	4	,,
	,, ...	Boodh Sing ...	,, ...	4	,,
	,, ...	Soondur Sing ...	,, ...	4	,,

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		23rd (Punjab) Regiment of Native Infantry (Pioneers),—(contd.)		Rs.	
	Sepoy ...	Jowalla Sing ...	Sepoy ...	4	Punjab.
	,, ...	Ram Sing ...	,, ...	4	,,
	,, ...	Chain Sing ...	,, ...	4	,,
	,, ...	Khazan Sing ...	,, ...	4	,,
	,, ...	Heera Sing ...	,, ...	4	,,
	,, ...	Suroop Sing ...	,, ...	4	,,
	,, ...	Dyal Sing ...	,, ...	4	,,
	,, ...	Buchun Sing ...	,, ...	4	,,
	,, ...	Ruttan Sing ...	,, ...	4	,,
	,, ...	Heera Sing ...	,, ...	4	,,
	,, ...	Wuzeer Sing ...	,, ...	4	,,
	,, ...	Kishen Sing ...	,, ...	4	,,
	,, ...	Punjab Sing ...	,, ...	4	,,
	,, ...	Sudda Sing ...	,, ...	4	,,
	,, ...	Bussawa Sing ...	,, ...	4	,,
	,, ...	Ummur Sing ...	,, ...	4	,,
	,, ...	Aroor Sing ...	,, ...	4	,,
	,, ...	Nehal Sing ...	,, ...	4	,,
	,, ...	Dewa Sing ...	,, ...	4	,,
	,, ...	Choor Sing ...	,, ...	4	,,
	,, ...	Uttur Sing ...	,, ...	4	,,
	,, ...	Tegh Sing ...	,, ...	4	,,
	,, ...	Tara Sing ...	,, ...	4	,,
	,, ...	Kowda Sing ...	,, ...	4	,,
	,, ...	Jowahir Sing ...	,, ...	4	,,
	,, ...	Dussonda Sing...	,, ...	4	,,
	,, ...	Sawun Sing ...	,, ...	4	,,
	,, ...	Khooshial Sing...	,, ...	4	,,
	,, ...	Nehal Sing ...	,, ...	4	,,
	,, ...	Kullean Sing ...	,, ...	4	,,
	,, ...	Jymul Sing ...	,, ...	4	,,
	Lascar ...	Sudhaie ...	Lascar ...	3	,,
	,, ...	Gunga ...	,, ...	3	,,
	Bhistie ...	Shamah ...	Bhistie ...	3	,,
		26th (Punjab) Regiment of Native Infantry.			
	Bhistie ...	Jewun ...	Bhistie ...	3	Punjab.
	,, ...	Boota ...	,, ...	3	,,

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		27th (Punjab) Regiment of Native Infantry.		Rs.	
	Sepoy ...	Summa ...	Sepoy ...	4	Punjab.
		29th (Punjab) Regiment of Native Infantry.			
	Naick ...	Oomer Bux ...	Naick ...	7	Punjab.
	Sepoy ...	Budna Misser ...	Sepoy ...	4	,,
	,, ...	Nunda ...	,, ...	4	,,
	,, ...	Gopee ...	,, ...	4	,,
	,, ...	Taj Khan ...	,, ...	4	,,
	,, ...	Bhan Sing ...	,, ...	4	,,
	,, ...	Soochet Sing ...	,, ...	4	,,
	,, ...	Dulla ...	,, ...	4	,,
	,, ...	Dabeeah ...	,, ...	4	,,
	,, ... (Musician)	Nuthoo ...	,, ...	4	,,
	Sepoy ...	Oomur Bux ...	,, ...	4	,,
	,, ...	Heera Sing ...	,, ...	4	,,
	,, ...	Khajan ...	,, ...	4	,,
	,, ...	Thomas Williams	,, ...	4	,,
	Drummer	David Uanjour...	Drummer	7	,,
		31st (Punjab) Regiment of Native Infantry.			
	Subadar...	Goolab Singh ...	Subadar...	25	Punjab.
	Jemadar	Sumus Deen ...	Jemadar	12	,,
	,, ...	Lehna Singh ...	,, ...	12	,,
	Havildar	Jodha ...	Havildar...	7	,,
	,, ...	Golaub Singh ...	,, ...	7	,,
	,, ...	Kirpaul Singh ...	,, ...	7	,,
	Naick ...	Narain Singh ...	Naick ...	7	,,
	,, ...	Bhola Singh ...	,, ...	7	,,
	Sepoy ...	Ditta ...	Sepoy ...	4	,,
	,, ...	Dewah Singh ...	,, ...	4	,,
	,, ...	Oodaram ...	,, ...	4	,,
	,, ...	Futtah ...	,, ...	4	,,
	,, ...	Chuttur Singh ...	,, ...	4	,,
	,, ...	Ellaheea ...	,, ...	4	,,
	,, ...	Mogah Singh ...	,, ...	4	,,
	,, ...	Gunness Doss ...	,, ...	4	,,
	,, ...	Kan Singh ...	,, ...	4	,,
	,, ...	Joomalla ...	,, ...	4	,,
	,, ...	Hemroo ...	,, ...	4	N. W. P.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		32nd (Punjab) Regiment of Native Infantry (Pioneers).		Rs.	
	Havildar	Muggur Sing ...	Naick ...	7	Punjab.
	Naick ...	Utter Sing ...	,, ...	7	,,
	Bugler ...	Hurree Sing ...	Bugler ...	4	,,
	Sepoy ...	Jowalla Sing ...	Sepoy ...	4	,,
	,, ...	Utter Sing ...	,, ...	4	,,
	,, ...	Futteh Sing ...	,, ...	4	,,
	,, ...	Prem Sing ...	,, ...	4	,,
	,, ...	Futteh Sing ...	,, ...	4	,,
	,, ...	Utter Sing ...	,, ...	4	,,
	,, ...	Hurra Sing ...	,, ...	4	,,
	,, ...	Sookha Sing ...	,, ...	4	,,
		33rd (The Allahabad) Regiment of Native Infantry.			
	Havildar	Somai ...	Havildar	7	N. W. P.
	,, ...	Seopulut ...	,, ...	7	,,
	,, ...	Gobindh ...	,, ...	7	Punjab.
	,, ...	Nunda ...	Naick ...	7	N. W. P.
	,, ...	Goolzar ...	,, ...	7	,,
	Naick ...	Budloo ...	,, ...	7	,,
	Drummer	Nunda ...	Drummer	4	,,
	Sepoy ...	Moonoo ...	Sepoy ...	4	,,
	,, ...	Shaikh Bheekai...	,, ...	4	,,
	,, ...	Madho ...	,, ...	4	,,
	,, ...	Ramtahul ...	,, ...	4	,,
	,, ...	Shaikh Ilahee Buksh.	,, ...	4	,,
	,, ...	Bhugoo ...	,, ...	4	,,
	,, ...	Munsa ...	,, ...	4	,,
	,, ...	Nuckchaid ...	,, ...	4	,,
	,, ...	Jugoo ...	,, ...	4	,,
	,, ...	Shaikh Gohur Ali	,, ...	4	,,
	,, ...	Shaikh Golam ...	,, ...	4	,,
	,, ...	Bhoorey ...	,, ...	4	,,
	,, ...	Ramdeen ...	,, ...	4	,,
	,, ...	Shaikh Rujub Ali	,, ...	4	,,
	,, ...	Dookchor ...	,, ...	4	,,
	,, ...	Laotoo ...	,, ...	4	,,
	,, ...	Shunkur ...	,, ...	4	,,
	,, ...	Alabuksh ...	,, ...	4	,,
	,, ...	Jaisee ...	,, ...	4	,,

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		33rd (The Allahabad) Regiment of Native Infantry, —(contd.)		Rs.	
	Sepoy ...	Punchum ...	Sepoy ...	4	N. W. P.
	„ ...	Shaikh Hoosain Buksh.	„ ...	4	„
	„ ...	Shaikh Imam Buksh.	„ ...	4	„
	„ ...	Shaikh Ameer Buksh.	„ ...	4	„
	„ ...	Seetul ...	„ ...	4	„
	„ ...	Paraotee ...	„ ...	4	„
	„ ...	Seetul ...	„ ...	4	„
	„ ...	Ghiseawun ...	„ ...	4	„
	„ ...	Chundee Deen ...	„ ...	4	„
	„ ...	Punchum ...	„ ...	4	„
	„ ...	Mungul ...	„ ...	4	„
		34th (The Futtehgurh) Regiment of Native Infantry.			
	Havildar	Suddoo ...	Havildar	7	N. W. P.
	„ ...	Gharum ...	„ ...	7	„
	„ ...	Lalta Persaud Bajpay.	„ ...	7	„
	„ ...	Urjoon Sing ...	„ ...	7	Punjab.
	Sepoy ...	Bulloo ...	Sepoy ...	4	N. W. P.
	„ ...	Buldee ...	„ ...	4	„
	„ ...	Dabee, 2nd ...	„ ...	4	„
	„ ...	Thakoree, 1st ...	„ ...	4	„
	„ ...	Dabee, 3rd ...	„ ...	4	„
	„ ...	Gungoo ...	„ ...	4	„
	„ ...	Khunjun ...	„ ...	4	„
	„ ...	Chedamee ...	„ ...	4	„
	„ ...	Gyan ...	„ ...	4	„
	„ ...	Dabee ...	„ ...	4	„
	„ ...	Beharie Dooby ...	„ ...	4	„
	„ ...	Soomare Sing ...	„ ...	4	„
	„ ...	Jublall Sing ...	„ ...	4	„
	„ ...	Radhakissun Sing	„ ...	4	„
	„ ...	Thummun ...	„ ...	4	„
		37th (The Meerut) Regiment of Native Infantry.			
	Jemadar...	Jani Khan ...	Jemadar	12	Punjab.
	Havildar	Boor Sing ...	Havildar	7	„
	Havildar...	Bhema ...	Havildar...	7	N. W. P.
	„ ...	Gobind Misser ...	„ ...	7	Presidency.
	„ ...	Sookram ...	„ ...	7	N. W. P.
	Naick ...	Khuda Bux ...	Naick ...	7	„
	„ ...	Chattoor Sing ...	„ ...	7	„
	Drummer	Mohamed Khan	Drummer	4	Presidency.
	„ ...	Khuda Bux ...	„ ...	4	N. W. P.
	Sepoy ...	Ragu ...	Sepoy ...	4	„
	„ ...	Walidad Khan ...	„ ...	4	„
	„ ...	Bissoon Sing ...	„ ...	4	„
	„ ...	Bawar Beg ...	„ ...	4	„
	„ ...	Jeeram ...	„ ...	4	„
	„ ...	Purtab Sing ...	„ ...	4	„
	„ ...	Gyan Sing ...	„ ...	4	„
	„ ...	Nunda Sing ...	„ ...	4	„
	„ ...	Hurdeo ...	„ ...	4	„
	„ ...	Khusi Sing ...	„ ...	4	„
	Drummer	Zaffaryab Khan	Drummer	4	„
	Sepoy ...	Jurakhan Sing...	Sepoy ...	4	„
	„ ...	Hurchand Sing...	„ ...	4	„
	„ ...	Dabi Sing ...	„ ...	4	„
	„ ...	Angnu ...	„ ...	4	„
	„ ...	Hanuman ...	„ ...	4	„
	„ ...	Bhagu ...	„ ...	4	„
	„ ...	Ram Kurn ...	„ ...	4	„
	„ ...	Nain Sookh ...	„ ...	4	„
	„ ...	Jugornath ...	„ ...	4	„
	„ ...	Gunga Din ...	„ ...	4	„
	„ ...	Goomani ...	„ ...	4	„
	„ ...	Buldeo Sing ...	„ ...	4	„
	„ ...	Dhunnaram ...	„ ...	4	„
	„ ...	Fursut ...	„ ...	4	„
	Lascar ...	Ramlall ...	Lascar ...	3	„
	„ ...	Bhodi ...	„ ...	3	„
	Sepoy ...	Rahimdad Khan	Sepoy ...	4	„
	„ ...	Chand Khan ...	„ ...	4	„
	„ ...	Pooran ...	„ ...	4	„
	Drummer	Norman Laiten	Drummer	7	Presidency.
	Bhistie ...	Man Khan ...	Bhistie ...	3	N. W. P.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		39th (The Allygurh) Regiment of Native Infantry.		Rs.	
	Subadar...	Eesra Sing ...	Subadar...	25	Punjab.
	Drum Major	Simon Peters ...	Drum Major	7	Presidency.
		41st (The Gwalior) Regiment of Native Infantry.			
	Jemadar...	Anoke Sing ...	Jemadar...	12	Punjab.
	Havildar...	Bhaug Sing ...	Havildar...	7	N. W. P.
	„ ...	Prem Sing ...	„ ...	7	Punjab.
	„ ...	Nubbee Buksh ...	„ ...	7	N. W. P.
	„ ...	Eesra ...	„ ...	7	Punjab.
	„ ...	Lolla Ram ...	„ ...	7	N. W. P.
	Naick ...	Sher Sing ...	Naick ...	7	„
	„ ...	Suddoo ...	„ ...	7	„
	„ ...	Bhugotoo ...	„ ...	7	„
	Drummer	Munjoo ...	Drummer	4	„
	„ ...	Sahib Khan ...	„ ...	4	„
	Sepoy ...	Kan Sing ...	Sepoy ...	4	„
	„ ...	Mohun ...	„ ...	4	„
	„ ...	Guness ...	„ ...	4	„
	„ ...	Thackoordeen ...	„ ...	4	„
	„ ...	Beharee ...	„ ...	4	„
	„ ...	Desraj ...	„ ...	4	„
	„ ...	Russool Khan ...	„ ...	4	„
	„ ...	Seeta Ram ...	„ ...	4	„
	„ ...	Manick ...	„ ...	4	„
	„ ...	Sibboo ...	„ ...	4	„
	„ ...	Hurree Sing ...	„ ...	4	„
	„ ...	Jooploo ...	„ ...	4	„
	„ ...	Davee Sing ...	„ ...	4	„
	„ ...	Mohun Sing ...	„ ...	4	„
	„ ...	Puddum Sing ...	„ ...	4	„
	„ ...	Muddun Sing ...	„ ...	4	„
		44th (Sylhet) Regiment of Native Infantry.			
	Jemadar...	Mahabeer Groom	Jemadar...	12	Presidency.
	Havildar...	Than Sing ...	Havildar...	7	„
	„ ...	Dhurm Sing Thapa	„ ...	7	„
	2nd Bugle Major.	Ramchunder Ram	2nd Bugle Major.	7	„
	Naick ...	Rajman Nugurkotee.	Naick ...	7	N. W. P.
	„ ...	Achiber Sing ...	„ ...	7	Presidency.
	Naick ...	Singbeer Karkee	Naick ...	7	Presidency.
	Sepoy ...	Bissesur Misir ...	Sepoy ...	4	„
	„ ...	Joobah Sing ...	„ ...	4	„
	„ ...	Bikao Sing ...	„ ...	4	„
	„ ...	Brumdeo Sing ...	„ ...	4	„
	„ ...	Ram Koomar Ram	„ ...	4	„
	„ ...	Gopal Nugurkotee	„ ...	4	„
	„ ...	Auheetoo Sarkee	„ ...	4	„
	„ ...	Kalloo Ram ...	„ ...	4	„
	„ ...	Jeetman Gullay	„ ...	4	„
	„ ...	Rajbunsee Sing	„ ...	4	„
	„ ...	Bhubeekhun Sing.	„ ...	4	„
	„ ...	Chuttoo Sing ...	„ ...	4	„
	„ ...	Koonjbeeharee Sing.	„ ...	4	„
	„ ...	Dowarika Ram...	„ ...	4	„
	„ ...	Singbeer Rai ...	„ ...	4	„
	„ ...	Kubeeraj Khutree	„ ...	4	„
	„ ...	Bhugutbeer Khurga.	„ ...	4	„
	„ ...	Oomah Sing ...	„ ...	4	„
	„ ...	Jewdhary Ram...	„ ...	4	„
	„ ...	Kassee Ram Khuttree.	„ ...	4	„
	„ ...	Seeta Ram Sing	„ ...	4	„
	„ ...	Jungbeer Moormee	„ ...	4	„
	„ ...	Dahoo Sing ...	„ ...	4	„
	„ ...	Juddoo Nath Sing	„ ...	4	„
		2nd Punjab Cavalry.			
	Duffadar...	Ameer Khan ...	Duffadar...	7	Punjab.
	Trumpet Major.	Hyder Shah ...	Trumpet Major.	7	„
	Sowar ...	Dhoomun Khan	Sowar ...	4	„
	„ ...	Rahmut Ally ...	„ ...	4	N. W. P.
	„ ...	Hookum Sing ...	„ ...	4	Punjab.
	„ ...	Gundah Sing ...	„ ...	4	„
	„ ...	Neaz Allie ...	„ ...	4	„
	„ ...	Mith Sing ...	„ ...	4	„
	„ ...	Lehna Sing ...	„ ...	4	„
	„ ...	Dial Sing ...	„ ...	4	„
	Bhistie ...	Nihala ...	Bhistie ...	3	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		4th Punjab Cavalry.		Rs.	
	Bhistie ...	Budu ...	Bhistie ...	3	Punjab.
		5th Punjab Cavalry.			
	Duffadar...	Doolah Sing ...	Duffadar...	7	Punjab.
	Sowar ...	Ibrahim Khan ...	Sowar ...	4	„
	„ ...	Bhanal Khan ...	„ ...	4	„
	„ ...	Mahomed Bux ...	„ ...	4	„
	„ ...	Lall Sing ...	„ ...	4	„
	„ ...	Kullundur Bux...	„ ...	4	„
	„ ...	Boota Sing ...	„ ...	4	„
	„ ...	Goota Sing ...	„ ...	4	„
	„ ...	Mahomed Bux ...	„ ...	4	„
		No. 2 Horse Light Field Battery.			
	Naick ...	Bahadur ...	Naick ...	7	Punjab.
	Syce ...	Mowkum ...	Syce ...	3	„
	Jorawalla Grass-cutter	Khurput ...	Jorawalla Grass-cutter	3	Presidency.
		No. 4 or Garrison Battery of Artillery.			
	Gunner ...	Chunda Sing ...	Gunner ...	4	Punjab.
	„ ...	Khan Sing ...	„ ...	4	„
		Peshawur Mountain Battery.			
	Havildar	Futteh Khan ...	Havildar	7	Punjab.
	„ ...	Bootah ...	Naick ...	7	„
	Naick ...	Shahwullee ...	„ ...	7	„
	Driver Naick.	Oomer Buksh ...	Driver Naick.	7	„
	Driver ...	Hyat Buksh ...	Driver ...	4	„
		Hazara Mountain Battery.			
	Driver ...	Mohan ...	Driver ...	4	Punjab.
		1st Sikh Infantry.			
	Jemadar...	Golab Singh ...	Jemadar ...	12	Punjab.
	Havildar	Mast Baksh ...	Havildar	7	„
	Naick ...	Ramsahaie Singh	Naick ...	7	N. W. P.
	Sepoy ...	Bhowal Singh ...	Sepoy ...	4	„
	„ ...	Kammarud Din	„ ...	4	Punjab.
	„ ...	Fatteh Din ...	„ ...	4	„
	„ ...	Hakim Khan ...	„ ...	4	„
	„ ...	Surmukh Singh	Sepoy ...	4	„
		1st Sikh Infantry, —(contd.)		Rs.	
	Sepoy ...	Mangal Singh ...	Sepoy ...	4	Punjab.
	„ ...	Dewa Singh ...	„ ...	4	„
	„ ...	Bassan Singh ...	„ ...	4	„
	„ ...	Ghulam Hussain	„ ...	4	„
	„ ...	Khushial Singh	„ ...	4	„
	„ ...	Hira Singh ...	„ ...	4	„
	„ ...	Sher Singh ...	„ ...	4	„
	„ ...	Haiyat ...	„ ...	4	„
		3rd Sikh Infantry.			
	Jemadar...	Saudager Singh	Jemadar...	12	Punjab.
	Havildar	Abdula Khan ...	Havildar	7	„
	„ ...	Jhunda Singh ...	Naick ...	7	„
	„ ...	Kabul Singh ...	„ ...	7	„
	Naick ...	Soodh Singh ...	„ ...	7	„
	„ ...	Bakhtawer Singh	„ ...	7	„
	Bugler ...	Narrain Singh ...	Bugler ...	4	„
	Private ...	Khushal Singh...	Private ...	4	„
	„ ...	Elahi Bux ...	„ ...	4	„
	„ ...	Jae Singh ...	„ ...	4	„
	„ ...	Futteh Singh ...	„ ...	4	„
	„ ...	Allah Meer ...	„ ...	4	„
	„ ...	Sadha Singh ...	„ ...	4	„
	„ ...	Gureeb Singh ...	„ ...	4	„
		2nd Punjab Infantry.			
	Bhistie ...	Natha ...	Bhistie ...	3	Punjab.
		3rd Punjab Infantry.			
	Subadar...	Gholam Russool	Subadar...	25	Punjab.
	Havildar	Allee Mahomed...	Havildar...	7	„
	„ ...	Heera Sing ...	„ ...	7	„
	„ ...	Momtaz Ally ...	„ ...	7	N. W. P.
	„ ...	Gunda Sing ...	„ ...	7	Punjab.
	„ ...	Munglah ...	„ ...	7	„
	„ ...	Shunkaie ...	„ ...	7	„
	Naick ...	Luckha ...	Naick ...	7	„
	Sepoy ...	Jaimul Sing ...	Sepoy ...	4	„
	„ ...	Soobah Sing ...	„ ...	4	„
	„ ...	Narain ...	„ ...	4	„
	„ ...	Ameer Khan ...	„ ...	4	„
	„ ...	Bootah ...	„ ...	4	„

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		4th Punjab Infantry.		Rs.	
	Subadar Major	Jerra Sind ...	Subadar Major.	25	Punjab.
	Havildar	Buta Singh ...	Havildar	7	„
	„ ...	Hardial ...	„ ...	7	„
	„ ...	Ali Mardan ...	„ ...	7	„
	Naick ...	Bela Singh ...	Naick ...	7	„
	„ ...	Jawahir ...	„ ...	7	„
	„ ...	Suchet Singh ...	„ ...	7	„
	Sepoy ...	Dowlat ...	Sepoy ...	4	N. W. P.
	„ ...	Chur ...	„ ...	4	Punjab.
	„ ...	Nehalla ...	„ ...	4	„
	„ ...	Bubha ...	„ ...	4	„
	„ ...	Seoram Tewari...	„ ...	4	N. W. P.
	„ ...	Kaim ...	„ ...	4	„
	„ ...	Hassan ...	„ ...	4	Punjab.
	„ ...	Golab ...	„ ...	4	„
	„ ...	Lallu ...	„ ...	4	„
	„ ...	Jawahir Singh ...	„ ...	4	„
	„ ...	Moti Sing ...	„ ...	4	„
	„ ...	Amur Sing ...	„ ...	4	„
	„ ...	Mangal ...	„ ...	4	„
	„ ...	Buta Sing ...	„ ...	4	„
	„ ...	Mehr Din ...	„ ...	4	„
	„ ...	Gakka ...	„ ...	4	„
	„ ...	Roda ...	„ ...	4	„
	„ ...	Binda Singh ...	„ ...	4	„
	„ ...	Hubdar Khan ...	„ ...	4	N. W. P.
	„ ...	Sher Khan ...	„ ...	4	Punjab.
	„ ...	Chet Singh ...	„ ...	4	„
		5th Punjab Infantry.		Rs.	
	Subadar...	Jowalla Sing ...	Subadar...	25	Punjab.
	Havildar	Jumeat Sing ...	Havildar	7	„
	„ ...	Buta Singh ...	„ ...	7	„
	Naick ...	Chunda Singh ...	Naick ...	7	„
	Sepoy ...	Gurmuk Singh...	Sepoy ...	4	„
	„ ...	Kazan Sing ...	„ ...	4	„
	„ ...	Sharf Din ...	„ ...	4	„
	„ ...	Najjib ...	„ ...	4	„
	„ ...	Wallidad ...	„ ...	4	„
	„ ...	Haidar Khan ...	„ ...	4	„
	„ ...	Mahar Khan ...	„ ...	4	„
	„ ...	Atar Singh ...	„ ...	4	„
	„ ...	Prem Singh ...	„ ...	4	„
	„ ...	Suba ...	„ ...	4	„
	„ ...	Suchaita ...	„ ...	4	„
	„ ...	Tirat ...	„ ...	4	„
	„ ...	Narain Sing ...	„ ...	4	„
	„ ...	Mohomed Yar ...	„ ...	4	„
	„ ...	Mohomed Azim...	„ ...	4	„
	„ ...	Gul Din ...	„ ...	4	„
		6th Punjab Infantry.			
	Subadar	Essaree Sing ...	Subadar...	25	N. W. P.
	„ ...	Ahmedjee ...	„ ...	25	Punjab.
	Jemadar	Shere Mohamed	Jemadar	12	„
	Havildar	Bood Sing ...	Havildar	7	„
	„ ...	Dost Mohamed...	„ ...	7	„
	„ ...	Boolaka Sing ...	„ ...	7	„
	„ ...	Veerah ...	„ ...	7	„
	Naick ...	Ellahie Bux ...	Sepoy ...	4	„
	Sepoy ...	Issura ...	„ ...	4	„

No. 901 *of* 1876.—Native Medical Pupil Baleyram Jaye Krishna, No. 1003, is struck off the strength of the army from the 1st May 1876.

Admitted by G. G. O. No. 1046 of 1875.

No. 902 *of* 1876.—*Appointments*—

Army Commissariat Department.

Lieutenant C. M. Keighley, Sub-Assistant Commissary General, 3rd Class, on probation, and Officiating Sub-Assistant Commissary General, 2nd Class, to officiate as Sub-Assistant Commissary General, 1st Class, from the 24th July 1876, during the absence on furlough to Europe of Lieutenant A. T. S. A. Rind, Sub-Assistant Commissary General, 3rd Class, and Officiating Sub-Assistant Commissary General, 1st Class, or until further orders.

Lieutenant E. Palmer, Sub-Assistant Commissary General, 3rd Class, on probation, to officiate as Sub-Assistant Commissary General, 2nd Class, from the 12th July 1876, or until further orders.

No. 903 *of* 1876.—The following promotions and alterations of rank are made in the Subordinate Medical Department:—

1st Class Assistant Apothecary	G. H. Campbell,	to be Apothecary	from	28th March	1875,	*vice*	J. Hemming,	deceased.
„ „	H. Johnson,	„ „	„	4th April	„	„	J. Piner,	„
„ „	W. H. Lewty,	„ „	„	17th July	„	„	H. D. Cooper,	promoted.
„ „	R. M. Blaker,	„ „	„	9th Dec.	„	„	B. Prince,	deceased.
„ „	G. Kunning,*	„ „	„	15th May	1876,	„	W. A. Kidd,	seconded.
Passed Hospital Apprentice	G. Murphy,	to be Assistant Apothecary	from	27th March	1875,	*vice*	G. H. Campbell,	promoted.
„ „	I. Newton,	„ „	„	28th	„	„	G. A. Swaries,	deceased.
„ „	A. Luke,	„ „	„	4th April	„	„	H. Johnson,	promoted.
„ „	H. Clinton,	„ „	„	17th July	„	„	W. H. Lewty,	„
„ „	C. Carroll,	„ „	„	7th Sept.	„	„	R. Calburn,	deceased.
„ „	T. Bell,	„ „	„	12th	„	„	J. R. Robertson,	„
„ „	J. Lynch,	„ „	„	13th	„	„	J. Houlder,	„
„ „	W. A. Heppolette	„ „	„	20th	„	„	C. Peter,	dismissed.
„ „	W. Marchant,	„ „	„	9th Dec.	„	„	R. M. Blaker,	promoted.
„ „	J. G. Fleming,	„ „	„	11th Feb.	1876,	„	C. Prince,	dismissed.
„ „	J. Baillie,	„ „	„	13th March	„	„	W. R. Davis,	„
„ „	G. J. Harris,	„ „	„	23rd	„	„	P. Kelly,	„
„ „	P. Toomey,*	„ „	„	10th April	„	„	W. Harding,	seconded.
„ „	W. H. Butcher,	„ „	„	16th May	„	„	G. Kunning,	promoted.

* The date of passing the prescribed examination.

No. 904 *of* 1876.—The following promotion (by transfer) is made in the undermentioned Corps:—

10th Regiment of Native Infantry.

Jemadar Girdhari Singh, from the 5th Native Infantry, to be Subadar, *vice* Soochit Doobey, invalided.

No. 905 *of* 1876.—With reference to G. G. O. No. 56 of 1875, it is hereby notified that the issue of Staff Sergeants' appointments is sanctioned to the Band Sergeants of Regiments of British Infantry. The following corrections will accordingly be made to the Equipment Tables of British Infantry:—

PAGE 3.	In 3rd and 4th columns, opposite— Belts, Leather, Waist, Buff, Staff Sergeants ...	*For* ...	1 per Staff Sergeant, Sergeant Cook and Master Tailor	12
		Substitute	1 per Staff Sergeant, Sergeant Cook, Master Tailor and Band Sergeant	13
PAGE 4.	In 4th column, opposite— Carriages, Leather, Waist Belts, Infantry, Staff Sergeants ... ... Knots, Leather, Sword, Buff, Staff Sergeants ...	*For*		12
		Substitute	...	13
	In 3rd and 4th columns, opposite— Lockets, Union, Gilt, Staff Sergeants, Infantry ...	*For* ...	1 per Staff Sergeant, Sergeant Cook, and Master Tailor	12
		Substitute	1 per Staff Sergeant, Sergeant Cook, Master Tailor and Band Sergeant	13
PAGE 5.	In 3rd and 4th columns, opposite— Swords, Gilt Hilt, Line Regiment, Staff Sergeants ...	*For* ...	1 per Staff Sergeant, Sergeant Cook and Master Tailor	12
		Substitute	1 per Staff Sergeant, Sergeant Cook, Master Tailor and Band Sergeant	13

2. This issue to Band Sergeants necessitates a corresponding reduction of one set of rank and file appointments, and Equipment Tables should also be corrected in this respect.

No. 906 *of* 1876.—The services of the undermentioned Officers of the Royal Engineers are placed at the disposal of the Public Works Department:—

Lieutenant R. C. Maxwell.
„ A. C. Foley.
„ R. Jennings.
„ W. V. Constable.
Lieutenant G. H. Sim.
„ H. Finnis.
„ J. A. Ferrier.
„ C. R. Hoskyn.
„ W. F. H. Stafford.
„ A. H. Kenney.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 19th August 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from 5th to 18th August 1876:—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Her Majesty's 70th Foot.	Lieutenant J. W. A. Boothby ...	30th July 1876	Camp Topah, near Murree.		
Bengal Medical Establishment.	Surgeon-Major G. B. Hadow ...	31st July 1876	Aligarh.		
Her Majesty's 13th Hussars.	Captain M. Bieber ...	6th Aug. 1876	Near Bangalore.		
Her Majesty's 4th Hussars.	Captain E. D. Fisher ...	8th Aug. 1876	Murree.		

Statement of Deposits on account of Estates from 5th to 18th August 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. a. p.		
Walter George Palk (a) ...	Lieutenant	Royal Artillery.	1st May 1876	No Will found	1,160 5 0	.....	18th October 1876.

(a) Next-of-kin,—Father, Sir Lawrence Palk, Bart., M. P., Haldon House, Exeter, or 1, Grosvenor Gardens, London, S.-W.

ALLEN JOHNSON, *Colonel*,
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 21st August 1876.

No. 867.—The following Lower Subordinates attached to the Military Works Branch are promoted to the Upper Subordinate Establishment as Overseers 2nd grade:—

Soonder Lall.
Brindabun Paul.
Nathoo Ram.
Dowlut Ram.
Sayad Khadim Ali.
Modhoo Soodun Chatterjee.

No. 868.—The undermentioned Overseer Apprentices are appointed to the Public Works Department, with effect from 1st September 1876, as Overseers in the grades specified, and posted as follows:—

To Bengal Irrigation Branch.

Corporal F. Somers ... 1st grade.
Private L. Fletcher ... 1st „
Bhagwan Doss ... 3rd „
Kanty Chunder Banerjee ... 3rd „
Chandan Lall ... 3rd „

To North-Western Provinces Irrigation.

Corporal W. H. Clifford ... 1st grade.
Private A. Anderson ... 1st „
„ A. Learmouth ... 1st „
Bombardier A. L. Hay ... 1st „
Mohun Lall ... 3rd „

To Punjab Irrigation Branch.

Mr. J. Burke ... 2nd grade.
Sher Mohamed ... 3rd „
Ramsaroop ... 3rd „
Sham Sheer Sing ... 3rd „

To Establishment under Director of State Railways.

Lance Corporal C. Williams ... 1st grade.
Private J. Morrison ... 1st „

To Military Works Branch.

Lance Sergeant R. Logan ... 1st grade.
„ Corporal V. H. Swann ... 1st „
Mr. H. Miller ... 2nd „
„ J. A. Connor ... 2nd „
„ G. W. Neville ... 2nd „

The 22nd August 1876.

No. 369.—The undermentioned Officers of Royal Engineers are appointed to the Public Works Department as Assistant Engineers 2nd grade, and posted as follows:—

To State Railways under Director.

Lieutenant R. C. Maxwell.
„ W. Y. Constable.
„ R. Jennings.
„ H. Finnis.
„ C. R. Hoskyn.

To Military Works Branch.

Lieutenant G. H. Sim.
„ J. A. Ferrier.
„ W. F. H. Stafford.

To Bengal Irrigation Branch.

Lieutenant A. C. Foley.

To Central Provinces.

Lieutenant A. H. Kenney.

No. 370.—The following promotions are made in the superior Account Establishment with effect from the dates specified:—

Permanent promotion.

Captain J. Grierson, Deputy Examiner, to be Examiner 3rd class, 2nd grade, with effect from the 17th January 1876.

Temporary promotion.

Mr. A. R. Becher, Deputy Examiner, to be Examiner 3rd class, 2nd grade, with effect from the 15th April 1876.

The 23rd August 1876.

No. 371.—Lieutenant W. H. White, R.E., now Assistant Engineer 1st grade on the Establishment under the Director of State Railways, was allowed leave in India on medical certificate from 19th September to 13th October 1874.

No. 372.—Baboo Tej Chunder Bose, Accountant 4th grade, with temporary rank of 3rd grade on the Establishment under the Director of State Railways, is transferred to the Military Works Branch.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India.

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No. 36. SIMLA, SATURDAY, SEPTEMBER 2, 1876. Register No. 33.

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

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SUPPLEMENT No. 38.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 30th August 1876.

No. 18.—An extension of leave of absence for one year, with effect from the 1st instant, is granted to Mr. Gasper Gregory, Barrister-at-law, Reporter in the High Court at Calcutta for the Indian Law Reports.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 1st September 1876.

No. 556.—The following list of Civil Servants on the Bengal Establishment, absent on furlough, special or subsidiary leave on the 30th June 1876, is published for general information:—

No.	NAMES.	Substantive appointment.	Date of commencement of furlough or leave.	Date of expiry of furlough or leave.	REMARKS.
		GOVERNMENT OF INDIA.			
		FURLOUGH.			
1	C. U. Aitchison, C. S. I. ..	Secretary to the Government of India in the Foreign Department.	February 11, 1876 ..	February 10, 1877.	
2	F. R. Hogg	Post Master General, Bengal ..	April 24, 1876 ..	April 23, 1878.	
3	J. Westland	Accountant General, Central Provinces	April 10, 1876 .	November 9, 1877.	
		SPECIAL LEAVE.			
		Nil.			

No.	NAMES.	Substantive appointment.	Date of commencement of furlough or leave.	Date of expiry of furlough or leave.	REMARKS.
		LOWER PROVINCES.			
		FURLOUGH.			
1	H. L. Dampier	Secretary to Government of Bengal ..	April 11, 1876 ..	April 10, 1877.	
2	E. W. Molony	Commissioner, Bhágalpur ..	March 29, 1875 ..	March 28, 1877.	
3	W. J. Money, C. S. I. ..	District and Sessions Judge, Mymensingh.	March 24, 1876 ..	November 23, 1877.	
4	J. F. Browne	District and Sessions Judge, Cuttack ..	March 16, 1875 ..	December 15, 1876.	
5	W. V. G. Tayler	Magistrate and Collector, Pubna ..	April 23, 1875 ..	April 22, 1877.	
6	S. C. Bayley, C. S. I. ..	Commissioner of Revenue and Circuit, Patna.	September 3, 1875 ..	November 2, 1876.	
7	W. Cornell, M. A.	District and Sessions Judge, Bankoora	October 4, 1875 ..	December 8, 1876.	
8	F. G. Millett	.. ..	April 21, 1876 ..	April 20, 1877.	
9	T. Walton, B. A.	District and Sessions Judge, Furreedpore.	August 14, 1875 ..	November 13, 1876.	
10	H. F. J. Kean	Magistrate and Collector, Durbhunga ..	August 11, 1874 ..	December 10, 1876.	
11	J. S. Drummond	Ditto ditto, Sarun ..	April 26, 1875 ..	October 25, 1876.	
12	F. H. Pellew	Ditto ditto, Hooghly ..	March 12, 1875 ..	November 11, 1876.	
13	H. Beveridge	Ditto ditto, Backergunge	January 2, 1875 ..	November 1, 1876.	
14	J. Monro	District and Sessions Judge, Rajshahye	January 15, 1875 ..	January 14, 1877.	
15	W. Wavell	Magistrate and Collector, Moorshedabad.	Furlough for one year ..		Date of departure not known.
16	J. S. Armstrong	Magistrate and Collector, Pooree ..	October 4, 1875 ..	October 3, 1876.	
17	F. Jones	Senior Superintendent of Survey ..	March 29, 1875 ..	January 28, 1877.	
18	C. D. Field	District and Sessions Judge, Moorshedabad.	November 1, 1875 ..	October 31, 1876.	
19	T. T. Allen	District and Sessions Judge ..	April 1876 ..	March 1878.	
20	F. Wyer, B. A.	Joint Magistrate and Deputy Collector, 1st grade.	March 16, 1876 ..	December 15, 1876.	
21	J. A. Hopkins, B. L. ..	Inspector of Schools, Western Circle ..	March 17, 1876 ..	March 16, 1878	
22	F. W. R. Cowley	Deputy Commissioner, Ward's Estate	Furlough for 19 months ..		Date of departure not known.
23	G. K. Webster	.. ..	October 1, 1875 ..	September 30, 1876.	
24	E. H. Ruddock	Assistant Magistrate and Collector ..	November 1, 1874 ..	October 31, 1876.	
25	W. H. Verner	Joint Magistrate and Deputy Collector, 24-Pergunnahs.	Furlough for 18 months ..		Date of departure not known.
26	P. Hurley	Assistant Magistrate and Collector ..	January 18, 1876 ..	October 17, 1876.	
27	W. F. Meres	Joint Magistrate and Deputy Collector, 2nd grade.	February 16, 1876 ..	February 15, 1877.	
28	G. J. S. Hodgkinson ..	Assistant Magistrate and Collector ..	November 20, 1874 ..	November 19, 1876.	
29	G. Toynbee	Canal Revenue Superintendent, Orissa	March 8, 1875 ..	March 7, 1877.	
30	J. Scobell Armstrong ..	Assistant Magistrate and Collector ..	November 23, 1874 ..	November 22, 1876.	
31	W. B. Oldham	Joint Magistrate and Deputy Collector	March 29, 1875 ..	March 28, 1877	Permitted to return to duty in November 1876.
32	C. H. Vowell	Assistant Magistrate and Collector, Shahabad.	March 11, 1876 ..	November 10, 1877.	
33	A. W. Cochran	Assistant Magistrate and Collector ..	April 11, 1876 ..	April 10, 1878.	
34	A. W. B. Power	Political Agent, Hill Tipperah ..	May 7, 1876 ..	May 6, 1878.	
35	R. M. Waller	Assistant Magistrate and Collector ..	May 11, 1874 ..	July 10, 1876.	
36	J. E. B. Jeffery	Ditto ditto ..	April 1, 1876 ..	October 31, 1877.	
37	P. Nolan	Ditto ditto ..	Furlough for 20 months ..		Date of departure not known.
38	A. A. Wace	Ditto ditto, Durbhunga	March 24, 1875 ..	October 30, 1876.	
39	W. H. Page	Ditto ditto ..	May 18, 1875 ..	November 17, 1876.	
40	H. G. Cocks	Ditto ditto ..	October 26, 1872 ..	October 25, 1876.	
41	R. Cornish	Ditto ditto ..	April 21, 1876 ..	April 20, 1877.	
42	E. M. Money	Ditto ditto ..	December 31, 1875 ..	December 30, 1876.	
		SPECIAL LEAVE.			
1	C. A. Kelly, M. A.	Judge of Small Cause Court of Bhágalpur and Monghyr.	March 27, 1876 ..	September 26, 1876.	
2	G. E. Manisty	Assistant Magistrate and Collector ..	June 9, 1876 ..	December 8, 1876.	

NOTE.—Total absent 44
Total of Civil Servants employed in the Lower Provinces 235
Percentage of absentees .. .. 18·7

No.	NAMES.	Substantive appointment.	Date of commencement of furlough or leave.	Date of expiry of furlough or leave.	REMARKS.
		NORTH-WESTERN PROVINCES.			
		FURLOUGH.			
	G. H. Lawrence	Judge	November 29, 1875 ..	February 12, 1877.	
2	H. D. Willock	Magistrate and Collector	November 23, 1874 ..	November 9, 1876.	
3	J. Simson	Ditto ditto	April 10, 1876 ..	November 9, 1877.	
4	W. Lane	Ditto ditto	April 14, 1875 ..	October 8, 1876.	
5	D. C. Halkett	Joint Magistrate and Deputy Collector, 1st grade.	June 1, 1876 ..	October 15, 1876.	
6	H. G. Ross	Superintendent, Dehra Dún ..	February 14, 1876 ..	November 13, 1876.	
7	C. A. Elliott	Secretary to the Government, North-Western Provinces	March 15, 1875 ..	January 30, 1877.	
8	F. E. Elliot	Joint Magistrate and Deputy Collector, 1st grade.	November 9, 1874 ..	November 8, 1876.	
9	E. F. T. Atkinson	Assistant Magistrate and Collector ..	April 8, 1876 ..	February 22, 1877.	
10	T. W. Rawlins	Ditto ditto ..	April 1, 1875 ..	September 30, 1876.	
11	W. T. Martin	Ditto ditto ..	October 5, 1874 ..	October 4, 1876.	
12	A. Robinson	Ditto ditto ..	March 24, 1875 ..	March 23, 1877.	
13	R. Evans	Ditto ditto ..	March 1, 1876 ..	February 28, 1877.	
14	R. S. Aikman	Ditto ditto ..	March 6, 1876 ..	November 28, 1877.	
15	H. F. Evans	Employed in the Settlement Department previous to departure on furlough.	April 8, 1876 ..	November 7, 1877.	
16	F. Baker	Assistant Magistrate and Collector ..	March 22, 1875 ..	September 21, 1876.	
17	F. H. Fisher	Ditto ditto ..	March 25, 1876 ..	October 14, 1876.	
18	J. W. Muir	Ditto ditto ..	July 2, 1875 ..	November 1, 1876.	
19	J. W. Harris	Ditto ditto ..	April 8, 1876 ..	April 7, 1878.	
20	F. Giles	Ditto ditto ..	April 17, 1876 ..	April 16, 1877.	
		SPECIAL LEAVE.			
1	J. H. Prinsep	Judge	May 8, 1876 ..	November 7, 1876.	
2	H. B. Webster	Magistrate and Collector	April 24, 1876 ..	October 23, 1876.	
3	A. Colvin	Secretary, Board of Revenue, North-Western Provinces.	April 25, 1876 ..	October 24, 1876.	

NOTE.—Total absent 23
Total of Civil Servants employed in the North-Western Provinces 187
Percentage of absentees .. .. 12·3

PUNJAB.

FURLOUGH.

1	C. P. Elliott	Deputy Commissioner, 1st class ..	November 1, 1875 ..	October 31, 1876.	
2	T. W. H. Tolbort	Assistant Commissioner, 1st ,, ..	March 29, 1876 ..	March 28, 1878.	
3	T. Roberts	Ditto ditto 2nd ,, ..	April 10, 1876 ..	January 9, 1877.	
4	F. P. Beachcroft	Ditto ditto 2nd ,, ..	March 15, 1875 ..	March 14, 1877.	
5	A. W. Stogdon	Ditto ditto 3rd ,, ..	February 13, 1875 ..	February 12, 1877.	
6	T. O Wilkinson	Ditto ditto 3rd ,, ..	April 26, 1875 ..	October 25, 1876.	
7	T. Troward	Ditto ditto 3rd ,, ..	May 28, 1875 ..	November 27, 1876.	
8	P. de L. H. Johnstone ..	Ditto ditto 3rd ,, ..	November 1, 1875 ..	October 31, 1876.	
9	A. Anderson	Ditto ditto. 3rd ,, ..	April 16, 1876 ..	January 15, 1877.	
		SPECIAL LEAVE.			
1	R. B. Steedman	Assistant Commissioner, 3rd class ..	May 1, 1876 ..	October 31, 1876.	

NOTE.—Total absent 10
Total of Civil Servants employed in the Punjab 83
Percentage of absentees .. .. 12·04

OUDH.

FURLOUGH.

1	Sir T. D. Forsyth, C.B., K.C.S.I.	Commissioner	February 20, 1876 ..	February 19, 1878.	
2	R. M. King, B.A. ..	Deputy Commissioner, 1st grade ..	March 15, 1876 ..	December 14, 1877.	
3	J. M. C. Steinbelt ..	Assistant ditto 2nd ,, ..	April 10, 1876 ..	December 9, 1876	
4	C. W. McMinn	Ditto ditto 1st ,, ..	April 21, 1876 ..	April 20, 1877.	
5	M. L. Ferrar, B.A. ..	Ditto ditto 2nd ,, ..	May 5, 1875 ..	September 4, 1876.	
6	W. C. Benett	Ditto ditto 3rd ,, ..	April 16, 1876 ..	April 15, 1878.	
7	[illegible] Dean, M.A.	Ditto ditto 3rd ,, ..	July 14, 1875 ..	October 13, 1876.	
		SPECIAL LEAVE.			
		Nil.			

NOTE.—Total absent 7
Total of Civil Servants employed in Oudh 27
Percentage of absentees .. .. 25·92

No.	Names.	Substantive appointment.	Date of commencement of furlough or leave.	Date of expiry of furlough or leave.	Remarks.
	CENTRAL PROVINCES.				
	FURLOUGH.				
1	W. M. Low	Commissioner, Nerbudda Division ..	March 25, 1876 ..	September 24, 1876.	
2	W. B. Jones	Secretary to the Chief Commissioner..	January 4, 1875 ..	October 3, 1875 ..	Extended by the Secretary of State to 1st October 1876.
3	C. E. Bernard, C.S.I. ..	Commissioner, Nágpur Division ..	February 15, 1875 ..	October 14, 1876 ..	Extended by the Secretary of State to 14th November 1876.
4	G. J. Nicholls	Assistant Commissioner, 3rd class ..	July 29, 1875 ..	July 28, 1877.	
5	L. K. Lawrie	Ditto (supernumerary)	February 23, 1876 ..	February 22, 1877.	

SPECIAL LEAVE.

Nil.

NOTE.—Total absent 5
Total of Civil Servants employed in the Central Provinces 29
Percentage of absentees .. .. 17·2

BRITISH BURMA.

FURLOUGH.

1	Hon'ble Ashley Eden, C.S.I. ..	Chief Commissioner, British Burma ..	February 28, 1876 ..	October 27, 1876.
2	J. D. Sandford	Judicial Commissioner	April 17, 1875 ..	January 16, 1877.
3	S. F. A. Smith	Assistant Commissioner, 1st grade ..	April 18, 1876 ..	October 17, 1877.

SPECIAL LEAVE.

Nil.

NOTE.—Total absent 3
Total of Civil Servants employed in British Burma 14
Percentage of absentees .. .. 21·4

MYSORE AND COORG.

Nil.

HYDERABAD.

Nil

ASSAM.

FURLOUGH.

1	O. G. R. McWilliam ..	Deputy Commissioner, 3rd grade ..	April 24, 1876 ..	October 23, 1877.	
2	A. Forbes	Assistant Commissioner, 1st ,, ..	Furlough for 20 months ..		Date of departure not known.

SPECIAL LEAVE.

Nil.

NOTE.—Total absent 2
Total of Civil Servants employed in Assam 15
Percentage of absentees .. .. 13·3

NOTE.—Grand total of absentees 597
Grand total of Civil Servants employed on the Bengal establishment .. 629
Percentage of absentees .. .. 15·4

No. 568.—The Honourable W. F. McDonell, V.C., of the Bengal Civil Service, took his seat as an Officiating Judge of the High Court of Judicature at Fort William in Bengal on the forenoon of the 14th ultimo.

MEDICAL.

The 28th August 1876.

No. 479.—*Appointment.*—Surgeon G. P. Mackenzie, M. B., to officiate as Civil Surgeon of Bahraich in Oudh, during the absence on furlough of Dr. G. D. McReddie, or until further orders.

ECCLESIASTICAL.

The 1st September 1876.

No. 320.—*Appointment.*—The Reverend F. T. S. Dyer, M. A., Chaplain of Landour, to be Chaplain of the Lucknow Cantonment.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATION.—FORESTS.

Simla, the 30th August 1876.

No. 846.—With the consent of the Government of the Punjab, and with reference to paragraph 7 of the Resolution of the Government of India in this Department, No. 20—857-873, dated the 3rd August 1875, Mr. A. Stewart, Sub-Assistant Conservator of Forests in the Punjab, is attached to the Forest Survey Department for a period of 12 months.

Mr. Stewart joined that Department on the 22nd ultimo.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 31st August 1876.

No. 111*J.*—Under the provisions of Section 3, Act II of 1869, the Governor General in Council is pleased to appoint Lieutenant D. W. K. Barr and Captain F. H. Maitland, respectively 1st and 2nd Assistants to the Agent to the Governor General for Central India, to be Justices of the Peace for the whole of British India.

POLITICAL.

The 30th August 1876.

No. 1982*P.*—With reference to Notification No. 957P., dated 20th April 1876, the recognition by the Government of India of Mr. S. E. Voigt as Acting Consul for Austria and Hungary at Calcutta, during the absence of Mr. Diefenbach, has been confirmed by Her Majesty's Government.

No. 1984*P.*—With reference to Notification No. 962P., dated 20th April 1876, the recognition by the Government of India of Mr. J. Steiner as Acting Consul for the Netherlands at Kurrachee, has been confirmed by Her Majesty's Government.

No. 1986*P.*—With reference to Notification No. 955P., dated 20th April 1876, the recognition by the Government of India of Mr. H. Furrer as Acting Vice-Consul for Austria at Aden has been confirmed by Her Majesty's Government.

GENERAL.

The 29th August 1876.

No. 1880*G.*—Major C. H. Clay, Commandant Deolee Irregular Force, is appointed to the temporary charge of the office of Political Agent, Haraotee and Tonk, with effect from the date of resuming charge, *vice* Captain Muir on leave.

The 31st August 1876.

No. 1909*G.*—*Appointment.*—Lieutenant A. P. Thornton, Officiating Political Assistant 3rd Class, to officiate as Magistrate of Aboo and Assistant to the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, Lower Rajpootana, with effect from the forenoon of 1st August 1876, *vice* Lieutenant Martelli.

The 1st September 1876.

No. 1922*G.*—Major C. K. M. Walter to officiate temporarily as Resident 1st Class and as Agent to the Governor General for Rajpootana and Chief Commissioner of Ajmere and Mhairwarra, with effect from the afternoon of the 18th August 1876.

No. 1923*G.*—*Appointment.*—The undermentioned gentlemen are appointed Assistant Commissioner 6th Class in the Mysore Commission :—

C. Kalyana Sundram Chetti.
T. Srinivas Ayengar.
E. Chidambaram Aiyer.

No. 1924*G.*—Captain W. J. W. Muir, Officiating Political Agent 2nd Class, is posted to Moorshedabad as Agent to the Governor General with effect from the date of receiving charge, *vice* Major Tweedie.

No. 1926*G.*—*Appointment.*—The following appointments are sanctioned in the Medical Department, Mysore Commission, with effect from the date on which Dr. Oswald vacated his appointment as Surgeon to the Mysore Commission :—

Surgeon-Major J. Houston, M.D., Civil Surgeon 1st Class, Ashtagram Division, to be Surgeon to the Mysore Commission.

Surgeon T. J. McGaun, Civil Surgeon 2nd Class, Nagar Division, to be Civil Surgeon 1st Class, Ashtagram Division.

Surgeon P. H. Benson, M.B., Officiating Civil Surgeon 2nd Class, Nagar Division, is confirmed in that appointment.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 30th August 1876.

No. 2569.—Privilege leave from the 1st September or any subsequent date to the 31st October 1876, is granted to Mr. E. F. Harrison, B.C.S., Comptroller General.

During the absence of Mr. Harrison, or until further orders, Mr. R. Taylor, B.C.S., Officiating Deputy Comptroller General, will act as Comptroller General, Mr. J. E. Cooke will act as Deputy Comptroller General, and Babu Syamacharan Dé will act as Assistant Comptroller General.

The 1st September 1876.

No. 2626.—*Cash balances in the Government Treasuries in India on the last day of the month of July* 1876, *compared with those on the same date in* 1875 *and* 1874 :—

	1874.	1875.	1876.
	Rs.	Rs.	Rs.
Govt. of India	2,66,72,817	3,85,32,560	3,50,05,209
Bengal ...	2,15,88,706	1,87,99,423	1,23,59,479
Assam ...	10,28,074	36,88,991	32,81,218
British Burmah	15,00,928	34,38,850	28,05,768
N.-W. Provinces	2,00,36,675	2,51,82,280	2,59,04,925
Oudh ...	47,89,698	69,98,951	66,09,701
Punjab ...	1,47,52,410	1,40,75,449	1,42,70,556
Bombay ...	1,93,08,196	2,17,08,965	2,63,19,140
Central Provs.	49,95,775	51,19,876	50,03,792
Madras ...	2,09,54,633	2,77,29,660	2,50,54,183
TOTAL ...	13,56,27,912	16,52,75,005	15,72,13,971

LEAVE AND ALLOWANCES.

The 31st August 1876.

No. 2595.—The Governor General in Council directs that the following be substituted for Rule 1 under Section 12 of Supplement F to the Civil Leave Code:—

An officer taking privilege leave whose salary is less than two hundred rupees may, with the special sanction of the head of his office, receive an advance not exceeding two months' salary, and, also, not exceeding the allowances which would become due to him for the whole period of his leave on the expiration thereof.

SEPARATE REVENUE—STAMPS.

The 1st September 1876.

No. 2623.—In exercise of the powers conferred by Section 5, Clause (*b*) of the General Stamp Act XVIII of 1869, and in supersession of the Notifications of the Government of India, Financial Department, No. 2258, dated 23rd July 1875, and No. 1458, dated 7th July 1876, the Governor General in Council is pleased to direct that the power of denoting the stamp on instruments chargeable under the said Act may be exercised by the following officers:—

The Collector of Calcutta.
The " Karachi.
The Superintendent of Stamps, Calcutta.
" " " Madras.
" " " Bombay.
" " " Rangoon.
" " " Moulmein.
" " " Akyab.
" " " (Commissioner of Stamps.) } N.-W. Provinces.
" " " (Inspector General of Registration.) } Punjab.
" " " (Political Resident.) " } Aden.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 28th August 1876.

No. 907 *of* 1876.—The services of Captain H. B. Swiney, General List, Infantry, Commandant, Calcutta Volunteer Lancers, are replaced at the disposal of the Commander-in-Chief for appointment to a Corps under His Excellency's orders.

No. 908 *of* 1876.—His Excellency the Governor General in Council is pleased to make the following temporary appointment in the Medical Department:—

Surgeon-Major H. F. Williams, M.D., Medical Department, in medical charge 40th (The Shahjehanpore) Regiment of Native Infantry, to be a Deputy Surgeon-General, with temporary rank during the absence on leave of Deputy Surgeon-General G. Banister, or until further orders.

The 29th August 1876.

No. 909 *of* 1876.—*Appointment*—

Military Accounts Department.

Lieutenant D. A. A. Macpherson, Bengal Staff Corps, 2nd Wing Subaltern, 1st Punjab Infantry, Punjab Frontier Force, to be an Assistant Military Accountant on probation, with effect from the 11th August 1876 to fill an existing vacancy.

The 30th August 1876.

No. 910 *of* 1876.—The undermentioned men are transferred to the Invalid Establishment:—

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		9th Queen's Royal Lancers.		Rs.	
	Syce ...	Sullarbux ...	Syce ...	3	N. W. P.
	" ...	Coobairbux ...	" ...	3	"
	" ...	Bhudie ...	" ...	3	"
	" ...	Ramdeen ...	" ...	3	"
	" ...	Fakera ...	" ...	3	"
	" ...	Kullurdar ...	" ...	3	Punjab.
	" ...	Buidar ...	" ...	3	N. W. P.
	" ...	Jaum ...	" ...	3	"
	" ...	Rahiembuccus	" ...	3	"
	" ...	Ramjohn ...	" ...	3	"
	" ...	Bhieroo ...	" ...	3	"
	" ...	Perowtee ...	" ...	3	"
	" ...	Subdhan ...	" ...	3	"
	" ...	Sookah ...	" ...	3	"
	" ...	Bennee ...	" ...	3	"
	Grass-cutter	Chumanoo ...	Grass-cutter	3	Punjab.
	" ...	Terai ...	" ...	3	N. W. P.
	" ...	Nithda ...	" ...	3	"
	" ...	Puran ...	" ...	3	"
	" ...	Gungadeen ...	" ...	3	"
	" ...	Beheenie ...	" ...	3	"
	" ...	Bullie ...	" ...	3	"
	" ...	Lutchman ...	" ...	3	"
	" ...	Ramdeen ...	" ...	3	Punjab.
	" ...	Pollie ...	" ...	3	N. W. P.
	" ...	Bullie ...	" ...	3	"
	" ...	Putta ...	" ...	3	"

No. 911 *of* 1876.—*Erratum.*—In G. G. O. No. 769 of 1876, admitting Lascar Ramdhani to pension, *for* "2nd Battalion, 18th Foot," *read* 2nd Battalion, 22*nd Foot*.

Order books to be corrected accordingly.

No. 912 *of* 1876.—The services of the undermentioned Native Medical Pupils of the Agra Medical School are dispensed with:—

Heera Lall	No. 956	Admitted by G. G. O. No. 1046 of 1875.
Bhugwan Doss (2nd)	" 970	
Atta Hossain	" 987	
Ameer Oollah	" 988	
Mussee Oollah	" 991	
Wazeer Khan (No. 2)	" 995	

No. 913 *of* 1876.—The undermentioned widows are admitted to the Order of Merit pensions specified below:—

NAMES.	Rank, name, and corps of deceased.	Date of admission.	Class of Order of Merit.	Circle of payment.
Karimun Nissa.	Ressaldar, "Sirdar Bahadoor," Meer Hydait Ally, 3rd Bengal Cavalry.	30th June 1875.	3rd Class as Woordie Major, Rs. 16-10-8 per mensem, for three years.	N. W. P.
Rahmun Nissa	Naib Ressaldar Warris Ally, 3rd Bengal Cavalry.	16th June 1861.	3rd Class as Naib Ressaldar, Rs. 8-0-0 per mensem, for three years.	N. W. P.
Rahimun Nissa.	Ressaldar Wuzeer Ally, 3rd Bengal Cavalry.	6th Aug. 1873	3rd Class as Jemadar, Rs. 4-10-8 per mensem, for three years.	N. W. P.

No. 914 *of* 1876.—The undermentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel William Henry Hessey, Madras Staff Corps.	20th August 1876.
Lieutenant-Colonel George Money Battye, Bengal Staff Corps.	
Lieutenant-Colonel Reginald Quintin Mainwaring, Madras Staff Corps.	
Lieutenant-Colonel George Augustus Williams, Bengal Staff Corps.	23rd August 1876.

No. 915 *of* 1876.—Major Owen Ivan Chalmers, Bengal Staff Corps, is allowed furlough to Europe on medical certificate for one year under Rule XIV, Clause I of the Regulations of 1868.

No. 916 *of* 1876.—Lieutenant Robert Henry Forrest, Bengal Staff Corps, 1st Squadron Subaltern, 4th Punjab Cavalry, Punjab Frontier Force, has been allowed furlough to Europe on medical certificate, for two years, under note I of Rule IX of the Regulations of 1868.

The 31st August 1876.

No. 917 *of* 1876.—Bugler Shekh Deen Mahomed, Bengal Sappers and Miners, is granted a pension of Rs. 4 per mensem, from the date of his discharge, payable in the Punjab Circle.

No. 918 *of* 1876.—*Erratum.*—In the last paragraph of G. G. O. No. 726 of the 7th July 1876, for "3 cwts. of charcoal" read 3 cwts. of *fuel wood*.

Order books to be corrected accordingly.

No. 919 *of* 1876.—The undermentioned men are granted pensions, as specified from dates of their discharge:—

Names.	Monthly stipend.	Circle of payment.
	Rs. A. P.	
Ressaidar Sooltan Mookurrub Khan, 12th Bengal Cavalry.	25 0 0	Punjab.
Sowar Shaik Buxoodeen, 2nd Bengal Cavalry.	4 0 0	N. W. P.

No. 920 *of* 1876.—Hookuma, father of Wurean Singh, Sepoy, 22nd (Punjab) Native Infantry, is admitted to the Native Family Pension Establishment on a pension of Rs. 2-12 per mensem, for life, with effect from the 18th March 1874, payable in the Punjab Circle.

No. 921 *of* 1876.—The services of Surgeon W. Beatson, Medical Department, late Officiating Civil Surgeon, Hooghly, were temporarily at the disposal of the Government of Bengal, prior to his appointment by the Foreign Department to the officiating medical charge of the Erinpoorah Irregular Force.

No. 922 *of* 1876.—It having been found necessary to lay down a rule as to the amount of furlough remaining at an Officer's credit which shall bar the grant to him of furlough under Rule XI of the Regulations of 1868, it is hereby notified, under the authority of the Right Hon'ble the Secretary of State for India, that Clause XI of the Regulations of 1868 will in future stand as follows:—

"Furlough on urgent private affairs for six months, on pay equivalent to the British regimental pay of his rank, may be granted when the Officer has less than six months' furlough at his credit, &c."

The 1st September 1876.

No. 923 *of* 1876.—*Appointments*—

PUNJAB FRONTIER FORCE.

3rd Punjab Cavalry.

Captain W. H. Browne, Bengal Staff Corps, to be Officiating 1st Squadron Subaltern during the period Lieutenant C. C. Egerton may officiate as Adjutant, or until further orders.

1st Sikh Infantry.

Captain A. Gaselee, Quartermaster, 4th Punjab Infantry, to be Officiating Wing Officer during the period Captain C. C. Brownlow may officiate as 2nd in Command and Wing Officer, or until further orders.

4th Punjab Infantry.

Captain A. I. Shepherd, Adjutant, to be Officiating Wing Officer in addition to his other duties during the absence on leave of Captain A. J. D. Hawes, or until further orders.

LEAVE AND ALLOWANCES.

The 31st August 1876.

No. 2595.—The Governor General in Council directs that the following be substituted for Rule 1 under Section 12 of Supplement F to the Civil Leave Code:—

An officer taking privilege leave whose salary is less than two hundred rupees may, with the special sanction of the head of his office, receive an advance not exceeding two months' salary, and, also, not exceeding the allowances which would become due to him for the whole period of his leave on the expiration thereof.

SEPARATE REVENUE—STAMPS.

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The Collector of Calcutta.	
The ,, Karachi.	
The Superintendent of Stamps, Calcutta.	
,, ,, ,,	Madras.
,, ,, ,,	Bombay.
,, ,, ,,	Rangoon.
,, ,, ,,	Moulmein.
,, ,, ,,	Akyab.
,, ,, ,, (Commissioner of Stamps.)	N.-W. Provinces.
,, ,, ,, (Inspector General of Registration.)	Punjab.
,, ,, ,, (Political Resident.)	Aden.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 28th August 1876.

No. 907 *of* 1876.—The services of Captain H. B. Swiney, General List, Infantry, Commandant, Calcutta Volunteer Lancers, are replaced at the disposal of the Commander-in-Chief for appointment to a Corps under His Excellency's orders.

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The 29th August 1876.

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	,, ...	Coobairbux ...	,, ...	3	,,
	,, ...	Bhudie ...	,, ...	3	,,
	,, ...	Ramdeen ...	,, ...	3	,,
	,, ...	Fakera ...	,, ...	3	,,
	,, ...	Kullurdar ...	,, ...	3	Punjab.
	,, ...	Buidar ...	,, ...	3	N. W. P.
	,, ...	Jaum ...	,, ...	3	,,
	,, ...	Rahiembuccus	,, ...	3	,,
	,, ...	Ramjohn ...	,, ...	3	,,
	,, ...	Bhieroo ...	,, ...	3	,,
	,, ...	Perowtee ...	,, ...	3	,,
	,, ...	Subdhan ...	,, ...	3	,,
	,, ...	Sookah ...	,, ...	3	,,
	,, ...	Bennee ...	,, ...	3	,,
	Grass-cutter	Chumanoo ...	Grass-cutter	3	Punjab.
	,, ...	Terai ...	,, ...	3	N. W. P.
	,, ...	Nithda ...	,, ...	3	,,
	,, ...	Puran ...	,, ...	3	,,
	,, ...	Gungadeen ...	,, ...	3	,,
	,, ...	Beheenie ...	,, ...	3	,,
	,, ...	Bullie ...	,, ...	3	,,
	,, ...	Lutchman ...	,, ...	3	,,
	,, ...	Ramdeen ...	,, ...	3	Punjab.
	,, ...	Pollie ...	,, ...	3	N. W. P.
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Wazeer Khan (No. 2)	,, 995	

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No. 914 *of* 1876.—The undermentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel William Henry Hessey, Madras Staff Corps.	20th August 1876.
Lieutenant-Colonel George Money Battye, Bengal Staff Corps.	
Lieutenant-Colonel Reginald Quintin Mainwaring, Madras Staff Corps.	
Lieutenant-Colonel George Augustus Williams, Bengal Staff Corps.	23rd August 1876.

No. 915 *of* 1876.—Major Owen Ivan Chalmers, Bengal Staff Corps, is allowed furlough to Europe on medical certificate for one year under Rule XIV, Clause 1 of the Regulations of 1868.

No. 916 *of* 1876.—Lieutenant Robert Henry Forrest, Bengal Staff Corps, 1st Squadron Subaltern, 4th Punjab Cavalry, Punjab Frontier Force, has been allowed furlough to Europe on medical certificate, for two years, under note 1 of Rule IX of the Regulations of 1868.

The 31st August 1876.

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Order books to be corrected accordingly.

No. 919 *of* 1876.—The undermentioned men are granted pensions, as specified from dates of their discharge:—

Names.	Monthly stipend.	Circle of payment.
	Rs. A. P.	
Ressaldar Sooltan Mookurrub Khan, 12th Bengal Cavalry.	25 0 0	Punjab.
Sowar Shaik Buxoodeen, 2nd Bengal Cavalry.	4 0 0	N. W. P.

No. 920 *of* 1876.—Hookuma, father of Wurean Singh, Sepoy, 22nd (Punjab) Native Infantry, is admitted to the Native Family Pension Establishment on a pension of Rs. 2-12 per mensem, for life, with effect from the 18th March 1874, payable in the Punjab Circle.

No. 921 *of* 1876.—The services of Surgeon W. Beatson, Medical Department, late Officiating Civil Surgeon, Hooghly, were temporarily at the disposal of the Government of Bengal, prior to his appointment by the Foreign Department to the officiating medical charge of the Erinpoorah Irregular Force.

No. 922 *of* 1876.—It having been found necessary to lay down a rule as to the amount of furlough remaining at an Officer's credit which shall bar the grant to him of furlough under Rule XI of the Regulations of 1868, it is hereby notified, under the authority of the Right Hon'ble the Secretary of State for India, that Clause XI of the Regulations of 1868 will in future stand as follows:—

"Furlough on urgent private affairs for six months, on pay equivalent to the British regimental pay of his rank, may be granted when the Officer has less than six months' furlough at his credit, &c."

The 1st September 1876.

No. 923 *of* 1876.—*Appointments—*

PUNJAB FRONTIER FORCE.

3rd Punjab Cavalry.

Captain W. H. Browne, Bengal Staff Corps, to be Officiating 1st Squadron Subaltern during the period Lieutenant C. C. Egerton may officiate as Adjutant, or until further orders.

1st Sikh Infantry.

Captain A. Gaselee, Quartermaster, 4th Punjab Infantry, to be Officiating Wing Officer during the period Captain C. C. Brownlow may officiate as 2nd in Command and Wing Officer, or until further orders.

4th Punjab Infantry.

Captain A. I. Shepherd, Adjutant, to be Officiating Wing Officer in addition to his other duties during the absence on leave of Captain A. J. D. Hawes, or until further orders.

Lieutenant T. J. O'D. Renny, 1st Wing Subaltern, to be Officiating Quartermaster in addition to his other duties during the period Captain Gaselee may officiate as Wing Officer, 1st Sikh Infantry, or until further orders.

No. 924 *of* 1876.—The undermentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Frederick Stapleton Gwatkin, 73rd Foot, Officiating 2nd Squadron Subaltern, 13th Bengal Lancers,—20th July 1875.

No. 925 *of* 1876.—It is hereby notified that all persons belonging to the classes mentioned in Part I (*d*), and attested under Article 2 of the Indian Articles of War, who now are, or who hereafter may be told off for service with any portion of Her Majesty's British Army on the Indian Establishment, are still to be considered as enlisted or enrolled for the Indian Native Army, that such persons shall be amenable to the Indian Articles of War for offences against discipline and to those Articles only; and that their position, as regards the Native Articles of War, shall not be affected by their being attached for service to British troops.

No. 926 *of* 1876.—Sub-Conductor John McDermott, Barrackmaster, Public Works Department, is promoted to the rank of Conductor, with effect from the 13th July 1876.

No. 927 *of* 1876.—Captain Gray Townsend Skipwith, Royal Engineers, Assistant Secretary to the Government of India, Public Works Department, Civil Works Branch, is permitted to proceed to Europe on furlough on private affairs for six months, under Rule IX of the Regulations of 1868.

No. 928 *of* 1876.—*Erratum.*—In the heading of G. G. O. No. 759 of 1876, *for* "Calcutta Volunteer Rifle Corps" *read* "Administrative Battalion, Presidency Volunteers and Calcutta Volunteer Rifle Corps."

Order books to be corrected accordingly.

No. 929 *of* 1876.—In G. G. O. No. 174 of 1875, admitting Corporal W. Wilks to a pension of 1 shilling 3 pence per diem, substitute 1 shilling 6 pence per diem.

No. 930 *of* 1876.—To clause I, paragraph 133 of the Regulations for the Volunteer Forces in India, add the following:—

Sergeant Instructors of the 1st Class who cannot live in barracks are entitled to public quarters—class A or compensation in lieu. Any required addition to the allowance will be made from the funds of the Corps.

No. 931 *of* 1876.—The following promotions are made in the undermentioned Corps of the Punjab Frontier Force from the 1st May 1876:—

4th Sikh Infantry.

Jemadar Ahmad Baksh to be Subadar, *vice* Alla Ditta, invalided.

Havildar Jiwan Khan to be Jemadar, *vice* Ahmad Baksh, promoted.

5th Punjab Infantry.

Jemadar Juma Khan to be Subadar, *vice* Jowalla Singh, invalided.

Havildar Sirmust to be Jemadar, *vice* Juma Khan, promoted.

No. 932 *of* 1876.—The following order issued by the Resident at Hyderabad is confirmed:—

No. 221, *dated 3rd August* 1876.—Appointing Captain H. F. H. Sewell, 2nd-in-Command, 2nd Infantry, Hyderabad Contingent, to officiate as Assistant Adjutant General of the Contingent from the 1st August 1876, *vice* Captain W. A. Lawrence, pending the arrival of Major R. W. Sartorius, V.C., C.M.G.

No. 933 *of* 1876.—*Addendum.*—To that part of G. G. O. No. 751 of 1876, appointing Lieutenant F. Mardall to officiate as 3rd Squadron Officer, 3rd Punjab Cavalry, add the words "*in addition to his other duties.*"

No. 934 *of* 1876.—The following additions and alterations are to be made in G. G. O. No. 901 of 1874, laying down a revised scale of camp equipage and carriage for British Troops:—

In the detail of camp equipage allowed for Headquarters of Brigades of Royal Artillery, after the "2 Apprentices" in Tables 1, 2, and 3, enter "Nurse," and opposite, in the columns "Tents, Staff Sergeants," enter the figure "1," altering the total from "7" to "8."

In Table 8 shewing the detail of camp equipage for a Battery of Mountain Artillery (on the plains), after the words "For workshops and establishments" enter the word "Necessary," and opposite, in the column "Pâls," enter the figure "4," altering the total from 11 to 12.

In the table at page 174 shewing the scale of camp equipage, carriage, &c., on ordinary movements, the following alterations are to be made:—

In the column shewing the number of camels for the carriage of the medicines and instruments of—

Battery Horse Artillery	enter	2	instead of	1
„ Field	„	„	2	„	1
„ Heavy	„	„	2	„	1
„ Garrison	„	„	2	„	1
Regiment British Cavalry	„	5	„	3

The column headed "Hospital Diaries" to be altered to "Hospital Records."

The column "Hospital Equipments" to be expunged, and the following substituted:—

	Fracture Box and Camp Furniture.
	Carts with two bullocks.
Battery Horse Artillery	1
„ Field „	1
„ Heavy „	1
„ Garrison „	1
„ Mountain „ for plains	1
Regiment British Cavalry	1
„ „ Infantry ...	1

No. 935 *of* 1876.—The following promotions are made in the undermentioned Corps from the dates specified:—

3rd Bengal Cavalry.

Duffadar Sheikh Shahamut to be Jemadar, *vice* Meer Mahamed Hoossain, invalided.
Duffadar Mullock Singh to be Jemadar, *vice* Shadee Khan, invalided. — 1st May 1876.

13th Bengal Lancers.

Jemadar Chuttur Singh to be Ressaidar, *vice* Allayar Khan, "Bahadoor," invalided.
Kote Duffadar Foujdar Singh to be Jemadar, *vice* Chuttur Singh, promoted.
Duffadar Mahomed Ali to be Jemadar, *vice* Akbur Ali Khan, invalided. — 1st May 1876.

17th Bengal Cavalry.

Naib Ressaldar Kumrooddeen Khan, "Bahadoor," to be Ressaldar, *vice* Heera Singh, invalided. — 1st May 1876.

Jemadar Poodh Singh to be Ressaidar, *vice* Doorga Pershad, deceased. — 6th May 1876.

Jemadar Kunpoor Singh to be Woordie Major, *vice* Nuzzur Mahomed Khan, invalided.
Jemadar Doorga Singh to be Jemadar, *vice* Kuppoor Singh, promoted.
Duffadar Mehmood Khan to be Jemadar, *vice* Gholam Mohomed Khan, invalided.
Duffadar Koodrut Oolla Khan to be Jemadar, *vice* Bawer Khan, invalided. — 1st May 1876.

1st Regiment of Native Infantry.

Jemadar Matadeen Singh to be Subadar, *vice* Gunness Singh, "Bahadoor," invalided.
Color Havildar Bhowany Persaud Singh to be Jemadar, *vice* Matadeen Singh, promoted.
Color Havildar Jyseric Singh to be Jemadar, *vice* Jirbundun Singh, invalided. — 1st May 1876.

4th (Queen's Own) Regiment of Native (Light) Infantry.

Havildar Urjoon Singh to be Jemadar, *vice* Rambhurrose Panday, invalided. — 1st May 1876.

19th (Punjab) Regiment of Native Infantry.

Subedar Urjoon Singh to be Subadar Major, *vice* Boodh Singh, invalided. — 1st May 1876.

Jemadar Churn Singh to be Subadar, *vice* Boodh Singh, invalided.
Havildar Shaha Beg to be Jemadar, *vice* Churn Singh, promoted. — 1st May 1876.

25th (Punjab) Regiment of Native Infantry.

Jemadar Soobah Singh to be Subadar, *vice* Lall Shah, invalided.
Jemadar Shaick Ghusseetah to be Subadar, *vice* Kassim Ali, invalided.
Havildar Deenah to be Jemadar, *vice* Bolaka Singh, invalided.
Havildar Dulmeer Buksh to be Jemadar, *vice* Soobah Singh, promoted.
Havildar Dewah Singh to be Jemadar, *vice* Shaick Ghusseetah, promoted. — 1st May 1876.

36th (The Bareilly) Regiment of Native Infantry.

Jemadar Peetumber Singh to be Subadar, *vice* Tikwul Singh, invalided.
Havildar Kedar Singh to be Jemadar, *vice* Peetumber Singh, promoted. — 1st May 1876.

39th (The Allygurh) Regiment of Native Infantry.

Jemadar Oomed Ali to be Subadar, *vice* Gunda Singh, invalided.
Jemadar Bulram Misser to be Subadar, *vice* Eesra Singh, invalided.
Havildar Dhurrum Singh to be Jemadar, *vice* Oomed Ali, promoted.
Havildar Deen Mahomed Khan to be Jemadar, *vice* Bulram Misser, promoted. — 1st May 1876.

40th (The Shahjehanpore) Regiment of Native Infantry.

Havildar Utter Singh to be Jemadar, *vice* Ghoonoo Singh, invalided.
Havildar Juggernath Singh to be Jemadar, *vice* Buldeo Singh, invalided. — 1st May 1876.

42nd (Assam) Regiment of Native (Light) Infantry.

Jemadar Juman Singh Alleh to be Subadar, *vice* Geereeraj Shirist, invalided.
Havildar Rungpoor Alleh to be Jemadar, *vice* Jumau Singh Alleh, promoted. — 1st July 1876.

44th (Sylhet) Regiment of Native (Light) Infantry.

Havildar Joy Chund to be Jemadar, *vice* Mahabeer Groong, invalided. — 1st May 1876.

No. 936 *of* 1876.—In continuation of G. G. O. No. 859, dated the 14th August 1876, the undermentioned Officers are permitted to retire from the service from the dates specified, under the provisions of G. G. O. No. 1 of the 1st January 1876:—

No.	RANK AND NAMES.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
36	Lieutenant-Colonel Jocelyn Pickard Cambridge.	Staff Corps	365 0 0	257 5 0	.....	29th August 1876.	England.
37	Lieutenant-Colonel (Brevet Colonel) John Ruggles.	Do.	456 5 0	289 19 0	.....	1st September 1876.	England.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Simla, the 1st September 1876.

No. 24 *of* 1876.—The services of Mr. W. J. Powell, late Indian Navy, Acting Commander of the Indian Government Steamer *Tenasserim*, are placed at the disposal of the Government of Bombay for employment under that Government.

Mr. C. King, late Indian Navy, Commander of the Indian Government Steamer *Enterprize*, to be Commander (temporarily) of the Indian Government Steamer *Tenasserim*, *vice* Powell.

Mr. J. S. J. Kortright, 1st Officer of the Indian Government Ship *Czarewitch*, to be Acting Commander (temporarily) of the Indian Government Steamer *Enterprize*, *vice* King.

These appointments to have effect from the dates on which the Officers assume the duties of their respective appointments.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 28th August 1876.

No. 373.—The undermentioned Engineer Apprentices on the Establishment under the Director of State Railways are promoted to Assistant Engineers 3rd grade with effect from 1st August 1876:—

Mr. A. T. Chiodetti.
„ T. Concannon.

The 29th August 1876.

No. 374.—Mr. Gunput Cristnajee, temporary Overseer 1st grade on the Establishment under the Director of State Railways, is permanently appointed to the Department with effect from 28th July 1874.

The 30th August 1876.

No. 375.—The resignation of his appointment by Mr. G. S. Henry, Overseer 2nd grade on the Establishment under the Director of State Railways, is accepted with effect from the date on which he may be relieved of his duties.

The 31st August 1876.

No. 376.—Mr. C. J. Rose, temporary Supervisor 2nd grade on the Establishment under the Director of State Railways, is appointed permanently to the Public Works Department with effect from the date of joining his appointment in April 1874.

The 1st September 1876.

No. 377.—Honorary Lieutenant and Deputy Assistant Commissary J. Mole, Sub-Engineer 1st grade, Military Works Branch, is promoted to the rank of Assistant Engineer 1st grade under the provisions of Public Works Code II, ii, 32.

No. 378—Sergeant M. Murphy, Overseer 1st grade, Military Works Branch, is at his own request remanded to military duty.

No. 379.—Mr. F. W. Papworth, temporary Supervisor 1st grade on the Establishment under the Director of State Railways, is permanently appointed to the Department with effect from 27th February 1873.

C. H. DICKENS, *Col., R. A.*,
Secy. to the Govt. of India.

The Gazette of India.

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No. 37. SIMLA, SATURDAY, SEPTEMBER 9, 1876. Register No. 33.

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

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SUPPLEMENT No. 39.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 7th September 1876.

No. 579.—*Appointments.*—Mr. E. Moffat, Assistant Superintendent of Police in the Hyderabad Assigned Districts, to be District Superintendent of Police of the 3rd grade with effect from the 24th July last, *vice* Major C. Jameson, resigned:

Mr. H. A. Heath to be Assistant Superintendent of Police, *vice* Mr. Moffat.

The 8th September 1876.

No. 589.—The Governor General in Council is pleased to permit Mr. F. L. Beaufort to resign Her Majesty's Bengal Civil Service with effect from the 24th May 1876.

No. 595.—Her Majesty the Queen has been pleased to appoint Mr. James Sewell White, Barrister-at-law, to be a Judge of the High Court of Judicature at Fort William in Bengal.

SANITARY.

The 8th September 1876.

No. 250.—In supersession of Home Department Notification No. 71, dated the 28th March last, the Governor General in Council is pleased to extend the rules and regulations made under Clause 7, Section 19 of Act XXII of 1864, to the area, bounded as follows, around the [illegible] range and Camp at Harawra near Ben[illegible]

North—The Panch [illegible]i road between the western boundary of Berlai and Bhel Khe[illegible]

West—A line drawn to the Barna river, passing half a mile to the west of the butts.

South—The Barna river.

East—The present lock hospital boundary.

ECCLESIASTICAL.

The 6th September 1876.

No. 334.—The following list of Chaplains belonging to the Bengal Establishment and absent on furlough or other leave on the 30th June 1876, is published for general information :—

No.	NAMES.	Rank.	Date of commencement of furlough or other leave.	Date of expiry of furlough or other leave.	REMARKS.
		FURLOUGH.			
1	Revd. G. Lovely, M. A. ..	Senior Chaplain	March 5, 1875 ..	March 4, 1877.	
2	„ H. D. James, M. A. ..	Ditto	March 15, 1875 ..	March 14, 1877.	
3	„ J. A. Mackay, B. D. ..	Ditto	March 25, 1875 ..	March 24, 1877.	
4	„ S. H. Beamish, B. A. ..	Ditto	February 23, 1876 ..	February 22, 1878.	
5	„ J. H. Hocking, M. A. ..	Ditto	March 1, 1876 ..	February 28, 1877.	
6	„ W. W. Nicholls ..	Ditto	March 1, 1876 ..	February 28, 1878.	
7	„ A. Robinson, M. A. ..	Ditto	April 5, 1876 ..	October 4, 1877.	
8	„ F. M. F. F. Mazuchelli	Ditto	June 18, 1876 ..	June 17, 1878.	*N.B.*—Medical leave.
9	„ C. S. P. Parish ..	Ditto	June 20, 1876 ..	June 19, 1878.	Ditto.
10	„ W. J. Burdett, B. A. ..	Junior Chaplain	December 1, 1874 ..	November 30, 1876.	
11	„ H. Tribe, M. A. ..	Ditto	December 1, 1874 ..	November 30, 1876.	
12	„ F. R. Michell ..	Ditto	January 15, 1875 ..	January 14, 1877.	
13	„ W. H. Gale, B. A. ..	Ditto	March 8, 1875 ..	March 7, 1877.	
14	„ M. E. Mills ..	Ditto	December 15, 1875 ..	December 14, 1877.	
15	„ B. Morrell, M. A. ..	Ditto	December 15, 1875 ..	December 14, 1877.	
16	„ F. Orton, B. A. ..	Ditto	February 17, 1876 ..	December 4, 1877.	
17	„ J. B. Brunesson ..	Ditto	March 27, 1876 ..	December 26, 1876.	
		ALL LEAVE OTHER THAN FURLOUGH.			
18	Revd. D. P. Williams ..	Senior Chaplain	May 8, 1876 ..	August 7, 1876.	Obtained extension of 3 months from Secretary of State, which expires November 7, 1876.
19	„ E. Jacob ..	Junior ditto	April 21, 1876 ..	October 20, 1876.	

Total absent	19
Sanction number of Chaplains in the Bengal Presidency	90
Percentage of absentees	21·1

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Simla, the 8th September 1876.

No. 893.—The following Officers are promoted with effect from the 1st May 1876 :—

To be Assistant Conservators of Forests of the 3rd Grade.

Mr. J. Ballantyne, Sub-Assistant Conservator of Forests, Hyderabad.
„ G. Richardson, „ „ „ Bengal.
„ W. King, „ „ „ Mysore.
„ O. Greig, „ „ „ North-Western Provinces.

To officiate as Assistant Conservators of the 3rd Grade.

Mr. H. R. Ring, Sub-Assistant Conservator of Forests, Coorg.
„ E. Dobbs, „ „ „ Central Provinces.
„ C. W. Palmer, „ „ „ British Burma.
„ E. Fendall, „ „ „ Punjab.
„ A. Stewart, „ „ „ Punjab (attached temporarily to the Forest Survey Branch).

His Excellency in Council has also been pleased to appoint Mr. E. F. Litchfield, an Assistant Surveyor of the 2nd Grade in the Great Trigonometrical Survey, to officiate as a Sub-Assistant Conservator of Forests from this date, and to attach him to the Survey Branch of the Forest Department.

MINERALS AND GEOLOGICAL SURVEY.

The 8th September 1876.

No. 122.—Mr. A. B. Wynne, 2nd Grade Assistant in the Geological Survey, having returned from the leave granted him in Notification No. 113, dated the 19th February 1875, is allowed five days' subsidiary leave from the 26th to the 30th April last.

GENERAL.

The 4th September 1876.

No. 723.—Mr. A. O. Hume, C. B., Secretary to the Government of India in the Department of Revenue, Agriculture and Commerce, is allowed privilege leave of absence for one month and fifteen days from the 11th instant, or any subsequent date on which he may avail himself of it.

No. 727.—The Hon'ble T. C. Hope, Additional Member of the Council of the Governor General for making Laws and Regulations, is appointed to officiate as Secretary to the Government of India in the Department of Revenue, Agriculture and Commerce during Mr. Hume's absence, or until further orders.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Simla, the 8th September 1876.

No. 70*M.*—The following extract from Brigade Orders, dated 7th August 1876, issued by the Commandant, Central India Horse, is confirmed :—

Captain A. H. S. Neill, 1st Regiment, Central India Horse, performed the duties of Adjutant in addition to his other duties from 21st March to 9th April 1876, and Lieutenant G. E. Money performed the duties of Adjutant in addition to his other duties from 10th April to 17th June 1876, during the absence of Lieutenant Vincent.

POLITICAL.

The 6th September 1876.

No. 2038*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. George Ruckert as Consular Agent for Italy at Akyab during the absence of Mr. F. W. Abel.

The 7th September 1876.

No. 2044*P.*—The following Notification, which appeared in the *London Gazette* of the 25th July 1876, is republished for general information :—

At the Court at *Osborne House, Isle of Wight*, the 21st day of *July* 1876.

PRESENT:

The QUEEN'S Most Excellent Majesty in Council.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-third and thirty-fourth years of the reign of Her present Majesty, intituled "An Act for amending the law relating to the Extradition of Criminals," and also by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-sixth and thirty-seventh years of the reign of Her present Majesty, intituled "An Act to amend the Extradition Act, 1870," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient :

And whereas a Treaty was concluded on the twentieth day of May, one thousand eight hundred and seventy-six, between Her Majesty and the King of the Belgians, for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following :—

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Belgians, having judged it expedient, with a view to the more complete prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from the justice of their country, should, under certain circumstances, be reciprocally delivered up; Their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, John Savile Lumley, Esquire, Companion of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians;

SA Majesté la Reine du Royaume Uni de la Grand Bretagne et d'Irlande, et Sa Majesté le Roi des Belges, ayant jugé opportun, afin de mieux assurer la répression des crimes dans leurs territoires respectifs, de se livrer réciproquement, sous certaines conditions, les personnes accusées ou condamnées du chef des crimes ci-après énumérés et qui auraient fui la justice de leur pays; les dites Majestés ont nommé pour leurs Plénipotentiaires, à l'effet de conclure un Traité dans ce but, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, John Savile Lumley, Esquire, Officier du Très Honorable Ordre du Bain, Son Envoyé Extraordinaire et Ministre Plénipotentiaire prés Sa Majesté le Roi des Belges :

And His Majesty the King of the Belgians, the Count d'Aspremont-Lynden, Officer of His Order of Leopold, Commander of the Order of the Ernestine Branch of the House of Saxony, Grand Cross of the Orders of Leopold of Austria, of the Legion of Honour, of the Lion of the Netherlands, and of the White Eagle of Russia, &c., &c., Member of the Senate, His Minister of Foreign Affairs;

Et Sa Majesté le Roi des Belges, le Comte d'Aspremont-Lynden, Officier de Son Ordre de Léopold, Commandeur de l'Ordre de la Branche Ernestine de la Maison de Saxe, Grand Cordon des Ordres de Léopold d'Autriche, Grand-Croix des Ordres de la Légion d'Honneur, du Lion Néerlandais, et de l'Aigle Blanc de Russie, &c., &c., Sénateur, Son Ministre des Affaires Etrangères;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

Lesquels, après s'être communiqué réciproquement leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des Articles suivants:—

ARTICLE I.

It is agreed that Her Britannic Majesty and His Majesty the King of the Belgians, shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally, any persons, except as regards Great Britain, native born and naturalized subjects of Her Britannic Majesty, and, except as regards Belgium, those who are by birth or who may have become citizens of Belgium, who, being accused or convicted as principals or accessories, of any of the crimes hereinafter specified, committed within the territories of the requiring party, shall be found within the territories of the other party:

ARTICLE I.

Il est convenu que Sa Majesté Britannique et Sa Majesté le Roi des Belges, sur la demande faite en leur nom par leurs Agents Diplomatiques respectifs, se livreront réciproquement tous les individus, sauf relativement à l'Angleterre les sujets de Sa Majesté Britannique par naissance ou naturalisation, et relativement à la Belgique ceux qui sont nés ou naturalisés citoyens Belges, qui étant poursuivis ou condamnés comme auteurs ou complices, pour l'un des crimes ou délits ci-après spécifiés, commis sur le territoire de la partie requérante, seront trouvés sur le territoire de l'autre partie:

1. Murder (including assassination, parricide, infanticide, and poisoning), or attempt to murder.

1. Meurtre (y compris l'assassinat, le parricide, l'infanticide, et l'empoisonnement) ou tentative de meurtre.

2. Manslaughter.

2. Homicide commis sans préméditation ou guet-apens.

3. Counterfeiting or altering money, or uttering counterfeit or altered money.

3. Contrefaçon ou altération de monnaie, ainsi que mise en circulation de la monnaie contrefaite ou altérée.

4. Forgery, counterfeiting, or altering or uttering what is forged or counterfeited or altered.

4. Faux, contrefaçon, ou altération, ou mise en circulation de ce qui est falsifié, contrefait, ou altéré.

5. Embezzlement or larceny.

5. Soustraction frauduleuse ou vol.

6. Obtaining money or goods by false pretences.

6. Escroquerie d'argent, valeurs, ou marchandises sous de faux prétextes.

7. Crimes by bankrupts against bankruptcy law.

7. Crimes de banqueroutiers frauduleux prévus par la loi.

8. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company, made criminal by any law for the time being in force.

8. Détournement ou dissipation frauduleux au préjudice d'autrui, d'effets, deniers, marchandises, quittances, écrits de toute nature, contenant ou opérant obligation ou décharge, et qui avaient été remis à la condition de les rendre ou d'en faire un usage ou un emploi déterminé.

9. Rape: Carnal knowledge of a girl under the age of ten years; carnal knowledge of a girl above the age of ten years and under the age of twelve years; indecent assault upon any female or any attempt to have carnal knowledge of a girl under twelve years of age.

9. Viol: Attentat à la pudeur sur une jeune fille de moins de 12 ans, dans les cas prévus simultanément par la législation des deux pays.

10. Abduction.

10. Enlèvement de mineurs.

11. Child stealing.

11. Enlèvement d'enfant.

12. Kidnapping.

12. Attentat à la liberté individuelle commis par des particuliers.

13. Burglary or housebreaking.

13. Vol avec effraction ou escalade.

14. Arson.

14. Incendie.

15. Robbery with violence (including intimidation).

15. Vol avec violence (comprenant l'intimidation).

16. Threats by letter or otherwise with intent to extort.

16. Menaces d'attentat punissable d'une peine criminelle.

17. Piracy by law of nations.

17. Prise d'un navire par les marins ou passagers par fraude ou violence envers le capitaine.

18. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

18. Echouement, perte, destruction, ou tentative d'échouement, de perte, ou de destruction d'un navire à la mer par le capitaine ou les officiers et gens de l'équipage.

19. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.

19. Attaque ou résistance à bord d'un navire en haute mer avec violence et voies de fait envers le capitaine par plus du tiers de l'équipage.

20. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.

20. Rèvolte ou complot de révolte par deux ou plusieurs personnes à bord d'un navire en haute mer, contre l'autorité du capitaine.

21. Perjury and subornation of perjury.

21. Faux serment, faux témoignage, et subornation de témoins.

22. Malicious injury to property, if the offence be indictable.

22. Destruction ou dégradation de constructions, machines, plantations, récoltes, instruments d'agriculture, appareils télégraphiques, ouvrages d'art, navires, tombeaux; dommages causés volontairement au bétail et à la propriété mobilière, délits qui sont réprimés en Angleterre sous le nom de "malicious injuries to property."

23. Aggravated or indecent assault.

23. (*a.*) Coups et blessures graves.

(*b.*) Attentats à la pudeur sans violence sur des enfants au-dessous de dix ans.

(*c.*) Attentats à la pudeur avec violence sur des personnes de l'un ou de l'autre sexe.

Provided that the surrender shall be made only when in the case of a person accused, the commission of the crime shall be so established as that the laws of the country where the fugitive or person accused shall be found would justify his apprehension and commitment for trial if the crime had been there committed; and in the case of a person alleged to have been convicted, on such evidence as, according to the laws of the country where he is found, would prove that he had been convicted.

Toutefois, l'extradition ne sera accordée, dans le cas d'une personnes accusée, que si la perpétration du crime est établie de telle façon que les lois du pays où le fugitif accusé sera trouvé justifieraient son arrestation et son emprisonnement si le crime avait été commis dans ce pays; et dans le cas d'une personne prétenduement condamnée, que sur la production d'une preuve qui, d'après les lois du pays où le fugitif a été trouvé, établirait suffisamment qu'il a été condamné.

In no case can the surrender be made, unless the crime shall be punishable according to the laws in force in both countries with regard to extradition.

En aucun cas l'extradition ne pourra avoir lieu que lorsque le crime sera prévu par la législation sur l'extradition en vigueur dans les deux pays.

ARTICLE II.

In the dominions of Her Britannic Majesty, other than the Colonies or Foreign Possessions of Her Majesty, the manner of proceeding shall be as follows:—

ARTICLE II.

Dans les Etats de Sa Majesté Britannique autres que les Colonies ou les possessions étrangères de Sa Majesté, la manière de procéder sera la suivante:—

I. In the case of a person accused—

I. S'il s'agit d'une personne accusée—

The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Minister or other Diplomatic Agent of His Majesty the King of the Belgians, accompanied by a warrant of arrest or other equivalent judicial document, issued by a Judge or Magistrate duly authorized to take cognizance of the acts charged against the accused in Belgium, together with duly authenticated depositions or statements taken on oath or upon solemn affirmation before such Judge or Magistrate, clearly setting forth the said acts, and containing a description of the person claimed, and any particulars which may serve to identify him. The said Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some Police Magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive.

La demande d'extradition sera addressée au Premier Secrétaire d'Etat de Sa Majesté pour les Affaires Etrangères par le Ministre ou autre Agent Diplomatique de Sa Majesté le Roi des Belges. A cette demande seront joints au mandat d'arrêt ou autre document judiciaire équivalent, délivré par un Juge ou Magistrat dûment autorisé à prendre connaissance des actes imputés à l'accusé en Belgique, ainsi que les dépositions authentiques ou les déclarations faites sous serment ou sous affirmation solennelle devant ce Juge ou Magistrat, énonçant clairement les dits actes, et contenant, outre le signalement de la personne réclamée, toutes les particularités qui pourraient servir à établir son identité.

Le dit Secrétaire d'Etat transmettra ces documents au Premier Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Intérieures, qui, par un ordre de sa main et muni de son sceau, signifiera à l'un ou l'autre Magistrat de Police à Londres que la demande d'extradition a été faite, et le requerra, s'il y a lieu, de délivrer un mandat pour l'arrestation du fugitif.

On the receipt of such order from the Secretary of State, and on the production of such evidence as would, in the opinion of the Magistrate, justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the fugitive shall have been apprehended, he shall be brought before the Police Magistrate who issued the warrant, or some other Police Magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner, if the crime of which he is accused had been committed in England, the Police Magistrate shall commit him to prison to await the warrant of the Secretary of State for his surrender, sending immediately to the Secretary of State a certificate of the committal and a report upon the case.

After the expiration of a period from the committal of the prisoner, which shall never be less than fifteen days, the Secretary of State shall, by order under his hand and seal, order the fugitive criminal to be surrendered to such person as may be duly authorized to receive him on the part of the Government of His Majesty the King of the Belgians.

II. In the case of a person convicted—

The course of proceeding shall be the same as in the case of a person accused, except that the warrant to be transmitted by the Minister or other Diplomatic Agent in support of his requisition shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced before the Police Magistrate shall be such as would, according to the law of England, prove that the prisoner was convicted of the crime charged.

After the Police Magistrate shall have committed the accused or convicted person to prison to await the order of a Secretary of State for his surrender, such person shall have the right to apply for a writ of *habeas corpus*; if he should so apply, his surrender must be deferred until after the decision of the Court upon the return to the writ, and even then can only take place if the decision is adverse to the applicant.

ARTICLE III.

In the dominions of His Majesty the King of the Belgians, other than the Colonies or Foreign Possessions of His said Majesty, the manner of proceeding shall be as follows:—

I. In the case of a person accused—

The requisition for the surrender shall be made to the Minister for Foreign Affairs of His Majesty the King of the Belgians by the Minister or other Diplomatic Agent of Her Britannic Majesty, accompanied by a warrant of arrest or other equivalent judicial document issued by a Judge or Magistrate duly authorized to take cognizance of the acts charged against the accused in Great Britain, together with duly authenticated depositions or statements taken on oath or upon solemn affirmation before such Judge or Magistrate, clearly setting forth the said acts and containing a description of the person claimed, and any other particulars which may serve to identify him.

A la réception d'un semblable ordre du Secrétaire d'Etat, et sur la production de telle preuve qui, dans l'opinion de ce Magistrat, justifierait l'émission du mandat si le crime avait été commis dans le Royaume Uni, il délivrera le mandat requis.

Lorsqu'alors le fugitif aura été arrêté, il sera amené devant le Magistrat de Police qui a lancé le mandat, ou devant un autre Magistrat de Police à Londres. Si la preuve qu'on produira est de nature à justifier, selon la loi Anglaise, la mise en jugement du prisonnier dans le cas où le crime dont il est accusé aurait été commis en Angleterre, le Magistrat de Police l'enverra en prison pour attendre le mandat du Secrétaire d'Etat, necessaire à l'extradition, et il adressera immédiatement au Secrétaire d'Etat une attestation de l'emprisonnement avec un rapport sur l'affaire.

Après l'expiration d'un certain temps, qui ne pourra jamais être moindre de quinze jours depuis l'emprisonnement de l'accusé, le Secrétaire d'Etat, par un ordre de sa main et muni de son sceau, ordonnera que le criminel fugitif soit livré à telle personne qui sera dûment autorisée à le recevoir au nom du Gouvernement de Sa Majesté le Roi des Belges.

II. S'il s'agit d'une personne condamnée—

La marché de la procédure sera la même que dans le cas d'une personne accusée sauf que le mandat à transmettre par le Ministre ou autre Agent Diplomatique, à l'appui de la demande d'extradition, énoncera clairement le crime pour lequel la personne réclamée aura été condamnée, et mentionnera le fait, le lieu, et la date du jugement. La preuve à produire devant le Magistrat de Police sera telle que d'après la loi Anglaise elle établirait que le prisonnier a été condamné pour le crime dont on l'accuse.

Après que le Magistrat de Police aura envoyé la personne accusée ou condamnée en prison pour attendre l'ordre d'extradition du Secrétaire d'Etat cette personne aura le droit de réclamer une ordonnance d'*habeas corpus*; l'extradition droit alors être différée jusqu'après la décision de la Cour sur le renvoi de l'ordonnance, et elle ne pourra avoir lieu que si la décision est contraire au demandeur.

ARTICLE III.

Dans les Etats de Sa Majesté le Roi des Belges, autres que les Colonies ou possessions étrangères de Sa dite Majesté, on procèdera de la façon suivante:—

I. S'il s'agit d'une personne accusée—

La demande d'extradition sera adressée au Ministre des Affaires Etrangères de Sa Majesté le Roi des Belges par le Ministre ou autre Agent Diplomatique de Sa Majesté Britannique; à cette demande seront joints un mandat d'arrêt ou autre document judiciaire équivalent délivré par un Juge ou Magistrat dûment autorisé à prendre connaissance des actes imputés à l'accusé dans la Grande Bretagne, ainsi que les dépositions authentiques ou les déclarations faites sous serment ou sous affirmation solennelle devant ce Juge ou Magistrat, énonçant clairement les dits actes, et contenant, outre le signalement de la personne réclamée, toutes les particularités qui pourraient servir à établir son identité.

The Minister for Foreign Affairs shall transmit the warrant of arrest, with the documents thereto annexed, to the Minister of Justice, who shall forward the same to the proper judicial authority, in order that the warrant of arrest may be put in course of execution by the Chamber of the Council (*Chambre du Conseil*) of the Court of First Instance of the place of residence of the accused, or of the place where he may be found.

The foreigner may claim to be provisionally set at liberty in any case in which a Belgian enjoys that right, and under the same conditions. The application shall be submitted to the Chamber of the Council (*Chambre du Conseil*).

The Government will take the opinion of the Chamber of Indictments or Investigation (*Chambre des Mises en Accusation*) of the Court of Appeal, within whose jurisdiction the foreigner shall have been arrested.

The hearing of the case shall be public, unless the foreigner should demand that it should be with closed doors.

The public authorities and the foreigner shall be heard. The latter may obtain the assistance of Counsel.

Within a fortnight from the receipt of the documents, they shall be returned, with a reasoned opinion, to the Minister of Justice, who shall decide and may order that the accused be delivered to the person duly authorized on the part of the Government of Her Britannic Majesty.

II. In case of a person convicted—

The course of proceeding shall be the same as in the case of a person accused, except that the conviction or sentence of condemnation issued in original or in an authenticated copy, to be transmitted by the Minister or other Diplomatic Agent in support of his requisition, shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced shall be such as would, according to the Belgian laws, prove that the prisoner was convicted of the crime charged.

ARTICLE IV.

A fugitive criminal may, however, be apprehended under a warrant issued by any Police Magistrate, Justice of the Peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant, if the crime had been committed or the prisoner convicted in that part of the dominions of the two Contracting Parties in which he exercises jurisdiction: Provided, however, that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a Police Magistrate in London. He shall be discharged, as well in the United Kingdom as in Belgium, if within fourteen days a requisition shall not have been made for his surrender by the Diplomatic Agent of his country, in the manner directed by Articles II and III of this Treaty.

The same rule shall apply to the cases of persons accused or convicted of any of the crimes specified in this Treaty, committed on the high seas on board any vessel of either country which may come into a port of the other.

Le Ministre des Affaires Etrangères transmettra le mandat d'arrêt, avec les pièces annexées, au Ministre de la Justice, qui fera parvenir les documents à l'autorité judiciaire, à l'effet de voir rendre le dit mandat d'arrêt exécutoire par la Chambre du Conseil du Tribunal de Première Instance du lieu de la résidence de l'inculpé, ou du lieu où il pourra être trouvé.

L'étranger pourra réclamer la liberté provisoire dans le cas où un Belge jouit de cette faculté et dans les mêmes conditions. La demande sera soumise à la Chambre du Conseil.

Le Gouvernement prendra l'avis de la Chambre des Mises en Accusation de la Cour d'Appel dans le ressort de laquelle l'étranger aura été arrêté.

L'audience sera publique, a moins que l'étranger ne réclame le huis-clos.

Le Ministère public et l'étranger seront entendus. Celui-ci pourra se faire assister d'un Conseil.

Dans la quinzaine à dater de la réception des pièces, elles seront renvoyées avec l'avis motivé au Ministre de la Justice, qui statuera et pourra ordonner que l'inculpé soit livré à la personne qui sera dûment autorisée au nom du Gouvernement de Sa Majesté Britannique.

II. S'il s'agit n'une personne condamnée—

Le cours de la procédure sera le même que dans le cas d'une personne accusée, sauf que le jugement ou l'arrêt de condamnation délivre en original ou en expedition authentique, à transmettre par le Ministre ou l'Agent Diplomatique à l'appui de la demande d'extradition, énoncera clairement le crime pour lequel la personne réclamée aura été condamnée, et mentionnera le fait, le lieu, et la date du jugement. La preuve à produire sera telle que, conformément aux lois Belges, elle établirait que le prisonnier a été condamné pour le crime dont on l'accuse.

ARTICLE IV.

Un criminel fugitif peut, cependant, être arrêté sur un mandat délivré par tout Magistrat de Police, Juge de Paix, ou autre autorité compétente dans chaque pays, à la suite d'un avis, d'une plainte, d'une preuve, ou de tout autre acte de procédure qui, dans l'opinion de la personne délivrant le mandat, justifierait ce mandat, si le crime avait été commis ou la personne condamnée dans la partie des Etats des deux Contractants où elle exerce juridiction: pourvu que, cependant, s'il s'agit du Royaume Uni, l'accusé soit, dans un paréil cas, envoyé aussi promptement que possible devant un Magistrat de Police à Londres. Il sera relâché, tant dans le Royaume Uni qu'en Belgique, si dans les quatorze jours une demande d'extradition n'a pas été faite par l'Agent Diplomatique de son pays, suivant le mode indiqué par les Articles II et III de ce Traité.

La même règle s'appliquera aux cas de personnes poursuivies ou condamnées du chef de l'un des crimes spécifiés dans ce Traité et commis en pleine mer, à bord d'un navire de l'un des deux pays et qui viendrait dans un port de l'autre.

ARTICLE V.

If the fugitive criminal who has been committed to prison be not surrendered and conveyed away within two months after such committal (or within two months after the decision of the Court upon the return to a writ of *habeas corpus* in the United Kingdom), he shall be discharged from custody, unless sufficient cause be shown to the contrary.

ARTICLE VI.

When any person shall have been surrendered by either of the High Contracting Parties to the other, such person shall not, until he has been restored or had an opportunity of returning to the country from whence he was surrendered, be triable or tried for any offence committed in the other country prior to the surrender, other than the particular offence on account of which he was surrendered.

ARTICLE VII.

No accused or convicted person shall be surrendered, if the offence in respect of which his surrender is demanded shall be deemed by the party upon which it is made to be a political offence, or to be an act connected with (*connexe à*) such an offence, or if he prove, to the satisfaction of the Police Magistrate, or of the Court before which he is brought on *habeas corpus*, or to the Secretary of State, that the requisition for his surrender has in fact been made with a view to try or to punish him for an offence of a political character.

ARTICLE VIII.

Warrants, depositions, or statements on oath, issued or taken in the dominions of either of the two High Contracting Parties, and copies thereof, and certificates of or judicial documents stating the fact of conviction, shall be received in evidence in proceedings in the dominions of the other, if purporting to be signed or certified by a Judge, Magistrate, or officer of the county where they were issued or taken.

Provided such warrants, depositions, statements, copies, certificates, and judicial documents are authenticated by the oath or solemn affirmation of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

ARTICLE IX.

The surrender shall not take place if, since the commission of the acts charged, the accusation, or the conviction, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the country where the accused shall have taken refuge.

ARTICLE X.

If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes committed upon their respective territories, his surrender shall be granted to that State whose demand is earliest in date; unless any other arrangement should be made between the Governments which have claimed him, either on account of the gravity of the crimes committed or for any other reasons.

ARTICLE V.

Si le criminel fugitif qui a été arrêté n'est pas livré et emmené dans les deux mois après son arrestation (ou dans les deux mois après la décision de la Cour sur le renvoi d'une ordonnance d'*habeas corpus* dans le Royaume Uni), il sera mis en liberté, à moins qu'il n'y ait un motif suffisant de le retenir en prison.

ARTICLE VI.

Lorsqu'une personne aura été extradée par l'une des Hautes Parties Contractantes, cette personne jusqu'à ce qu'elle soit rentrée dans le pays d'où elle a été extradée, ou qu'elle ait eu occasion de le faire, ne sera poursuivie pour aucun délit commis dans l'autre pays avant l'extradition autre que celui pour lequel l'extradition a eu lieu.

ARTICLE VII.

Aucune personne accusée ou condamnée ne sera extradée, si le délit pour lequel l'extradition est demandée est considéré par la partie requise comme un délit politique ou un fait connexe à un semblable délit, ou si la personne prouve, à la satisfaction du Magistrat de Police ou de la Cour devant laquelle elle est amené pour l'*habeas corpus*, ou du Secrétaire d'Etat, que la demande d'extradition a été faite, en réalité, dans le but de la poursuivre ou de la punir pour un délit d'un caractère politique.

ARTICLE VIII.

Les mandats, dépositions, déclarations sous serment, délivrés ou recueillis dans les Etats de l'une des deux Hautes Parties Contractantes, les copies de ces pièces, ainsi que les certificats ou les documents judiciaires établissant le fait de la condamnation, seront reçus comme preuve dans la procédure des Etats de l'autre partie, s'ils sont revêtus de la signature ou accompagnés de l'attestation d'un Juge, Magistrat, ou fonctionnaire du pays où ils ont été délivrés ou recueillis.

Pourvu que ces mandats, dépositions, déclarations, copies, certificats, et documents judiciaires soient rendus authentiques par le serment ou affirmation solennelle d'un témoin, ou par le sceau officiel du Ministre de la Justice ou d'un autre Ministre d'Etat.

ARTICLE IX.

L'extradition n'aura pas lieu si, depuis les faits imputés, les poursuites, ou la condamnation, la prescription de l'action ou de la peine est acquise d'après les lois du pays où le prévenu s'est réfugié.

ARTICLE X.

Si l'individu réclamé par l'une des Hautes Parties Contractantes, en exécution du présent Traité, est aussi réclamé par une ou plusieurs autres Puissances, du chef d'autres crimes commis sur leurs territoires respectifs, son extradition sera accordée à l'Etat dont la demande est la plus ancienne en date, à moins qu'il n'existe entre les Gouvernements qui l'ont réclamé un arrangement qui déciderait de la préférence, soit à raison de la gravité des crimes commis, soit à raison de tout autre motif.

ARTICLE XI.

If the individual claimed should be under prosecution, or condemned by the Courts of the country where he has taken refuge, his surrender may be deferred until he shall have been set at liberty in due course of law.

In case he should be proceeded against or detained in such country, on account of obligations contracted towards private individuals, his surrender shall nevertheless take place, the injured party retaining his right to prosecute his claims before the competent authority.

ARTICLE XII.

Every article found in the possession of the individual claimed at the time of his arrest shall, if the competent authority so decide, be seized, in order to be delivered up with his person at the time when the surrender shall be made. Such delivery shall not be limited to the property or articles obtained by stealing or by fraudulent bankruptcy, but shall extend to everything that may serve as proof of the crime. It shall take place even when the surrender, after having been ordered, shall be prevented from taking place by reason of the escape or death of the individual claimed.

The rights of third parties with regard to the said property or articles are nevertheless reserved.

ARTICLE XIII.

Each of the High Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the detention, and the conveyance to its frontier, of the persons whom it may consent to surrender in pursuance of the present Treaty.

ARTICLE XIV.

The stipulations of the present Treaty shall be applicable to the Colonies and foreign Possessions of the two High Contracting Parties.

The requisition for the surrender of a fugitive criminal who has taken refuge in a Colony or foreign Possession of either Party, shall be made to the Governor or Chief Authority of such Colony or Possession by the Chief Consular Officer of the other in such Colony or Possession; or, if the fugitive has escaped from a Colony or foreign Possession of the Party on whose behalf the requisition is made by the Governor or Chief Authority of such Colony or Possession.

Such requisition may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the respective Governors or Chief Authorities, who, however, shall be at liberty either to grant the surrender, or to refer the matter to their Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign Possessions for the surrender of Belgian criminals who may there take refuge, on the basis, as nearly as may be, of the provisions of the present Treaty.

ARTICLE XV.

The present Treaty shall come into operation ten days after its publication in conformity with the laws of the respective countries.

ARTICLE XI.

Si l'individu réclamé est poursuivi ou condamné par les Tribunaux du pays où il s'est refugié, son extradition pourra être différée jusqu'à ce qu'il ait été mis en liberté selon le cours régulier de la loi.

Dans le cas où il serait poursuivi ou détenu dans le même pays à raison d'obligations par lui contractées envers des particuliers, son extradition n'en aura pas moins lieu, sauf à la partie lésée à faire valoir ses droits devant l'autorité compétente.

ARTICLE XII.

Tout objet trouvé en la possession de l'individu réclamé au moment de son arrestation sera, si l'autorité compétente en a ainsi ordonné, saisi pour être livré avec sa personne lorsque l'extradition aura lieu. Cette remise ne sera pas limitée aux objets acquis par vol ou banqueroute frauduleuse, mais elle s'étendra à toute chose qui pourrait servir de pièce de conviction. Elle se fera même si l'extradition, après avoir été accordée, ne peut s'accomplir par suite de l'évasion ou de la mort de l'individu réclamé.

Sont, cependant, réservés les droits des tiers sur les objets susmentionnés.

ARTICLE XIII.

Chacune des Hautes Parties Contractantes supportera les frais occasionnés par l'arrestation sur son territoire, la détention, et le transport à la frontière des personnes qu'elle consentirait à extrader en exécution du présent Traité.

ARTICLE XIV.

Les stipulations du présent Traité seront applicables aux Colonies et Possessions étrangères des deux Hautes Parties Contractantes.

La demande d'extradition d'un criminel fugitif qui s'est réfugié dans une Colonie ou Possession étrangère de l'une des Parties sera faite au Gouverneur ou au fonctionnaire principal de cette Colonie ou Possession par le principal Agent Consulaire de l'autre dans cette Colonie ou Possession; ou, si le fugitif s'est échappé d'une Colonie ou Possession étrangère de la Partie ue nom de laquelle l'extradition est demandée, par la Gouverneur ou le fonctionnaire principal de cette Colonie ou Possession.

Ces demandes seront faites ou accueillies en suivant toujours, aussi exactement que possible, les stipulations de ce Traité par les Gouverneurs ou premiers fonctionnaires, qui, cependant, auront la faculté ou d'accorder l'extradition ou d'en référer à leur Gouvernement.

Sa Majesté Britannique se réserve, cependant, le droit de faire des arrangements spéciaux dans les Colonies Anglaises ou Possessions étrangères pour l'extradition de criminels Belges qui y auraient cherché refuge, en se conformant, aussi exactement que possible, aux stipulations du présent Traité.

ARTICLE XV.

Le présent Traité entrera en vigueur dix jours après sa publication dans les formes prescrites par la législation des pays respectifs.

After the Treaty shall so have been brought into operation, the Treaty concluded between the High Contracting Parties on the 31st July, 1872, shall be considered as cancelled, except as to any proceeding that may have already been taken or commenced in virtue thereof.

Either party may at any time terminate the Treaty on giving to the other six months' notice of its intention.

ARTICLE XVI.

The present Treaty shall be ratified, and the ratifications shall be exchanged at Brussels as soon as may be within six weeks from the date of signature.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Brussels, the twentieth day of May, in the year of our Lord one thousand eight hundred and seventy-six.

(L.S.) J. SAVILE LUMLEY.

Aussitôt que le Traité sera entré en vigueur, le Traité conclu entre les Hautes Parties Contractantes le 31 Juillet, 1872, sera considéré comme abrogé, excepté en ce qui concerne toutes poursuites qui pourraient avoir eu leur effet, ou qui pourraient avoir commencé en vertu de ce Traité.

Chaque partie peut en tout temps mettre fin au Traité, en donnant à l'autre, six mois à l'avance, avis de son intention.

ARTICLE XVI.

Le présent Traité sera ratifié, et les ratifications seront échangées à Bruxelles le plus tôt possible dans les six semaines de la date de la signature.

En foi de quoi les Plénipotentiaires respectifs ont signé ce même Traité, et y ont apposé le sceau de leurs armes.

Fait à Bruxelles, le vingtième jour du mois de Mai, l'an de grâce mil huit cent soixante-seize.

(L.S.) CTE. D'ASPREMONT-LYNDEN.

And whereas the ratifications of the said Treaty were exchanged at Brussels on the twenty-eighth day of June last:

Now, therefore, Her Majesty, by and with the advise of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the fourth day of August, one thousand eight hundred and seventy-six, the said Acts shall apply in the case of the said Treaty with the King of the Belgians.

C. L. PEEL.

GENERAL.

The 5th September 1876.

No. 1944*G.*—The services of Major C. E. Bates, Officiating 2nd in Command, Bhopal Battalion, are replaced at the disposal of the Military Department.

The 8th September 1876.

No. 1980*G.*—Mr. E. J. Kitts, Officiating Assistant Commissioner of the 3rd class in the Hyderabad Assigned Districts, has passed the prescribed examination in the Mahratta language according to the higher standard.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 8th September 1876.

No. 2753.—*Bills drawn upon India by the Secretary of State in* 1876-77.

	£	Rs.	Average rate.	Loss compared with outturn at an exchange of 2s. the rupee.
Estimated for the whole year.	13,660,000	15,99,20,000	1s. 8·5d.	2,33,20,000
In the month of August.	1,631,853	1,95,50,000	1s. 8·04d.	32,31,470
First five months ..	5,104,205	6,16,57,944	1s. 7·87d.	1,06,15,894
Remains to make estimate good.	8,555,795	9,82,62,056	1s. 8·77d.	1,27,04,106

Estimated expenditure in excess of the cost at 2s. the rupee in raising £5,104,205 @ 1s. 8·5d. ...	Rs.	87,13,768
Actual expenditure in excess of the cost at 2s. the rupee in raising £5,104,205 @ 1s. 7·87d. ...	,,	1,06,15,894
Excess over estimate ..	Rs.	19,02,126

MINT AND CURRENCY.

The 8th September 1876.

No. 2754.—*Silver received and coined in the Mints at Calcutta and Bombay in the calendar year* 1876.

	Bullion or Coin received		Coined and examined.
	From Government.	From Merchants.	
In the month of July.	Rs.	Rs.	Rs.
Calcutta	3,290	15,75,450	4,45,208
Bombay	19	35,04,078	35,99,075
TOTAL ..	3,309	50,79,528	40,44,283
First seven months.			
Calcutta	1,42,121	89,59,062	36,79,166
Bombay	8,269	1,99,27,810	1,95,64,880
TOTAL ..	1,50,390	2,88,86,872	2,32,45,752

Imports and Exports of Gold and Silver during the calendar year 1876.

	Silver.			Gold.			Total.		
	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.
	£	£	£	£	£	£	£	£	£
In the month of July ...	551,194	230,623	320,571	56,756	220,382	-163,626	607,950	451,005	156,945
First seven months ...	3,781,620	1,193,999	2,587,621	796,303	683,353	112,950	4,577,923	1,877,352	2,700,571

SEPARATE REVENUE.—OPIUM.

The 8th September 1876.

No. 2755.—*Opium Revenue to date compared with the Estimate for the year* 1876-77 :—

Presidency.	Latest month.			Six sales of Bengal Opium and Five months' duty on Malwa Opium.		
	Estimate.	Actual.	Better than Estimate.	Estimate.	Actual.	Better than Estimate.
	£	£	£	£	£	£
Bengal	448,477	513,475	64,998	2,696,597	3,022,274	325,677
Bombay	177,119	290,580	113,461	995,813	1,100,040	104,227
TOTAL ...	625,596	804,055	178,459	3,692,410	4,122,314	429,904

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 5th September 1876.

No. 937 *of* 1876.—*Appointment*—

HYDERABAD CONTINGENT.

4th Infantry.

Lieutenant F. S. Sorell, 45th Foot, a candidate for the Bengal Staff Corps, to be Wing Subaltern, on probation, *vice* Captain C. Hayter, promoted.

The 8th September 1876.

No. 938 *of* 1876.—The undermentioned Officer of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel John Frederic Berthon, Bombay Staff Corps,—8th September 1876.

No. 939 *of* 1876.—The undermentioned Officers of the Bengal Staff Corps having completed 20 years' service, are promoted to the rank of Major, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:

Captain Charles Richard Cock,—4th September 1876.

Captain Frederick Hammond,—8th September 1876.

No. 940 *of* 1876.—The undermentioned Officer has reported his return from England:—

Surgeon H. J. Linton, Medical Department, in medical charge 24th (Punjab) Regiment of Native Infantry,—date of arrival at Bombay, 19th August 1876.

No. 941 *of* 1876.—The undermentioned men are granted pensions as specified:—

Names.	Monthly stipend.	Circle of payment.
	Rs. A. P.	
Ressaidar Chundun Singh, 3rd Bengal Cavalry.	25 0 0 from date of his discharge.	N.-W. P.
Private Bhyroo Sing, No. 893, 3rd Infantry, Hyderabad Contingent.	3 4 11 from the 1st September 1876.	Presidency.

No. 942 *of* 1876.—Mujon Nissa, widow of Meer Mahaidee Zuma, Ressaldar, 3rd Bengal Cavalry, is admitted to the 3rd class Order of Merit pension, *viz.*, Rs. 20-0-0 per mensem, for three years, from the 29th August 1864, payable in the North-Western Provinces Circle.

No. 943 *of* 1876.—It is hereby notified in supersession of all existing orders on the subject, that the higher rate of Moonshee allowance on passing the higher or lower standard in the Hindustani language cannot be claimed under any Circumstances by Non-Commissioned Officers and

Soldiers, Apothecaries, and Hospital Apprentices with regiments or batteries, when sufficient means of instruction have been provided in a regimental or other Government school which they could attend.

2. The exceptional cases in which the higher rate of allowance will be granted, are when such means of instruction are not provided or cannot be made use of, owing to reasons which must be fully explained in submitting the claim.

3. In all cases of doubt as to the validity of these reasons, the Controller of Military Accounts will, if necessary, refer the claim for the orders of Government.

4. Warrant and Non-Commissioned Officers and Soldiers serving in Departments will be granted the higher rate of allowance.

No. 944 *of* 1876.—In continuation of G. G. O. No. 1077 of 1871, it is hereby notified that men sentenced to be discharged with ignominy, will, while undergoing imprisonment, be supplied with bedding by the Commissariat Department at the station at which they are imprisoned on the indent of the Brigade Major, or Station Staff Officer, supported by the last bedding certificates of the men authenticated by the Commanding Officers of the Corps to which they belong, as prescribed by paragraph 86 of the Regulations for the management of station, garrison and regimental cells.

This order is applicable to the three Presidencies.

No. 945 *of* 1876.—*Addendum.*—In paragraph 2, Clause 1 of G. G. O. No. 91 of 1876, enter the words *or cattle* after "stores."

Order books to be corrected accordingly.

No. 946 *of* 1876.—Third Class Hospital Assistant Commer Oodeen, attached to the 4th Regiment of Native Infantry, is permitted to resign the service.

Admitted by G. G. O. No. 623 of 1868.

No. 947 *of* 1876.—In continuation and part cancellation of G. G. O. No. 856 of 1869, the following Clause 32 of Army Circulars, War Office, 1st March 1876, is published for general information :—

GOOD-SHOOTING PRIZES.

1. The Judging-Distance Practice will for the future be separated from the Target Practice in determining the qualification of soldiers for Good-Shooting Rewards, and separate prizes will be awarded to those qualified in each practice.

2. The Judging-Distance qualification hitherto required for Good-Shooting Prizes will, under the new arrangements, no longer be demanded from competitors at Target Practice.

3. Clause 76, Army Circulars, 1871, and Clause 90, Army Circulars, 1872, are hereby cancelled; and paragraphs 4 and 12 of the Regulations issued with Clause 62, Army Circulars, 1869, will be amended as follows :—

4. The Prizes will be as follows :—

I.—TARGET PRACTICE.

1st Prize.—To the best shot of the Infantry of the Army (including the Royal Engineers and Colonial Corps) who have practised through the annual course of musketry drill and individual firing prescribed for the drilled soldier.	20*l.* and a silver medal—inscribed with the year in which won, and the winner's name, number, and regiment—to be worn on the right breast.
2nd Prize.—To the *best shot of every Regiment or Battalion of Infantry*, consisting of not less than four companies, *all* of which must have practised through the annual course of musketry drill and individual firing as above laid down.	5*l.* and a badge of cross rifles and crown, worked in gold, to be worn on the left arm.
3rd Prize.—To the best shot of every company in which 40 men at least have practised through the annual course of musketry drill and individual firing as above laid down.	2*l.* 10*s.* and a badge of cross rifles worked in gold, to be worn on the left arm.
To the best shot of every Depôt Company in which 30 men at least have practised through the annual course of musketry drill and individual firing as above laid down.	2*l.* and a badge of cross rifles worked in gold, to be worn on the left arm.
4th Prize.—To "*Marksmen*," to the number of 10 per cent. of the men practised through the annual course of musketry drill and individual firing as above laid down, in each Regiment, or Battalion, in addition to the holders of the 1st, 2nd, and 3rd Prizes.	1*l.* and a badge of cross rifles worked in worsted, to be worn on the left arm.

II.—JUDGING-DISTANCE PRACTICE.

Infantry.

To the best judge of distances in each company, *i. e.*, to the man who, having practised in the 1st Class, obtains the greatest number of points in the three periods of judging-distance practice.	1*l.*
To 10 per cent. of *each* company who, having practised in the 1st Class, obtain the greatest number of points in the three periods of judging-distance practice, inclusive of the best judge of distances in *each* company.	10*s.* each.

Cavalry.

To the same number of men in the *regiment* receiving prizes for target practice who, having practised in the 2nd Class, obtain the greatest number of points in the two periods of judging-distance practice.	5*s.* each.

12. Prizes of the value of 1*l.* each (with a badge of cross carbines worked in worsted, to be worn on the left arm) will be granted to all regiments of Cavalry, at the rate (but not exceeding one per troop exercised) of one for every ten soldiers who shall compete for them in accordance with conditions to be laid down and published by the Commander-in-Chief; and if there be 100 such competitors an additional sum of 1*l.* will be granted to the soldier who, having obtained one of the above prizes, shall make the highest aggregate score in the first period of the annual course and the competitive practice together.

No. 948 *of* 1876.—The following promotion is made in the undermentioned Corps from the 1st May 1876 :—

13th (*The Shekhawattee*) *Regiment of Native Infantry.*

Havildar Hurnath Singh to be Jemadar, *vice* Tej Ram, invalided.

No. 949 *of* 1876.—*Appointment*—

Major H. J. Hallowes, 2nd Battalion, 15th Foot, to be Inspector of Gymnasia in India, in succession to Major R. N. Gream, whose tour of staff service has expired.

No. 950 *of* 1876.—With reference to G. G. O. No. 444 of the 13th April 1876, Captain W. Loch is confirmed in the appointment of Aide-de-Camp on the Personal Staff of His Excellency the Viceroy and Governor General of India.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Simla, the 8th September 1876.

No. 25 *of* 1876.—With reference to Marine Department Notification No. 7 of 1876, Mr. Anthony Gwyn, Royal Navy (Retired List), is confirmed in his appointment as Commander of the Indian Government Steamer *Irrawaddy*, with effect from the 5th February 1876.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 4th September 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers, on the dates specified, were received in the Military Department from 19th August to 2nd September 1876 :—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
1st Battalion, 5th Foot.	Lieutenant C. L. S. Auber ...	30th Aug. 1876	Allahabad.		
Subordinate Medical Department.	Apothecary J. Bailey ...	29th July 1876	Meean Meer.		

Statement of Deposits on account of Estates from 19th August to 2nd September 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					*Rs. a. p.*		
George Albert Colvill (*a*)...	Lieutenant	1-3rd Foot	29th Feb. 1876.	Intestate ...	1,128 1 6		
Robert John Scott, M. B. (*b*)	Surgeon ...	62nd Foot...	19th May 1876.	No Will found	1,815 12 9 Also Government Promissory notes for Rs. 2,000.		

(a) Next-of-kin,—Father, J. C. Colvill, Esq., Coolock House, Dublin, Ireland. Administrator General administering.
(b) Next-of-kin,—Father, Reverend W. Scott, Lissonally, Omagh, Ireland.

ALLEN JOHNSON, *Colonel,*
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 4th September 1876.

No. 381.—Captain S. S. Jacob, Bombay Staff Corps, Executive Engineer 3rd Grade, employed under the Jeypore Durbar, is promoted to Executive Engineer 2nd Grade.

The 6th September 1876.

No. 382.—Lieutenant F. Beauclerk, R.E., Assistant Examiner 1st Grade (temporary rank) and Officiating Deputy Examiner, Bombay, is temporarily promoted to Deputy Examiner with effect from the 1st September 1876.

Mr. F. Moore, Deputy Examiner, temporarily attached to the Northern Bengal State Railway, is transferred to Bengal.

No. 383.—Mr. D. DeMello is appointed an Accountant 4th Grade on probation, and posted to the Punjab Northern State Railway.

The 7th September 1876.

No. 384.—Lieutenant D. A. Scott, R.E., while holding the appointment of Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta (Public Works Department Notification No. 344 of 28th July 1876), will have the rank and pay of an Executive Engineer 4th Grade.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 38. SIMLA, SATURDAY, SEPTEMBER 16, 1876. Register No. 33.

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

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 14th September 1876.

No. 1430.—THE Governor General in Council having, in exercise of the powers conferred by Section 10, Act XXII of 1869 and Section 1, Act VIII of 1874, appointed the Deputy Commissioners of Kámrúp and the Khási and Jaintiá Hills to determine the boundary between those districts, the decision of the said Deputy Commissioners is hereby published for general information:

From the point (the elbow) where the RADIAC in its course runs direct to the westward and across the watershed and from the source of the MIREG river, down stream to the point where it joins the JEERA river.

Definition I from A to B.

From the junction of the MIREG and JEERA rivers up the JEERA stream to JEERAGAON.

Definition II from B to C.

From JEERAGAON across the watershed to the source of a small stream MEKAMKET, running south of BAMINIGAON, down stream to junction of the MEKAMKET with the KIANG or GIJANG river.

Definition III from C to D.

From the junction of the MEKAMKET and KIANG river up the KIANG stream to a point below the GIJANG village.

Definition IV from D to E.

Definition V from E to F. From a point below the village of GIJANG following the contour at the base of hills across the TURSONG river to LEJADUBI.

Definition VI from F to G. From LEJADUBI up the river SANTHI to one of its tributary sources.

Definition VII from G to H. From the junction of a tributary source of the SANTHI with the SANTHI river up stream and across the hills and watershed to the MUKSAR hill.

Definition VIII from H to I. From the MUKSAR hill down the UMTIM and UMORKSHAIT rivers to the junction of the UMORKSHAIT with the MAORUN river.

Definition IX from I to J. From the junction of the UMORKSHAIT and MAORUN rivers down the MAORUN to its junction with the UMIT *alias* SRI river.

Definition X from J to K. From the junction of the MAORUN river and the UMIT *alias* SRI river to its junction with the KA KRI or KOOLSEE river.

Definition XI from K to L. From the junction of the SRI and KRI or KOOLSEE rivers in a line stretching across the hills known as BOGASIL, JIRRANGHOLA, DHAPASIL, NONGLOKA, DHANPURIA, PATHSIL, and TENTEN-KONA to KAMRANGA.

Definition XII from L to M. From KAMRANGA along the base of the mountains of the BHATA NADDI round to BOKLAPARA.

Definition XIII from M to N. From BOKLAPARA along the base of the mountains to the north of BARNONGSAI round to point south of SNAIKAMRANG.

Definition XIV from N to O. From point south of SNAIKAMRANG along the base of the mountains round to point east of the UMSURU NADDI opposite UMSURIOO.

Definition XV from O to P. From the point opposite UMSURIOO along the base of the mountains past HURU JIRANG to UMTHUMMA MUKH, following the course of UMTHUMMA up to its source across the watershed and down the ridge across the HURU or CHOTAPANEE, and thence along foot-path and base of hills to CHARKATTA.

Definition XVI from P to Q. From CHARKATTA along the base of hills to KAPILISHEEL.

Definition XVII from Q to R. From KAPILISHEEL along the course of the UMSHILANI to its source.

Definition XVIII from R to S. From source of UMSHILANI round the base of the mountains and across the watershed to the sources of the UMTHENA and down that river to its junction with the UMOR and up the UMOR to mouth of UMSEN.

Definition XIX from S to T. From the junction of UMOR and UMSEN along the latter water-course to its source and across watershed down the UMAKRI-KONA to GORBANGA and thence along BORPANEE and BASHISTO rivers, and the base of the hills to the Shillong road.

Definition XX from T to U. From point on the Gauháti and Shillong road along the road to DIKROO river at BURNI.

Definition XXI from U to V. From BURNI to UMPRIMUKH and along that stream to its source and thence to ARLONGNAKAN.

Definition XXII from V to X. From ARLONGNAKAN to the source of the DEMSONG river and along the downward course south of the DEMSONG to a point to the north of MAIYONG, where the district of Kámrúp terminates.

ESTABLISHMENTS.

The 14th September 1876.

No. 599.—*Appointment.*—Mr. W. E. Ward, C.S., is confirmed in the office of Judge of the Assam Valley Districts with effect from the 15th July last.

MEDICAL.

The 13th September 1876.

No. 524.—The services of Apothecary J. N. White are replaced at the disposal of the Military Department with effect from the 17th ultimo.

The 14th September 1876.

No. 530.—*Appointment.*—Surgeon-Major O. Barnett has been confirmed in the office of Surgeon to His Excellency the Viceroy and Governor General.

PORT BLAIR.

The 13th September 1876.

No. 241.—Major-General C. A. Barwell, C.B., Chief Commissioner of the Andaman and Nicobar Islands, and Superintendent of Port Blair and the Nicobars, has obtained privilege leave for three months with effect from such date as he may avail himself of it.

No. 243.—*Appointment.*—Captain M. Protheroe, Deputy Superintendent of Port Blair and the Nicobars, to officiate as Chief Commissioner of the Andaman and Nicobar Islands, and Superintendent of Port Blair and the Nicobars, during the absence on privilege leave of Major-General C. A. Barwell, C.B., or until further orders.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Simla, the 15th September 1876.

No. 951.—Mr. H. B. Condon, Sub-Assistant Conservator of Forests in Assam, has been granted leave of absence to Europe on medical certificate for fifteen months from the 3rd February 1876, together with subsidiary leave from the 4th January to the 2nd February 1876, both days inclusive.

MINERALS AND GEOLOGICAL SURVEY.

The 13th September 1876.

No. 126.—Mr. V. Ball, 2nd Grade Assistant in the Geological Survey, having resumed charge of his duties on the forenoon of the 4th ultimo, the unexpired portion of the three months' privilege leave granted to him in Notification No. 77, dated the 23rd June last, is hereby cancelled.

COMMERCE AND TRADE.

The 15th September 1876.

No. 13 *of* 1876.—The following Notice is published for general information:—

NOTICE TO MARINERS.

Malacca Strait.

(1) INTENDED LIGHT ON PULO-PISANG.

INFORMATION has been received that a lighthouse is in the course of construction on Pulo-Pisang, Malacca Strait, which is expected to be completed in about a year, when a light will be exhibited therefrom, visible when bearing from N. W. by W. ½ W. through north and east to S. E. ½ S.

Sumatra—West Coast.

(2) SUNKEN REEF IN SIBEROET STRAIT.

THE Netherlands Government has given notice of the existence of a reef in Siberoet Strait, west side of Sumatra, over which the depth of water is variable, but on which the sea generally breaks.

Position, lat. 0°45′ S., long. 98°42′ E.

[*Bearings are magnetic and given from seaward. Variation* 1½° *easterly in* 1876.]

MARINE SURVEY DEPT.;
CALCUTTA,
The 31st August 1876.

A. DUNDAS TAYLOR,
Commander, late I. N.,
Superintendent of Marine Surveys.

By Order,

T. C. HOPE,
Offg. Secretary to the Government of India.

(1).—This Notice affects the following Admiralty Charts:—Malacca Strait, No. 1355; China Sea, No. 2660,a, and Mount Formosa to Tanjong Bolus, No. 796; also Admiralty list of lights in South Africa, East Indies, &c., 1876; page 16.

(2).—Indian Ocean, Nos. 2483 and 748,b; and Sumatra Island, No. 2760.

If this Notice is received on board ship, the substance of it should be inserted on the charts affected by it, and introduced into the Sailing Directions to which it relates.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 11th September 1876.

No. 113*J.*—Under Section 12 of the Ajmere Courts Regulation, 1872, the Officiating Chief Commissioner, with the sanction of the Governor General in Council, directs that the powers specified opposite the name of the undermentioned person shall be exercised by him as an honorary office within the local limits opposite his name:—

Name.	Powers.	Local limits of jurisdiction.
Seth Ram Chunder.	The powers of a Magistrate, 3rd class.	Within the limits of the Municipality of Beawur.

The 14th September 1876.

No. 118*J.*—Whereas the Chiefs of Kurundwar have ceded to the British Government the civil and criminal jurisdiction exercised by them within those portions of land in the villages marginally noted, which are in the possession of the Great Indian Peninsular Railway Company, including the lands occupied as stations, out-buildings, and for all other purposes connected with the said Company's Railway; and whereas the Governor General in Council has now full civil and criminal jurisdiction in the aforesaid portions of land;

1. Baroti.
2. Rupéwadi.
3. Dudhani.

It is hereby notified in exercise of such power and jurisdiction, and of the powers conferred by the Foreign Jurisdiction and Extradition Act, 1872, Sections 4 and 5, as follows:—

1. All laws now in force in the Sholapur District of the Presidency of Bombay are hereby extended to the aforesaid lands.

2. The Governor of Bombay in Council and all Officers of Government subordinate to the Government of Bombay, exercising authority in the said Sholapur District, shall exercise within the aforesaid lands the same executive powers as they may respectively exercise within the British territory subject to their government and control.

3. All British Courts having jurisdiction within the said Sholapur District shall exercise the same jurisdiction within the aforesaid lands.

4. The administration of the Police within the aforesaid lands shall be vested in the Superintendent of the Great Indian Peninsular Railway Police, who shall exercise the same Police powers as may be exercised by him under any law for the time being in force in the said Sholapur District, in subordination to the same authorities to whom he is subordinate in respect of the powers so exercised by him in the said district.

5. The aforesaid lands shall be deemed to be included for all purposes within such taluka or other sub-division of the said district as the Governor of Bombay in Council shall from time to time direct by notification in the *Bombay Government Gazette*.

No. 119*J.*—In exercise of the powers conferred by the 24 and 25 of Vic., Cap. 67, Section 47, and by the 28 of Vic., Cap. 17, Section 4, the Governor General in Council is pleased to declare and appoint that all the lands in the undermentioned villages, in the Akalkot State, in the possession of the Great Indian Peninsular Railway Company, including the lands occupied as stations, out-buildings, and for all other purposes connected with the said Company's Railway, which were ceded by the Chief of Akalkot in August 1865, shall be included within, and be subject to, the Presidency of Bombay:—

1. Jehur,
2. Gaodgaon,
3. Karabgaon,
4. Nagansoor,
5. Oodgi,
6. Tolnoor,
7. Dudhani,

and

8. Baroti.

POLITICAL.

The 12th September 1876.

No. 2076*P.*—With reference to Notification No. 1119P., dated 9th May 1876, the recognition by the Government of India of the appointment of Mr. Daniel Shields as Consular Agent for Italy at Bassein has been confirmed by Her Majesty's Government.

GENERAL.

The 11th September 1876.

No. 1992*G.*—Surgeon N. B. Major, of the British Medical Service, to officiate temporarily as Residency Surgeon at Mandalay, with effect from the date of taking charge.

The 12th September 1876.

No. 2003*G.*—*Addendum.*—In Notification No. 1409G., dated 3rd July 1876, appointing Pundit Dhirm Narain, Rai Bahadur, Mir Moonshee of the Central India Agency, to officiate as Native Assistant to the Agent to the Governor General for Central India, after the words "Agent to the Governor General for Central India" insert "*in addition to his other duties.*"

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 14th September 1876.

No. 2807.—Mr. R. Taylor, B. C. S., is appointed to officiate as Head Commissioner of Paper Currency during the absence on privilege leave of Mr. E. F. Harrison, or until further orders.

Mr. R. Taylor received charge of the Offices of Comptroller General and Head Commissioner of Paper Currency from Mr. E. F. Harrison, before noon, on the 4th September 1876.

LEAVE AND ALLOWANCES.

The 14th September 1876.

No. 2826.—The Governor General in Council directs that the following be inserted as Rule 10 in Chapter VIII of the Civil Leave Code:—

An officer who does not join his new appointment within the joining time allowed to him is entitled to no allowances after the end of his joining time, and after a week ceases to have a lien on any appointment. But if the Local Government considers that his default was due to circumstances beyond his control, it may exempt him from the loss of his appointment.

The 15th September 1876.

No. 2914.—The Governor General in Council directs that the following be substituted for Section 1 of Supplement A to the Civil Leave Code:—

1. Leave on medical certificate for not more than six months may be granted to a Lieutenant-Governor. On resuming his duties after such leave, a Lieutenant-Governor is entitled to half his salary for the period of his absence. If he is prevented from resuming his duties, he is entitled to no absentee allowances.

A Lieutenant-Governor is not entitled to any other leave.

No. 2916.—The Governor General in Council is pleased to declare that all leave, acting and travelling allowances payable to public officers from provincial funds, shall, in the absence of express sanction of the Government of India to the contrary, be subject to the rules which regulate the grant of such allowances from imperial revenues; and that no such allowances paid from local funds or from any other sources under the control of any Government officer, shall, without the express sanction of the Government of India, exceed what would be admissible under the rules which regulate the grant of such allowances from imperial revenues.

MINT AND CURRENCY.

The 11th September 1876.

No. 2794.—Privilege leave for two months and eleven days, beginning on the 4th October 1876, is granted to Surgeon-Major H. E. Busteed, M.D., Assay Master of Her Majesty's Mint, Calcutta.

The 12th September 1876.

No. 2818.—Surgeon-Major P. F. Bellew, Deputy Assay Master of Her Majesty's Mint at Bombay, is appointed to officiate as Assay Master of Her Majesty's Mint at Calcutta, during the absence on privilege leave of Surgeon-Major H. E. Busteed, M. D., or until further orders.

Mr. L. G. Hynes is appointed to officiate as Deputy Assay Master of Her Majesty's Mint at Bombay, *vice* Surgeon-Major P. F. Bellew.

The 15th September 1876.

No. 2915.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency:—*

Date.	Circles of Issue.	Currency Notes in circulation.	Silver Coin Reserve.	Reserve in Government Securities.	Total Reserve.
		Rs.	Rs.	Rs.	Rs.
31st August 1876.	Calcutta	4,80,24,740	1,23,17,418	2,55,10,947	3,83,28,365
,,	Madras	1,03,77,325	56,48,967	59,28,463	1,15,77,430
,,	Bombay	3,60,07,350	2,20,08,105	1,56,00,000	3,76,08,105
,,	Allahabad	90,20,685	1,00,82,615	31,00,000	1,31,82,615
,,	Lahore	68,27,210	41,39,680	33,00,000	74,39,680
,,	Calicut	18,82,385	14,45,501	7,00,059	21,45,560
,,	Coconada	20,96,930	23,20,121	5,00,059	28,20,180
,,	Nagpore	15,94,840	13,80,715	8,00,000	21,80,715
,,	Kurrachee	16,32,770	5,46,715	12,00,000	17,46,715
,,	Akola	16,34,070	17,68,940	3,00,000	20,68,940
	TOTAL ..	11,90,96,305	6,21,58,777	5,69,39,528	11,90,98,305

SEPARATE REVENUE—POST OFFICE.

The 15th September 1876.

No. 2887.—Notice is hereby given that an arrangement has been concluded for the exchange of parcels between India and Ceylon.

On and after the 1*st October* 1876, parcels can be sent to places in Ceylon under the rates and conditions given for that Colony in the following revised set of rules, which from the above-mentioned date will supersede those issued under the Notification by this Department, No. 1405, dated 10th March 1876:—

Overland Parcel Post.

(1).—Parcels are received at any Post Office in India under the conditions and rates of charge mentioned below for transmission to the following countries, *viz.*:—

COUNTRIES.	Rate of charge per lb. or fraction thereof. Pre-payment compulsory.	Remarks respecting special conditions, &c., applicable to particular Countries.
	Annas.	
United Kingdom ...	8	The pre-payment carries the parcel as far as London, any additional charge which may become due on account of British custom duty or carriage beyond London being realised from the addressee. Parcels must not exceed £50 in value. Any parcel which on examination of the declaration at Bombay may be found to exceed this value will, instead of being forwarded by the Overland Parcel Post, be transferred to the Bombay Agency of the P. & O. S. N. Company for transmission independently of the Post Office, and subject to such regulations and charges on delivery as may be applicable thereto under the Company's regulations. (NOTE.—The Company's present charge is an *ad valorem* rate of 2 per cent., which does not include Marine or other Insurance.) The attention of the public is invited to the fact that the British Post Office has no connection with the Overland Parcel Post; all arrangements out of India are made by the Peninsular and Oriental Steam Navigation Company, and enquiries proceeding from the United Kingdom should be addressed to that Company's Office, 122, Leadenhall Street, London, E. C. The rules governing the despatch of parcels from the United Kingdom to India are, however, published in the British Postal Guide, and exhibited in every British Post Office. Persons in India ordering goods to be sent out by parcel post may refer the sender to the above means of information about the transmission of parcels.
Ceylon ...	8	The pre-payment carries the parcel to destination. Should any custom duty become due, the amount will be charged on delivery. Parcels must not contain any jewellery.
Germany ...	8	The pre-payment carries the parcel to destination. Should any custom duty become due, the amount will be charged on delivery. See also Rule 9 respecting compensation for damage or loss.
Austria-Hungary ...		
Denmark ...	8	The pre-payment carries the parcel to the limit of German conveyance, a separate charge being made on delivery for conveyance beyond the German frontier, as well as for custom duty, should any become due. See also Rule 9 respecting compensation for damage or loss.
Sweden ...	8	The pre-payment carries the parcel to the limit of German conveyance, a separate charge being made on delivery for conveyance beyond the German frontier, as well as for custom duty, should any become due. *From Rule 3 it will be seen that there must be also a second or duplicate declaration of contents and value.* See also Rule 9 respecting compensation for damage or loss.
Norway ...		
Switzerland ...		
France ...	8	The pre-payment carries the parcel to the limit of German conveyance, a separate charge being made on delivery for conveyance beyond the German frontier, as well as for custom duty, should any become due. *From Rule 3 it will be seen that there must be also a second or duplicate declaration of contents and value, and that the second or duplicate declaration should contain a statement of the weight (lbs. and ozs. or tolas) of the contents, and should, if possible, be written in the French language.* See also Rule 9 respecting compensation for damage or loss.
The Netherlands (Holland).		
Belgium ...		

(2).—Every parcel should be securely packed in a closed cover or case, and should bear the name and address of the person in the United Kingdom or foreign country for whom it is intended. Parcels containing valuables should be sealed.

N. B.—The public are specially warned against the use of flimsy covers for articles transmitted by the Parcel Post. Heavy articles are sometimes sent with only paper covering insecurely tied with string: friction in transit destroys this cover, and damage and loss ensue. A covering of stout cloth or wax cloth, sewn at the edges, is recommended; but if the contents are liable to suffer from pressure, boxes of wood or tin should be used.

(3).—Every parcel should be accompanied by a separate paper headed with the address of the parcel and containing a *declaration of its contents and value* under the signature of the sender. Below the signature the address of the sender should be given.

For the parcels addressed to—

The United Kingdom ...
Ceylon ... ...
Germany .. ...
Austria-Hungary ...
Denmark ... ...
} Only one declaration as above described is required.

Sweden ... ...
Norway ... ...
Switzerland ... ..
} A second or duplicate declaration is also required.

France ... ...
The Netherlands (Holland)
Belgium ... ...
} A second or duplicate declaration is also required, and the sender is requested to enter in the declaration a statement of the weight (lbs. and ozs. or tolas) of the contents, and to write the second or duplicate declaration, if possible, *in the French language*. Should he be unable to do so, the Bombay Post Office will attach to the second or duplicate English declaration a French rendering thereof, but the sender is warned of the delay which may result from this.

It is not deemed necessary to require exact adherence to any particular form of declaration, but the following specimen form may be useful to the senders of parcels:—

Specimen form of declaration.

Address of Parcel.
THOMAS B. SMITH,
114, *Piccadilly*,
LONDON.

CONTENTS—

		Value. £	s.	d.
1 Piece Puttoo Cloth	... ...	2	0	0
1 Rampore Chudder	... ...	2	10	0
TOTAL	...	4	10	0

I declare the above to be a true statement of the contents and value.

(Sd.) A. R. ROBINSON,
Amritsar.

N.B.—Declarations for parcels intended for France, the Netherlands or Belgium should, in addition to the above, contain a statement of the weight (lbs. and ozs. or tolas) of the contents. This may conveniently be done by adding the words "weight —lbs.—ozs." underneath the total value, and the words "and weight" at the end of the sentence containing the declaration.

(4).—The parcel so addressed and the separate paper or papers above referred to should then be enclosed in a *substantial outer cover*. This outer cover should be superscribed and addressed as follows:—

Overland Parcel Post.
To
The Post Master, Bombay.

The outer cover must contain one parcel only: if more than one parcel be sent by the same sender, such parcel should be enclosed in a separate outer cover to the address of the Post Master of Bombay.

(5).—The parcel so made up must be *fully pre-paid by means of postage stamps at the rate of 8 annas* per lb. (40 tolas) or fraction of a lb., care being taken that the stamps adhere firmly to the cover.

(6).—The parcel so made up must not exceed 50 lbs. (25 seers) in weight, or 2 feet in length by 1 foot in breadth or depth. It will be received at any Post Office at the hours fixed for the receipt of ordinary banghy parcels, the usual receipt being given to the sender without reference to the mode of packing prescribed in the case of inland parcels for which receipts are claimed.

(7).—On arrival at Bombay, the Post Master will take off the outer covering, and forward the inside parcel and the accompanying declaration or declarations to the country of the address.

(8).—It is forbidden to send in these parcels opium or any liquid or any substance or material of a dangerous, damaging, or offensive kind.

(9).—In the case of parcels for or from Germany or Austria-Hungary and the countries served through Germany, compensation will be given by the responsible Post Office to the sender for loss or damage sustained in transit (cases of *sea risk* or of *vis major* or of the *negligence of the sender* in respect of packing or otherwise excepted). Such compensation will in no case exceed 1½ rupee for each lb. weight or fraction thereof in respect of parcels forwarded from India, and 3 marks or 1½ florins for each 500 grammes or fraction thereof in respect of parcels from Germany or Austria-Hungary. Should the sender desire it, the compensation will be paid to the addressee instead of to himself.

No. 2894.—Privilege leave for forty-two days is granted to Mr. H. E. M. James, Bombay Civil Service, Officiating Post Master General, Bombay.

Mr. Turton Smith is appointed to officiate as Post Master General, Bombay, during the absence of Mr. James, or until further orders.

Mr. Turton Smith received charge of the Office of Post Master General, Bombay, from Mr. H. E. M. James, after noon, on the 20th August 1876.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 12th September 1876.

No. 951 *of* 1876.—With the sanction of Her Majesty's Government, the Right Hon'ble the Governor General in Council is pleased to notify that, in assimilation with the practice in the presidencies of Madras and Bombay, the Native Adjutants of Native Infantry Regiments in the Bengal Presidency will be allowed a staff salary of Rs. 17-8 per mensem.

This salary will be passed only on the authority of His Excellency the Commander-in-Chief, subject to certificates of qualification which will be prescribed under the orders of His Excellency.

This order will have effect from the 1st instant.

The 14th September 1876.

No. 952 *of* 1876.—The following extract from List No. 13, dated 18th August 1876, received from the India Office, is published for general information :—

Permitted to return to duty.

Lieutenant G. W. Martin, s.c.

Captain R. H. deMontmorency, s.c.

Captain A. F. Lambe, s.c.

Surgeon-Major C. E. Raddock.

Deputy Surgeon-General H. M. Cannon.

Lieutenant-Colonel J. M. Graham, s.c.

Apothecary W. F. Browne.

Surgeon A. S. Lethbridge.

Major E. C. Impey, s c.

Major N. R. Burlton, s c.

Lieutenant-Colonel T. E. Gordon, c.s.i., s.c.

Lieutenant-Colonel J. B. Cox, s.c.

Captain W. Hopkinson, General List, Infantry.

Captain E. G. Wace, s.c.

Conductor J. Walshe.

Captain D. C. Hennessy, General List, Infantry.

Captain H. A. Fletcher, General List, Cavalry.

Major W. F. Bartleman, late 39th Native Infantry.

Granted extensions of leave.

Surgeon-Major N. J. Grant, 6 months, sick certificate.
Surgeon G. Massy, 1 month, private affairs.
Lt.-Col. C. W. R. Chester, s.c. 1 „ „

Retirement.

Surgeon-Major H. M. Greenhow, 20th August 1876.

No. 953 *of* 1876.—In modification of G. O. P. C. No. 278 of 1855 and subsequent orders the following rules are published for the grant of compensation for grass-cutters' ponies and baggage animals (including mules when maintained in lieu of ponies) of Mounted Corps, killed or lost in action, dying of fatigue, disabled on extraordinary duties or on field service, or destroyed by order of competent authority to prevent the spread of infection or contagious disease.

2. Compensation when admissible will be regulated as follows :—

I.—If not exceeding seven years of age, the original value of the animal, up to Rs. 35.

II.—If above seven years of age, the residue of the original value (not in excess of Rs. 35), after deducting 7½ per cent. for every year's age in excess of seven.

3. When Commanding Officers submit claims for compensation under the foregoing rules, a Station Committee will assemble to enquire fully into each case, and to determine the amount of compensation to be awarded.

4. The proceedings of the Committee are to be recorded in the Form A given below. The proceedings should be accompanied by a statement, in the Form B, by the Commanding Officer explaining fully the circumstances under which the loss occurred.

5. This order is applicable to the three Presidencies.

A.

Proceedings of a Committee assembled at _____ by order of _____ to enquire into the circumstances attending the loss of _____ belonging to men of the _____ killed or lost in action, &c., or destroyed for being infectiously diseased, and to determine the amount of compensation to be awarded.

STATION AND DATE.

Rank and name of owner.	Troop.	Description of animal.	Size.	When purchased.		When killed, lost, destroyed, &c.		Actual price paid.	Amount claimed.	By Committee.	
				Date.	Age.	Date.	Age.			Amount awarded.	Remarks.
								Rs. A. P.	Rs. A. P.	Rs. A. P.	

President.

Members.

B.

Return of _____ belonging to men of the _____ which have been killed or lost in action, &c., or destroyed for being infectiously diseased with _____ by order of _____.

STATION AND DATE.

Name of owner.	Troop.	Description of animal.	Size.	When purchased.		When killed, lost, or destroyed, &c.		Actual price paid.	Amount claimed.	Statement by the Officer Commanding the Regiment in explanation of the circumstances under which the loss occurred.
				Date.	Age.	Date.	Age.			
								Rs. A. P.	Rs. A. P.	

I do hereby certify to the correctness of this Return.

Officer Commanding Regiment.

No. 954 *of* 1876.—Third Class Hospital Assistant Mohamed Hussun Khan, attached to the 32nd (Punjab) Regiment of Native Infantry (Pioneers), is struck off the strength of the Army with effect from the 30th June 1876.

Admitted by G. G. O. No. 1136 of 1873.

No. 955 *of* 1876.—With reference to Foreign Department Notification No. 666 G, dated the 24th March 1876, the services of Surgeon-Major R. W. Cunningham, M.D., Medical Department, have been replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the date on which he was relieved of the medical charge of the Meywar Bheel Corps.

No. 956 *of* 1876.—The services of Surgeon R. L. Dutt, M.D., attached to the Left Wing, 4th Native Infantry, are placed temporarily at the disposal of the Government of Bengal.

No. 957 *of* 1876.—Native Medical Pupil Abdoola Shah, No. 678, is dismissed the service.

G. G. O. No. 1022 of 1874.

No. 958 *of* 1876.—Honorary Captain and Deputy Commissary John Matthews, Public Works Department, is permitted to retire from the service on the pension of £ 180 per annum, under G. G. O. No. 69 of 1868, payable in Europe.

No. 959 *of* 1876.—Sub-Conductor Daniel Buckley, Ordnance Commissariat Department, is appointed to officiate as Conductor from the 1st September 1876, *vice* Officiating Conductor Murphy, remanded to his substantive grade of Sub-Conductor.

No. 960 *of* 1876.—Sub-Conductor Matthew Johnstone, Public Works Department, is promoted to the rank of Conductor from the 16th July 1875, *vice* Conductor J. Brown, remanded.

The 15th September 1876.

No. 961 *of* 1876.—In continuation of G. G. O. No. 936, dated the 1st September 1876, the undermentioned Officers are permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876 :—

No.	Rank and Names.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
38	Lieutenant-Colonel (Brevet Colonel) Joseph Fletcher Richardson, c.b.	Staff Corps	456 5 0	.....	4,876 0 0	15th Sept. 1876.	£ 3,469-15-0 in England, and the balance in India.
39	Lieutenant-Colonel (Brevet Colonel) Charles Chester Dandridge.	Staff Corps	365 0 0	.....	3,687 0 0	Ditto.	England.

No. 962 *of* 1876.—The undermentioned men are granted pensions as specified:—

Names.	Monthly stipend.	Where to be paid.
	Rs. A. P.	
Subadar Moonna Sing, Bhopal Battalion.	18 0 0	N.-W. P. Circle.
Private Shaik Cassim, 1st Infantry, Hyderabad Contingent.	3 4 11	With the Regiment.
Store Lascar Junglee, attached to the A. Battery, 8th Brigade, Royal Artillery.	3 0 0	Presidency Circle.

No. 963 *of* 1876.—The undermentioned widows are admitted to the Order of Merit pensions as specified:—

NAME.	Rank, name, and corps of deceased.	Date of admission.	Class of Order of Merit.	Circle of payment.
Taijnee ..	Sepoy Dhunee Sing, Mundlesur Local Battalion.	3rd October 1875.	3rd Class, Rs. 1-13-4 per mensem, for three years.	N.-W. P.
Juniah ..	Maun Sing, Naib Ressaldar, 14th Bengal Lancers.	20th February 1876.	3rd Class, Rs. 8-0-0 per mensem, for three years.	Ditto.

No. 964 *of* 1876.—The following promotion is made in the undermentioned Corps from the 27th July 1876:—

Corps of Bengal Sappers and Miners.

Havildar Ramadeen Opulea, to be Jemadar, *vice* Munna Singh, deceased.

No. 965 *of* 1876.—The following promotions are made in the undermentioned Corps of the Punjab Frontier Force from the 1st May 1876:—

6th Punjab Infantry.

Jemadar Dhoolla Singh, to be Subadar, *vice* Issaree Singh, invalided.

Jemadar Golamdin, to be Subadar, *vice* Ahmedjee, invalided.

Havildar Sundul Khan, to be Jemadar, *vice* Shere Mahomed, invalided.

Havildar Sydoollah, to be Jemadar, *vice* Dhoolla Singh, promoted.

Havildar Davy Singh, to be Jemadar, *vice* Golamdin, promoted.

No. 966 *of* 1876.—In accordance with the provisions of G. G. O. No. 370 of 1863, paragraph 10, Sub-Conductors William John Carson and James Miller, who were appointed on probation in the Ordnance Commissariat Department in G. G. O. No. 309 of 1876, are confirmed in their present grade of Sub-Conductor from the 15th December 1875 and 27th February 1876, respectively.

No. 967 *of* 1876.—The following order issued by the Resident at Hyderabad is confirmed:—

No. 239, *dated* 28*th August* 1876.—Appointing Lieutenant C. C. Whistler, Wing Subaltern, 5th Infantry, Hyderabad Contingent, to officiate as Adjutant, 6th Infantry, Hyderabad Contingent, *vice* Lieutenant W. H. Salmon, proceeding on furlough.

No. 968 *of* 1876.—In G. G. O. No. 148 of 1876 expunge the last portion beginning with the words "Officers succeeding to Colonel's allowances" till the end.

Order books to be corrected accordingly.

No. 969 *of* 1876.—*Erratum.*—In G. G. O. No. 664 of 1876, 42nd (Assam) Regiment of Native (Light) Infantry, for Naick "Guikurun Rai" and Sepoy "Juggut Singh," read Naick *Gujjkurrun* Rai and Sepoy *Jaijeet* Singh.

Order books to be corrected accordingly.

No. 970 *of* 1876.—Sabu, heir of Sepoy Ahmed Khan, 4th Punjab Native Infantry, is admitted to the Native Family Pension Establishment on a pension of Rs. 2-12-0 per mensem for life, from the 15th July 1876, payable in the North-Western Provinces Circle.

No. 971 *of* 1876.—Havildar Hurdwar Tewary, an insane of the 44th (Sylhet) Regiment of Native (Light) Infantry, is granted a pension of Rs. 7 a month, payable in the Presidency Circle.

No. 972 *of* 1876.—The undermentioned Officers having completed twelve years' service, including four years in the Staff Corps, are promoted to the rank of Captain from the date specified under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant George John Hare
Lieutenant William George Craigie Halkett
Lieutenant Henry Boileau
} 9th September 1876.

No. 973 *of* 1876.—Sergeant J. Edmundson, Barrackmaster, 2nd class, Saugor, is promoted to the rank of Sub-Conductor from the 20th June 1870, and his name will stand in the Army List next above that of Sub-Conductor J. McDermott.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Simla, the 14th September 1876.

No. 26 *of* 1876.—Mr. H. J. Pryce, 1st Officer, Indian Government Steamer, *Tenasserim*, is granted leave to Europe, on medical certificate, for fourteen months, under Section 3, Supplement F, Civil Leave Code.

The 15th September 1876.

No. 27 *of* 1876.—Mr. G. A. G. Garrett, 4th Officer, *Tenasserim*, is permitted to resign his appointment under the Marine Department.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th September 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from 3rd to 8th September 1876:—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Bengal Staff Corps	Lieutenant-Colonel H. S. V. Fisher	22nd Aug. 1876	Simla.		
Bengal Medical Establishment.	Surgeon-Major R. Brown ...	18th „ „	Munnipore ...	Testate ...	Administrator General, Bengal, Executor.
Ditto ...	Surgeon D. P. Palmer, M.D. ...	4th Sept. „	Allahabad ...	Ditto.	

ALLEN JOHNSON, *Colonel,*
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 9th September 1876.

No. 385.—Lieutenant F. T. Maxwell, R. E., Assistant Engineer 2nd Grade, placed temporarily at the disposal of the North-Western Provinces for employment as 3rd Assistant Principal of the Thomason College, is transferred to the Establishment under the Director of State Railways with effect from the date on which he is relieved of his duties at the College.

The 13th September 1876.

No. 386.—The orders of the Chief Commissioner of British Burmah permitting Mr. G. E. Nepean, Engineer Apprentice, to resign his appointment with effect from 8th August 1876, are confirmed.

No. 387.—Mr. H. J. R. DeSalis, Assistant Examiner attached to the Office of the Accountant General, Public Works Department, is granted leave to Europe on medical certificate for twelve months under Section 3, Supplement F of the Civil Leave Code, and subsidiary leave for thirty days under Section 10 with effect from the 1st September 1876.

The 14th September 1876.

No. 388.—Mr. R. J. Ives, Sub-Engineer 1st Grade, Railway Branch, British Burmah, is transferred to the establishment of the Director of State Railways.

TELEGRAPH.

The 14th September 1876.

No. 389.—The following officiating appointments are made in the Telegraph Department with effect from 1st May 1876, during the absence of Mr. L. Schwendler on furlough or till further orders:—

Mr. G. A. Gosselin, Superintendent 3rd Grade, to Superintendent 2nd Grade.

Mr. R. S. Brough, Assistant Superintendent 1st Grade, to officiate as Electrical Superintendent with rank of Superintendent 3rd Grade.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India,

EXTRAORDINARY.

Published by Authority.

SIMLA, FRIDAY, SEPTEMBER 22, 1876.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

ACCOUNTS.

SIMLA, THE 22ND SEPTEMBER 1876.

No. 3044.

Read again—

Resolution No. 1967, dated 31st July 1876.

Read—

A letter, dated 17th July 1876, from the Secretary to the Bengal Chamber of Commerce, transmitting, for the consideration of His Excellency the Governor General in Council, the following two Resolutions adopted at a Special General Meeting of the Chamber held on Saturday, the 15th July :—

RESOLUTIONS.

1st.—"That the continued depreciation in the value of silver is a question most seriously affecting the political and financial interests of the country; and that, in view to its very great importance, the Committee be requested to address the Government, in order to obtain such information as they may be able to give, in regard to the policy which they propose to pursue under the circumstances.

2nd.—"That the Chamber approves of the suggestion of the Committee, that it is expedient, in view of any ultimate measures that the Government may adopt, that Clause 19 of Act XXIII of 1870, making it obligatory on the Mints in India to receive all silver tendered for coinage, and also Section 11, Clause *(b)* of Act III of 1871, making it obligatory on the Currency Department to issue notes against silver bullion sent in, be temporarily suspended, at the discretion of Government; and that, during such suspension, or till further notice, it be not lawful to import coined rupees from any foreign port."

Read—

A further letter from the Secretary to the said Chamber, dated 22nd July, forwarding copy of the proceedings of the Chamber at the Special General Meeting aforesaid.

In this letter, the Committee of the Chamber, while recognising the difficulty of the position of the Government of India, remarks that "the uncertainty that has hitherto shrouded the action of Government has been attended with serious consequences to merchants and bankers, and will so continue to attend their transactions so long as they are kept in ignorance of the course of action the Government propose to take." The Committee therefore "expresses a hope that His Excellency the Viceroy will, in the interests of commerce and of the country generally, accede to the prayer of the first Resolution of the Meeting, and make public the intentions of the Government."

As to the second Resolution, the Committee point out that its object is "not to prohibit coinage altogether; for that would be likely to bring about a collapse of credit; but to place all coinage in the hands of the Government to be exercised at their discretion." "It appears to the Committee suicidal" for the Secretary of State to allow the competition of bar silver with the rupees which he has to offer to those requiring money in India, and that to suspend the free conversion of silver bullion into legal-tender coin is "not only a wise and reasonable, but a necessary, precaution for the Government of India to take for the preservation of their own currency, and to support the credit of their own loans, as well as to prevent the country from being swamped by silver sent in by foreign nations."

The Committee argue that the fact that the Government of India is compelled "to put their Mint stamp to all silver" sent to India "has given an artificial and fictitious value to silver, which would cease as soon as the law is suspended. Bar silver would then, gradually, fall to its own intrinsic value; and the extent to which it is depreciated would be soon gauged; whereas now, it is impossible to say how much its value is appreciated by our present 'open coinage system.'"

"When all Europe is closing its door against the import of silver with the avowed object of having as little of the metal as possible, should the depreciation be found permanent, it seems most impolitic," the Committee think, "to keep ours wide open for the reception of an unlimited quantity costing the country, through our coinage laws, far more than its real intrinsic value." The Committee "can see no valid reason against" the immediate adoption by the Government of the second Resolution of the Meeting, and consider that "the objections brought against it have been based either on a misconception of its real scope, or on abstract principles (ignored by other States); whereas the position of affairs is altogether exceptional, and ordinary rules do not apply." The Committee represent that "the measures recommended in the Resolution are not more stringent than, (in fact scarcely so stringent as), the first financiers in Europe have found it necessary to adopt."

Lastly, the Committee point out that "there was a third proposition put before the Meeting, recommending the adoption of a gold standard which, in deference to the feeling apparent among members present, was temporarily withdrawn;" and they refer the Government to the debate at the Meeting upon this proposal.

Read—

A letter, dated 1st August 1876, received in the Legislative Department from the Secretary, Calcutta Trades' Association, forwarding a Memorial from the Master, Wardens, and Committee of the Association, to His Excellency the Viceroy and Governor General of India in Council.

In this document the memorialists represent that they have, for many months past, been suffering great loss from the low rate of exchange, which bids fair to paralyse trade. The memorialists join earnestly with the Bengal Chamber of Commerce in urging on the Government the importance of declaring the policy it intends to pursue for the remedy of this evil, and pray that the policy of a temporary suspension of the compulsory coinage of silver may receive the early consideration of Government.

The memorialists further express great satisfaction at the desire manifested by the Government to encourage local manufactures, and suggest a relaxation of the Rules against the purchase of imported stores for the Government, in India.

Read—

The Report by the Select Committee of the House of Commons on Depreciation of Silver with the Proceedings of the Committee, ordered by the House of Commons to be printed on the 5th July 1876.

OBSERVATIONS.—The Government of India has been, for many months past, anxiously engaged in investigating the causes of the present depression of silver relatively to gold, and its effects upon the financial, commercial, and social interests of this Empire.

2. For 40 years before 1873 the price of silver in London was never less than 59*d.*, and for 22 years, never less than 60*d.*, per ounce. From 1872 to 1875 the price fell to nearly 56*d.* Since then it has fallen, with alarming rapidity; the price of silver having been, at one time, quoted at 46*d.* per ounce. There has, indeed, been a subsequent reaction; but, although the price of silver lately rose to 54*d.*, it has again declined; nor can any term be, as yet, predicted to the continued oscillation in the relative values of the precious metals.

3. A fall so sudden, and so prolonged, in the price of the metal forming the legal tender of this Empire could not fail to affect injuriously its monetary transactions with England. The Government of India has to pay, in London, annually, in gold, about fifteen millions sterling. The greater part of this yearly charge is unavoidable, and permanent. The interest, for instance, on the sterling debt of India, and on the capital of the Guaranteed Railway and Irrigation Companies (amounting altogether to about 7 millions sterling); the pensions and annuities to retired officers of the Government, both civil and military, and their families (about 2¾ millions sterling); that portion of the military expenditure which consists of pay and allowances; and most of the disbursements from the Home Treasury;—are all fixed by contract or honorable obligation, and cannot be reduced at discretion. Any divergence of the normal relative values of gold and silver must therefore have a most important bearing on the finances of the Indian Empire; and should such divergence be prolonged for any considerable length of time, it would be incumbent on the Government either to raise its Revenue, or to reduce its Expenditure, or to resort to both these expedients, in order to restore financial equilibrium.

4. In common with the Government, its chief civil and military officers, who, being of British birth, are under the necessity of remitting some considerable

part of their earnings to their native land, must suffer heavily, their official incomes being fixed in silver, for a given quantity of which they will get a less quantity of gold. Moreover, all persons of the same nationality, who have placed their savings in the securities of the Government of India, or have invested capital in local industries, lie under a similar obligation to transmit a large portion of their profits to Great Britain, and are exposed to the same substantial loss. The Government cannot be indifferent to the interests of these classes. Nor are theirs the only interests affected: the violent fluctuation in the rate of exchange has had a baneful and disturbing effect upon commerce; while the fall in silver, as compared with gold, has seriously checked and depressed the import trade. It is true that whenever an equilibrium may be reached, the exigencies of commerce will adapt themselves to any new ratio of value between the two metals; but it may be long before a stable adjustment of relative value is again attained, and meanwhile the mercantile world must suffer.

5. Such being the magnitude of the evil, and such the extent and variety of the interests involved, the Bengal Chamber of Commerce and the Trades' Association of Calcutta were, without doubt, fully warranted in addressing the Governor General in Council on the subject, and in urging the adoption of measures which, in their opinion, are calculated to remove, or alleviate, the misfortune. The Governor General in Council deems it due to these Associations, and to the public at large, that, after careful consideration of the proposals thus put forward, the Government should make known the reasons which have convinced it that none of them can at the present moment be adopted without inflicting on the country greater evils than those which they are designed to remedy.

6. The present disturbance in the equilibrium of the precious metals must be due to one of the following causes—

(1) *the value of gold being unchanged, the value of silver is fallen;*
or (2) *the value of silver being unchanged, the value of gold is risen;*
or (3) *the value of gold is risen and the value of silver is fallen;*
or (4) *the value of both metals is risen; but the value of gold is risen more than that of silver;*
or (5) *the value of both metals is fallen; but the value of silver is fallen more than that of gold.*

The character of the remedies indicated if the disturbance is found to be due to a rise in the value of gold, will, obviously, differ from what would be suitable in the case of a fall in the value of silver; and to enable the Government to choose the right course among those open to its adoption, it is essential that it should ascertain which of these five possible causes of the disorder is the true cause. Should this be impossible, the Government must either defer action, or, if action cannot be deferred, take that course which, according to its best judgment, will do the least harm to the whole body politic, and produce the least injustice.

7. Now, the proposals of the Bengal Chamber of Commerce and the Calcutta Trades' Association, as well as nearly all the suggestions which have been made in the public journals on this subject, start from the assumption that, of the five possible causes of the present disorder, either the first is certainly the true cause, *viz.*, that the value of silver has fallen, the value of gold remaining unaltered; or that, in any case, the disorder is directly attributable to the altered value of silver, irrespective of any change that may have simultaneously occurred in the value of gold.

8. Accordingly, the Chamber invite the Government to take a measure calculated to enhance indefinitely the value of the rupee, by suspending the long-established legal right of all comers to have silver bullion manufactured, upon uniform conditions, under State supervision, into legal-tender coin, and temporarily substituting a system of coinage at the discretion of the State. It is obvious that the effect of such a measure must eventually be a fall in prices; which, as prices have not hitherto risen, would be an unjustifiable interference with private interests.

9. Silver is, at present, as it has long been, the legal standard of value in India. The first condition necessary for constituting and maintaining any metal a standard of value, is what the Committee designate, with some apparent disapproval, as "the open coinage system." If restriction be put, in any country, upon the coinage of a metal, the value of the metal ceases, *ipso facto*, to be the standard of value in that country. Thus, if the Government of India were to adopt the suggestion of the Chamber, silver would no

longer be the standard of value in India, but another standard would be substituted, *viz.*, the monopoly value of the existing stock of rupees, tempered by any additions made to it either by the Government, or in an illicit manner. If no such additions were made, the value of the rupee would gradually, but surely, rise; just as the value of any commodity in general use, must rise if its supply be cut off.

10. Under such conditions there can be no doubt that the mint stamp of the Government would give "an artificial" (though not a "fictitious") value to every disc of silver on which it was impressed, just as it does in the case of any token or subsidiary coin, or as the signature of the representative of Government does to a currency note. But the Government of India is unable to agree with the Chamber that, so long as silver is freely coined, on uniform conditions, for all comers, the mint-stamp gives any artificial or fictitious value to the pieces which are thus converted into rupees; except in so far as the cost of manufacture, including the duty of seignorage, causes their value to differ from that of an equal weight of standard silver. The stamp of the mint certifies to the weight and purity of the silver contained in each disc on which it is impressed, and so saves the labor and cost of weighing and assaying the coin each time it changes hands; but, except by adding to it the cost of the process of coinage, including the duty of seignorage, it has no effect whatever upon the value of the disc, any more than have the shroffs' marks upon coins, still common in some parts of India.

11. It is essential to a sound system of currency that it be automatic. No man, or body of men, can ascertain whether, at any particular moment, the interests of the community, as a whole, require an increase or diminution of the currency; still less, how much increase or how much decrease is, at any moment, exactly needed. No Government which aspires to keep its currency in a sound condition, would be justified in attempting that impossible task; or in leaving the community, even for a short interval, without a fixed metallic standard of value. Under an "open coinage system," these things regulate themselves without official interference.

12. The Chamber has, apparently, misunderstood the action of the various European States, quoted in support of its Resolution. No European States, so far as the Government of India is aware, except indeed those with inconvertible paper currencies, have, in abandoning a silver standard of value, left themselves without a fixed metallic standard. All those States which have recently abandoned silver as a standard, have simultaneously adopted a gold standard. When Germany ceased to coin silver, she opened her mints to gold. So did the Netherlands. So did the Scandinavian Kingdoms. The case of the countries associated under the name of the Latin Convention is not different in principle: their standard was alternative; either silver or gold, according as gold was worth more or less than $15\frac{1}{2}$ times its weight in silver. These countries have, now, suspended the free coinage of silver, and so reverted, for the time being, to a sole gold standard: but none of them, except those whose currency is inconvertible paper, have been for a day without a fixed metallic standard of value.

13. It remains for the Governor General in Council to notice the argument urged by the Chamber of Commerce, that the extent to which bar silver is depreciated can only be gauged if the Government of India ceases to coin silver for all comers; and that it is impossible to say how much its value is appreciated by the present "open coinage system."

14. The value of every commodity—of gold and silver as much as of others—depends, on the one hand, upon the supply; on the other, upon the demand for the commodity, and that, again, upon the uses made of it. The principal demand for the precious metals is for manufacture into money for use as instruments of exchange and for hoarding. If either gold, or silver, or both, were wholly deprived of this field of employment, it is impossible to say how low the value of either metal, or of both of them, would sink. The Government of India is not aware that any commodity has an "intrinsic value of its own," apart from the demand for its use.

15. The main cause of the recent divergence of the values of gold and silver appears, from the evidence collected on the subject, to be the substitution of gold for silver as the standard of value, and, therefore, as legal-tender money, by several European nations; and there is no reason to doubt that if gold were substituted for silver as the standard of value, and, so, as the material of money, or even if the free coinage of silver on fixed conditions, into legal-tender money were suspended in British India, the effect upon the relative values of the two metals would be very considerable. But no practical object would be served by endeavouring to ascertain what would be the relative values of the two metals under conditions so widely differing from those which govern the present situation.

16. The Governor General in Council observes that the Committee of the Bengal Chamber of Commerce, when asking the Government of India to close Her Majesty's mints to the free coinage of silver into legal-tender money, would have advised the simultaneous adoption of gold as the sole standard of value in India; but that the Chamber was not prepared to adopt the suggestion. Such a recommendation would not have been open to the objections that appear to the Governor General in Council fatal, *in limine*, to the adoption of the Resolution actually advocated by the Chamber, *viz.*, to close the mints, temporarily, to the free coinage of the one metal into legal-tender money, without, simultaneously, opening them to the free coinage of the other into legal-tender money.

17. It is, however, the opinion of His Excellency in Council that there is nothing, as yet, in the nature of existing circumstances, notwithstanding the inconveniences and anxieties which they undoubtedly involve, demanding recourse to a measure so costly, and of which all the requisite conditions are, at present, so uncertain.

18. The divergence now noticeable in the values of gold and silver does not necessarily prove a diminution in the value of silver. It may be equally well accounted for by a rise in the value of gold; and, in fact, it is probable that, since the commencement of this divergence in November 1872, there has been an increase in the value of gold as well as a decrease in the value of silver. The actual values, measured in silver, of general commodities, whether in India or in England, afford, as yet, no evidence of any recent, sudden, or violent fall in the value of silver; and, if *a priori* considerations strongly indicate that silver must have fallen, such considerations also make it probable that gold must have risen, in value.

19. Appended to this Resolution is a series of tables of prices in London and in India, the information contained in which points to two conclusions—

1*st*.—That gold has risen in value since March 1873, and especially since last December.

2*nd*.—That it is not shown that silver has fallen in value, *i. e.*, as compared with commodities in general, either in London or in India, during the same period.

These conclusions are open to correction on a wider review of the economical causes which have been at work during the period: but they appear to indicate a rise in the value of gold as at least one of the causes which have disturbed the equilibrium of the two metals. The bearing of both conclusions upon the questions now before the Government of India is important.

20. It appears to the Governor General in Council, from studying the Report of the Select Committee of the House of Commons, and from such independent investigations as he has been able to make, that the recent divergence of the values of gold and silver is attributable to the following causes:—

(1) the substitution of gold for silver as a standard of value by Germany, the Netherlands, and the Scandinavian Kingdoms; as well as what virtually amounts to the temporary adoption of a sole gold standard in place of their customary alternative standard of silver and gold, by the Countries of the Latin Convention:

(2) the increased production of silver in the United States of America:

(3) the decreased demand for silver in India.

Of these three causes, the first appears to the Government of India to have been up to the present time, the most efficient.

21. The steady equilibrium so long maintained between gold and silver may, doubtless, be attributed to the fact of the two metals having shared, without material change, the only great field for the employment of either of them. This equilibrium has been disturbed by the recent rapid supersession of silver by gold, as the standard of value, in the richer countries in Europe; a fact calculated, *a priori*, to raise the value of gold no less than to depress the value of silver.

22. As to the second cause, *viz.*, the recent increased yield of silver in the United States of America; the Governor General in Council observes that, hitherto, this is chiefly due to the productiveness of one lode—the famous Comstock lode in Nevada—the ore of which yields gold and silver in nearly equal values, one-twentieth part of the produce being gold. The contents of the lode, though vast, are yet limited. The largest responsible estimate hitherto made gives the ultimate yield of the entire lode at about £60,000,000, of which the silver portion would be somewhat above £30,000,000. From various causes, but little of the increased produce has hitherto been offered for sale in Europe: and, excepting in the way

of (a perhaps exaggerated) apprehension as to their future productiveness, the American mines have not probably, as yet, had any important share in reducing the value of silver measured in gold. It is also to be remembered that the cost of production in these rich mines will not rule the market price of silver: the price will be regulated by the expense of production in the poorest mines which the demand for silver keeps in working: the difference will go as profit to the owners, and will not affect the market price. If the event should prove that the price of silver is for the future lowered, then in proportion to such fall, the poorer mines will be closed, and the production of silver to that extent diminished.

23. As regards the third cause, *viz.*, the decreased demand for silver in India, the subjoined table shows (in crores of rupees) the net imports of treasure into India, by sea, since the beginning of the century:

From	To	Number of years.	Net Imports.			Average yearly imports.			Proportion per cent. of gold to total imports.	Borrowed, including Guaranteed Railway Capital.		
			Gold.	Silver.	Total.	Gold.	Silver.	Total.		England.	India.	Total.
I. 1st May ... 1800	30th April ... 1835	35	..	..	75·11*	..	..	2·15*	..	2·41	22·76	25·17
II. ,, ... 1835	,, ... 1850	15	8·19	25·94	32·18	·55	1·50	2·14	25·49	·78	11·04	11·82
III. ,, ... 1850	,, ... 1855	5	5·39	11·92	17·31	1·08	2·38	3·46	31·12	5·27	—2·04	3·23
IV. ,, ... 1855	,, ... 1866	11	56·82	118·87	175·69	5·16	10·81	15·97	32·34	76·93	20·86	97·79
V. ,, ... 1866	31st March ... 1872	6	25·05	35·93	60·98	4·17	5·99	10·16	41·08	46·34	5·15	51·49
VI. 1st April ... 1872	,, ... 1876	4	7·35	9·35	16·70	1·83	2·34	4·17	44·01	8·59	4·79	13·38
	Total ...	76	...	...	377·92	...	...	4·97	...	140·32	62·56	202·88

* These figures are only approximately correct; their distribution between gold and silver cannot at present be stated.

24. During the third of the periods separated in this table, the Crimean War transferred from Russia to India a substantial demand for oil-seeds and fibres.

During the fourth period, large sums of money were borrowed in England for the repression of the Indian Mutiny, and the American Civil War vastly enhanced the value of the raw cotton of India; this enhancement was not exhausted during the fifth period. The circumstances of these two periods were altogether abnormal.

Even during the sixth period, a considerable amount was borrowed abroad, to relieve the distress arising from the failure of the rains of 1873 in Northern Bengal.

During the whole epoch from 1850 to 1876, there was a very large expenditure of capital, borrowed for the most part, directly or indirectly, in England, on the construction of Railways and Canals in India.

25. It is clear that, throughout the last 26 years, exceptional causes have operated to increase the amount of treasure required to settle the accounts of India with external countries. Under normal circumstances, the yearly demand of India for treasure has never been very considerable: moreover, a large and, till lately, increasing proportion of the treasure imported has always been gold. Doubtless, if the abnormal demand of the 17 years, 1855 to 1872, had been permanently maintained, it would have favorably affected the values of the precious metals; but it is not certain that even such a demand would have greatly raised the value of silver relatively to gold; and its recurrence can only be anticipated if money should again be borrowed largely from abroad, either by the Government or otherwise. Apart, however, from other considerations which suggest the inexpediency of adding to the existing debt of India, the Governor General in Council is of opinion that the uncertainty as to the future relative value of silver and gold renders it highly inexpedient that, for the present, any public loan should be incurred, implying future obligations to be discharged in gold: if money be needed by the State, for the prosecution of Extraordinary Works, it must be borrowed in India, and in the currency of India.

26. With such facts before them, the Government of India apprehend that if loans be no longer raised in England, the excess of the export over the import trade of India will not more than suffice to meet the obligations arising from the Secretary of State's demands and those of private remitters; and there consequently appears no reason to expect that India (as the Chamber anticipate) will be flooded with depreciated silver.

27. On a review of all that has been advanced, the Governor General in Council, while deeply sympathising with the losses of individuals, and the disturbance of trade caused by the fall in the exchange value of the Indian currency, is still unable to recognise any of the proposals which have been put forth as calculated to afford relief without inflicting on the country losses greater than those under which it at present labours. Nevertheless, the anxious solicitude of the Government of India will continue to be directed to the subject, and to the consideration of any suggestions designed to ameliorate the existing evil.

28. The investigations prosecuted up to the present moment, have led the Government to the following conclusions:—

1*st.*—That the divergence of the values of gold and silver is not necessarily attributable only to a diminution in the value of silver; that there are strong reasons for believing that gold may have increased, as well as that silver has decreased, in value; and that this consideration must have an important bearing on the action of Government, in reference to the present disorder.

2*ndly.*—That, although it is most desirable in the interests of trade, that the standard of value in India should be the same as the standard of value in the chief countries with which India interchanges commodities, yet trade will not be permanently injured by a fall in the value of the rupee measured in gold, provided only that a fresh stable equilibrium of the precious metals be attained.

3*rdly.*—That, up to the present moment, there is no sufficient ground for interfering with the standard of value.

29. The Governor General in Council has, consequently, by the Resolution No. 1967, dated 31st July 1876, and now read again, already taken other steps for endeavouring to bring the revenue and expenditure of the current year into equilibrium. Nothing has occurred, since the issue of that Resolution, materially to lessen the apprehensions, or alter the opinions, therein expressed by His Excellency in Council.

30. Meanwhile, it is important that the Government should continue to use the resources at the disposal of the State for the development of the trade and productions of India. The Governor General in Council does not, therefore, intend to discontinue borrowing, for the construction of public works the remunerative character of which is thoroughly established, as much money as can be judiciously expended on them; provided always that money can be raised for the purpose on advantageous terms in the country itself. There are, in the judgment of the Governor General in Council, grave objections to any present increase of the liabilities of India fixed in gold.

31. The suggestion in the memorial from the Calcutta Trades' Association, as to the purchase of stores for Government use in India, rather than in England, has already received, and will continue to receive, the attention of the Government, both in England and in India. But, whatever the condition of the exchanges, there are various other circumstances which must, in the opinion of the Government of India, be taken into consideration in the determination of this question.

32. In conclusion, the Government desires to correct an important misapprehension manifested in the letter from the Chamber of Commerce, dated 22nd July 1876. The Rs. 2,33,20,000 provided in the estimates of the current year under the adjusting head, *Loss by Exchange*, was covered by the estimated Revenue of the year; credit was not taken for any borrowed money as if it were revenue: nor will the excess amount, borrowed during the year by the Secretary of State, be treated as Revenue, or set against the ordinary Expenditure of the year.

Ordered, that this Resolution be communicated to the Bengal Chamber of Commerce and the Calcutta Trades' Association, and to the Bombay and Madras Chambers of Commerce;

that copy be sent to each Department of the Government of India, and each Local Government and Administration;

and that it be published in a *Gazette of India Extraordinary*.

R. B. CHAPMAN,
Secretary to the Govt. of India.

TABLE No. I.

Wholesale prices (i. e., values measured in Silver) at Calcutta of certain staple commodities compared with prices in January 1850, *and assuming the price of each commodity in that month as* = 100.

From July 1843 to July 1876.

[Note.—The prices in this Table and Table No. II are those quoted in the Calcutta Overland Price Current. They show a general rise in prices, in other words, a fall in the value of silver since 1850; but no general rise in prices, in other words, no rise in the value of silver, since 1873, or even during the current year.]

	July 1843.	January 1844.	July 1844.	January 1845.	July 1845.	January 1846.	July 1846.	January 1847.	July 1847.	January 1848.	July 1848.	January 1849.	July 1849.	January 1850.	July 1850.	January 1851.	July 1851.
Imports.																	
Mule Twist, No. 40	106	102	98	102	118	128	96	104	103	102	..	108	102	100	104	110	..
„ Turkey Red ..	115	..	117	125	..	127	110	107	105	100	105	100	97	100	112	120	125
„ Orange Dye ..	..	110	117	90	97	..	90	..	97	..	..	100	..	100	103	97	..
Copper, Sheathing	101	99	97	96	99	..	93	106	105	118	110	100	114	100	96	89	90
„ Braziers	104	102	..	98	101	102	95	108	..	113	112	111	115	100	96	93	91
Iron	92	87	105	85	125	140	107	125	145	150	130	*N.*	..	100	92	85	90
Spelter	201	198	159	150	148	153	116	126	141	146	129	103	118	100	94	90	86
Gold*	100·8	100·4	100·4	..	..	..	..	98·9	99·6	100·8	99·8	100	..	100	99·8	96·9	97·9
Sovereigns, English ..	..	100·1	..	108·2	..	108·5	..	107·6	..	110·1	..	108·5	..	100	..	99·5	..
Exports.																	
Hides, Buffalo	..	124	137	..	134	127	115	112	..	98	..	93	98	100	102	..	104
„ Cow	..	110	148	152	145	..	119	123	123	113	..	..	116	100	129	..	..
Indigo, Good	136	96	..	116	..	112	100	109	104	96	92	..	96	100	..	131	..
Jute, Serajgung	..	98	89	82	77	87	89	100	96	108	89	102	93	100	..	105	102
Lac Dye	71	86	90	79	114	..	93	86	107	..	100	93	..	100	107	..	99
Shell lac	130	..	122	130	..	120	113	..	109	..	106	..	98	100	113	109	..
Sugar, Benares	136	142	130	136	145	155	122	..	113	108	101	96	106	100	92	104	..
Silk, Raw—																	
Cossimbazar	125	121	145	128	117	126	108	99	105	98	101	95	90	100	127	137	142
Gonatea	117	109	136	127	121	..	106	93	95	92	88	..	80	100	115	132	144
Jungypoor	124	113	144	127	120	127	110	*N.*	..	..	..	..	84	100	113	141	138
Hurripal	115	108	127	117	113	..	106	94	..	91	93	89	94	100	107	120	123
Radhanagar	111	118	138	123	120	122	106	99	..	94	90	93	..	100	106	115	125
Linseed	76	65	63	65	75	83	73	71	69	67	..	71	78	100	73	..	75
Rice—																	
Ballam	119	126	121	137	147	163	142	137	132	100	105	132	89	100	105	121	132
Moonghy	139	129	130	139	155	189	152	155	139	100	111	105	89	100	105	118	122

* These prices of Gold are calculated from the prices in Sterling of Bar Silver in the London Market.

TABLE No. I—*continued.*

	January 1852.	July 1852.	January 1853.	July 1853.	January 1854.	July 1854.	January 1855.	July 1855.	January 1856.	July 1856.	January 1857.	July 1857.	January 1858.	July 1858.	January 1859.	July 1859.	January 1860.
Imports.																	
Mule Twist, No 40	98	96	106	100	104	..	..	102	96	102	104	120	150	120	138	140	126
„ Turkey Red ..	90	..	102	110	112	111	113	111	..	..	110	111	110	115	120	140	125
„ Orange Dye ..	90	83	97	93	90	..	81	79	81	..	84	86	97	84	93	..	100
Copper, Sheathing	83	93	108	113	127	137	153	182	149	134	..	124	122	117	115	118	124
„ Braziers	87	89	116	118	129	133	149	..	..	140	141	133	144	131	126	120	129
Iron	72	105	115	135	150	105	160	177	185	145	167	145	155	135	150	...	130
Spelter	76	79	111	127	157	171	152	167	174	173	178	..	..	174	..	161	187
Gold*	98·3	98·9	97·3	97·1	96·7	97·5	96·9	..	97·5	98·5	96·0	96·5	97·1	97·3	96·4	95·2	95·6
Sovereigns, English	100·1	..	98·5	..	98·9	..	99·4	..	97·9	..	97·8	..	99·1	..	98·2	100·9	99·4
Exports.																	
Hides, Buffalo	97	100	..	102	104	115	187	139	159	195	212	292	*N.*	207	268	244	268
„ Cow	124	121	126	..	127	135	148	129	139	145	153	193	*N.*	..	177	181	..
Indigo, Good	84	112	140	132	*N.*	140	*N.*	..	149	144	173	*N.*	..	..	190	..	195
Jute, Serajgung	87	88	111	147	140	137	129	111	116	113	156	137	124	151	*N.*	151	147
Lac Dye	96	107	108	96	103	100	93	89	*N.*	94	99	96	*N.*	..	96	100	107
Shellac	106	109	..	108	115	104	109	104	113	126	148	156	*N.*	200	226	235	270
Sugar, Benares	90	84	96	107	101	81	*N.*	81	107	109	122	135	109	125	132	137	135
Silk, Raw—																	
Cossimbazar	116	140	..	161	163	155	148	140	..	169	187	230	*N.*	..	198	150	206
Gonatea	117	109	115	126	133	108	100	*N.*	91	127	*N.*	..	..	..	200	206	242
Jungypoor	111	163	*N.*	..	..	..	..	..	..	..	..	..	..	..	168	146	214
Hurripal	..	106	113	118	127	128	101	96	99	..	132	169	248	*N.*	..	..	214
Radhanagar	106	122	110	120	128	102	93	86	..	*N.*	..	..	..	..	211	218	236
Linseed	49	84	90	85	93	102	110	..	159	108	135	..	114	135	..	120	114
Rice—																	
Ballam	142	138	129	138	147	138	142	158	142	147	..	179	168	200	232	205	221
Moonghy	130	133	119	130	141	135	138	150	161	150	163	*N.*	183	211	*N.*	..	244

* These prices of Gold are calculated from the prices in Sterling of Bar Silver in the London Market.

TABLE No. I—*continued.*

	July 1860.	January 1861.	July 1861.	January 1862.	July 1862.	January 1863.	July 1863.	January 1864.	July 1864.	January 1865.	July 1865.	January 1866.	July 1866.	January 1867.	July 1867.	January 1868.	July 1868.
IMPORTS.																	
Mule Twist, No. 40	128	118	127	138	156	216	300	336	312	...	216	276	216	198	192	184	152
,, Turkey Red ..	127	122	130	125	...	155	150	200	...	197	180	205	160	155	150	125	140
,, Orange Dye ..	...	...	97	100	117	133	172	228	202	197	248	148	131	...	117	103	117
Copper, Sheathing	...	115	117	115	113	...	112	...	119	107	97	101	97	104	95	94	91
,, Braziers	127	117	116	114	111	113	...	115	121	104	99	104	99	109	97	95	94
Iron	122	140	127	115	105	107	102	112	120	102	115	135	...	145	...	130	107
Spelter	135	116	109	111	109	112	106	103	113	96	89	104	112	205	188	161	128
Gold*	97·1	97·3	99·2	96·9	97·7	96·7	97·5	95·6	97·4	96·9	98·3	96·7	...	98·5	98·8	98·5	98·9
Sovereigns, English	100·3	99·7	96·6	99·7	98·8	99·4	98·5	97·9	98·2	97·3	97·1	99·7	...	99·1	102·1	...	103·9
EXPORTS.																	
Hides, Buffalo	232	244	220	207	...	...	220	...	232	Nil.	182	220	175	183	195	198	214
,, Cow	177	148	...	165	148	...	155	...	168	148	145	155	135	126	...	142	...
Indigo, Good	*N.*	192	*N.*	236	*N.*	208	...	168	*N.*	192	*N.*	196	*N.*	190	*N.*	208	*N.*
Jute, Serajgung	156	142	...	129	149	178	218	222	231	169	...	231	167	178	178	149	171
Lac Dye	111	93	99	100	90	...	98	...	91	86	...	97	98	97	101	111	121
Shell Lac	478	565	391	426	448	487	443	448	391	*N.*	243	287	209	226	213	230	243
Sugar, Benares	*N.*	128	107	128	*N.*	139	120	122	...	128	122	139	136	145	128	139	139
Silk, Raw—																	
Cossimbazar	234	210	204	*N.*	204	*N.*	204	187	193	210	230	292	245	286	274	247	315
Qonatea	*N.*	...	...	...	233	*N.*	...	206	...	230	315	309	273	297	306	279	338
Jungypoor	...	177	188	169	192	*N.*	193	158	169	175	265	236	203	248	253	236	299
Hurripal	*N.*	...	...	...	146	141	177	*N.*	...	...	...	...	...	...	...	...	...
Radhanagar	256	230	*N.*	192	237	237	230	205	211	173	230	207	256	318	226	204	285
Linseed	110	118	...	120	127	122	143	127	145	131	137	167	150	155	151	147	155
Rice—																	
Ballam	216	137	153	147	142	132	147	153	216	221	242	263	Famine. 421	263	211	169	198
Moonghy	*N.*	111	*N.*	158	...	128	152	169	*N.*	244	*N.*	272	*N.*	267	*N.*	172	*N.*

* These prices of Gold are calculated from the prices in Sterling of Bar Silver in the London Market.

TABLE No. I—*concluded.*

	January 1869.	July 1869.	January 1870	July 1870.	January 1871.	July 1871.	January 1872.	July 1872.	January 1873.	July 1873.	January 1874.	July 1874.	January 1875.	July 1875.	January 1876.	July 1876.
IMPORTS.																
Mule Twist, No. 40	156	175	..	164	126	144	..	162	..	152	146	144	140	136	138	130
,, Turkey Red ..	130	150	147	145	135	..	130	140	135	145	150	130	135	130	120	117
,, Orange Dye ..	69	103	103	110	97	100	98	103	100	117	103	97	98	90	83	91
Copper, Sheathing	93	90	87	83	..	85	92	116	102	110	115	108	115	110	111	..
,, Braziers	99	92	89	84	85	84	93	115	105	110	116	115	119	112	113	115
Iron	102	110	112	115	112	120	126	167	147	200	210	175	167	145	137	132
Spelter	135	111	109	106	97	101	94	116	96	103	106	105	118	128	144	147
Gold*	98·5	99·1	98·3	96·4	98·5	..	97·7	99·2	99·6	100·6	100·8	102·6	103·1	106·6	108·9	127·1
Sovereigns, English	99·4	100·9	100·6	102·1	101·8	104·5	101·5	..	..	102·4	103·7	..	105·7	107·0	..	117·9
EXPORTS.																
Hides, Buffalo	244	251	244	256	244	232	237	293	..	275	280	268	244	237	220	199
,, Cow	152	145	158	..	177	..	206	187	200	206	230	206	219	161	171	161
Indigo, Good	228	*N.*	254	*N.*	236	*N.*	266	*N.*	202	*N.*	240	*N.*	228	*N.*	192	*N.*
Jute, Serajgung	160	178	180	235	227	222	213	231	142	187	249	222	204	164	200	191
Lac Dye	126	116	121	..	104	107	96	93	70	74	64	43	57	..	43	44
Shell Lac	278	236	261	248	413	435	..	461	543	591	722	852	939	836	539	318
Sugar, Benares	128	125	145	136	..	133	130	*N.*	..	130	130	122	..	..	..	116
Silk, Raw—																
Cossimbazar	304	292	..	324	286	257	239	230	247	245	..	187	169	146	140	222
Qonatea	315	291	303	333	297	267	248	291	279	254	..	194	176	151	145	229
Jungypoor	287	248	259	299	236	225	..	259	248	208	214	175	147	135	124	186
Hurripal	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Radhanagar	333	..	313	352	307	269	362	301	307	256	269	205	186	160	141	243
Linseed	159	157	155	157	149	143	147	163	157	153	167	151	158	182	131	133
Rice—																
Ballam	221	*N.*	168	216	184	..	189	153	184	178	279	..	247	..	211	210
Moonghy	223	244	178	*N.*	189	194	200	167	222	277	300	344	*N.*	300	222	*N.*

* These prices of Gold are calculated from the prices in Sterling of Bar Silver in the London Market.

TABLE No. II.

Variations in the wholesale prices of certain Staple Commodities at Calcutta; taking the prices of March 1873 *as* = 100.

	1873.					1874.			
	March.	June.	July.	September.	December.	March.	June.	September.	December.
IMPORTS.									
Grey Shirtings (8¼ lbs.)	100	99	...	97	93	...	97	87	84
Mule Twist, white, good, No. 40 ...	100	97	99	90	96	95	92	90	91
„ Turkey red, No. 40-12 lbs. ...	100	104	112	108	115	112	106	104	...
„ Orange, Nos. 40-60 ...	100	113	...	110	107	102	95	90	93
Copper, Sheathing	100	101	99	97	102	100	95	...	100
„ Braziers	100	...	97	96	102	98	95	97	100
„ Australian	100	106	110	100	109	115	106	101	106
Iron, flat, bolt, bar and square ...	100	109	111	112	115	122	108	100	89
Spelter, hard	100	105	...	...	114	100	105	114	118
Gold, Australian, 23 carats fine ...	100	100·37	100·74	...	101·87	98·88	100·37	100·	100·37
Gold*	100	100·74	100·63	101·06	103·04	102·79	101·27	103·57	104·37
EXPORTS.									
Hides, buffalo, slaughtered, Patna ...	100	97	94	...	92	96	...	92	88
„ cow, slaughtered	100	...	94	100	...	106	100	...	...
Indigo, good	100	Nom	...	...	110	Nom	...	...	...
Jute, picked	100	97	...	119	144	137	144	...	137
„ ordinary	100	81	...	103	129	123	129	...	123
Lac dye, fine	100	95	...	...	87	Nom	55	...	60
„ middling	100	89	...	40	78	Nom	33	...	...
Shell lac, fine orange	100	112	115	127	129	149	161	166	183
„ middling	100	113	116	131	127	149	155	173	167
Linseed, fine, bold, clean	100	102	105	108	111	123	103	106	110
Rice, moonghy	100	97	139	108	150	153	161	Nom	...
„ ballam	100	101	100	...	165	163	167	...	163
Saltpetre, 2-4 per cent refraction ...	100	94	...	95	91	81	80	86	83
Silk, raw, Cossimbazar	100	89	93	84	80	89	80	60	58
„ Gonatea	100	91	95	86	82	91	82	52	59
„ Jungypoor	100	90	88	81	79	86	91	59	...
„ Radanagore	100	87	...	78	76	87	76	59	56
„ Surdahs	100	87	92	83	79	87	83	58	56
Sugar, Benares	100	...	94	...	...	87	...	...	...
„ date, Gurpatta	100	97	87	82	...	77	...	...	...
„ Dulloah	100	96	86	100	...	...	96	...	...
Tea, Fine Pekoe	100	109	126	123	...	119	126	119	126
„ Good Souchong	100	114	...	...	...	...	123	118	122
„ Congou	100	112	125	...	119	N.	137	...	150
Wheat, Doodiah	100	94	...	107	115	107	111	100	96

* These prices of Gold are calculated from the prices in Sterling of Bar Silver in the London Market.

TABLE No. II—*continued.*

	1875.				1876.			
	March.	June.	September.	December.	January.	February.	March.	April.
IMPORTS.								
Gery Shirtings (8¼ lbs.)	86	85	84	...	85	84	86	84
Mule Twist, white, good, No. 40 ...	92	88	87	...	86	91	90	86
„ Turkey red, No. 46-12 lbs ...	102	...	96	94	92	98	92	...
„ Orange, No. 40-60 ...	...	92	88	87	80	87	...	88
Copper, Sheathing	103	99	100	102	101	100	99	...
„ Braziers	103	100	...	101	97	101	99	101
„ Australian	108	106	102	108	110	109	107	109
Iron, flat, bolt, bar and square ...	93	85	73	78	81	79	...	82
Spelter, hard	148	137	136	148	...	168	151	152
Gold, Australian, 23 carats fine ...	100·74	101·12	...	101·87	...	...	104·87	102·99
Gold*	104·14	107·03	105·40	106·46	108·87	111·91	111·72	...
EXPORTS.								
Hides, buffalo, slaughtered, Patna ...	83	...	75	...	79	71	...	60
„ cow, slaughtered	97	84	74	78	...	...	...	...
Indigo, good	...	...	...	90	91	95	Nom	...
Jute, picked	132	122	119	125	141	137	128	131
„ ordinary	119	100	103	113	123	...	119	...
Lac dye, fine	73	...	55	...	...	...	45	...
„ middling	44	...	22	...	...	...	...	...
Shell lac, fine orange	...	166	119	119	105	97	102	98
„ middling	...	164	127	100	95	82	87	73
Linseed, fine, bold, clean	96	90	...	92	90	88	...	85
Rice, moonghy	...	...	128	117	111	115	114	...
„ ballam	112	126	141	135	118	123	119	115
Saltpetre, 2-4 per cent. refraction ...	75	73	76	74	72	70	...	69
Silk, raw, Cossimbazar	62	...	53	40	53	58	...	56
„ Gonatea	64	...	55	43	55	59	...	57
„ Jungypoor	62	...	52	43	52	55	...	59
„ Radanagore	59	56	52	39	48	54	...	56
„ Surdahs	60	...	52	42	46	54	...	56
Sugar, Benares	...	...	...	...	...	...	...	Nom
„ date, Gurpatta	...	...	72	...	...	Nom	...	68
„ Dulloah	...	...	...	...	...	...	86	...
Tea, Fine Pekoe	126	...	129	135	...	...	142	N.
„ Good Souchong	125	114	109	104	95	...	109	N.
„ Congou	...	125	112	119	106	....	112	N.
Wheat, Doodiah	87	76	78	...	76	...	74	...

* These prices of Gold are calculated from the prices in Sterling of Bar Silver in the London Market.

TABLE No. II—*concluded.*

	1876.							
	May.	June 12th.	June 26th.	July 10th.	July 24th.	August 7th.	August 21st.	Sept. 4th.
IMPORTS.								
Grey Shirtings (8¼ lbs)	83	80	...	...	...	82	80	79
Mule Twist, white, good, No. 40 ...	84	86	84	...	86	84	...	...
„ Turkey red, No. 40-12 lbs. ...	88	...	90	...	...	...	...	...
„ Orange, Nos. 40-60 ...	87	88	...	...	90	...	...	...
Copper, Sheathing	...	...	..	...	...	...	98	...
„ Braziers	...	...	...	...	100	99	...	...
„ Australian	108	107	106	...	...	104	102	99
Iron, flat, bolt, bar and square ...	79	75	73	...	...	72	71	...
Spelter, hard	148	...	150	151	153	...	...	152
Gold, Australian, 23 carats fine ...	103·37	107·86	...	110 86	113·86	110·86	107·86	113·86
Gold*	114·90	115·46	118·31	127·18	120·71	116·58	115·45	116·02
EXPORTS.								
Hides, buffalo, slaughtered, Patna ...	63	65	...	...	...	...	...	...
„ cow, slaughtered	...	...	74	...	Nom	...	...	...
Indigo, good	...	...	...	...	...	...	...	...
Jute, picked	137	...	...	134	144	...	...	137
„ ordinary	121	124	123	119	129	127	...	123
Lac dye, fine	55	...	...	56	...	...	...	...
„ middling	33	...	...	27	...	...	...	...
Shell lac, fine orange	93	85	...	81	80	76	...	78
„ middling	76	69	...	65	62	60	...	64
Linseed, fine, bold, clean	81	86	87	91	111	91	88	...
Rice, moonghy	...	112	...	...	125	119	117	...
„ ballam	...	...	117	...	...	115	112	...
Saltpetre, 2-4 per cent. refraction ...	68	73	...	79	...	77	...	...
Silk, raw, Cossimbazar	...	64	67	84	93	...	107	...
„ Gonatea	...	61	66	86	95	...	109	...
„ Jungypoor	...	64	71	79	100	...	...	...
„ Radanagore	...	58	72	83	96	...	102	...
„ Surdahs	...	64	71	85	96	...	104	...
Sugar, Benares	...	75	83	Nom	...	...	...	...
„ date, Gurpatta	Nom	68	...	...	72	...	77	...
„ Dulloah	83	87	...	93	...	...	Nom	...
Tea, Fine Pekoe	...	...	...	148	...	142	...	145
„ Good Souchong	...	...	127	136	127	145	114	118
„ Congou	...	...	137	144	137	131	...	...
Wheat, Doodiah	70	76	...	79	74	...	79	76

* These prices of Gold are calculated from the prices in Sterling of Bar Silver in the London Market.

TABLE III.

Variations in the wholesale prices of certain Staple Commodities at Bombay, taking the prices of January 1850=100.

FROM JANUARY 1843 TO JULY 1876

	1843.		1844.		1845.		1846.		1847.		1848.		1849.	
	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.
IMPORTS.														
Grey Shirtings (8¼ lbs.) ..	117	105	101	*N.*	109	118	109	110	105	87	100	110	93	92
Mule Twist, No. 40 ...	93	99	96	99	102	114	126	108	96	93	90	96	93	...
„ Turkey Red, Nos. 40-80	128	150	144	111	133	111	133	...	...	128	116	89	94	89
„ Orange Dye, Nos. 40-60	127	*N.*	154	136	100	91	...	105	86	...	110	114	100	...
Copper Sheathing ...	97	...	...	94	93	99	100	101	108	110	117	106	110	105
„ Braziers' ...	102	96	102	98	96	104	100	102	109	111	113	107	116	107
Iron, square, flat and bolt	80	91	...	...	105	115	105	110	...	119	137	123	117	100
Spelter	159	190	162	143	...	135	145	105	...	138	105	93	95	109
Coffee, Mocha ...	112	95	119	...	115	103	112	106	91	106	94	...	...	88
„ Malabar ...	112	...	96	...	...	104	100	...	96	104	96	80	...	64
Ivory, large ...	89	...	...	...	100	105	...	...	...	...	100	111	...	102
„ middling ...	100	93	...	86	93	106	107	121	129	121	...	136	136	121
Silk, China, Nankeen ...	125	4	125	162	135	140	135	119	...	...	102	92	97	...
„ „ Canton, No. 1	125	123	125	...	137	143	137	120	128	125	117	103	94	97
„ „ „ „ 4	162	125	...	100	162	181	162	131	137	...	125	112	137	112
„ „ „ „ 5	50	64	73	...	68	73	...	...	...	...	82	73	91	...
EXPORTS.														
Indigo, Sind ...	86	80	86	86	86	91	86	*N.*	100	100	86	*N.*	80	100
Saltpetre	266	213	266	293	266	...	253	266	300	266	...	...	*N.*	160
Linseed	*N.*	...	...	...	...	100	*N.*	160	...	107	113	*N.*	80	87
Cotton, Surat ...	106	104	101	117	89	94	90	93	97	106	93	92	72	96
„ Broach ...	103	102	100	117	89	94	90	93	97	103	93	93	72	96
„ Oomrawati ...	118	110	105	129	110	108	105	...	...	112	110	102	83	110
„ Cutch ...	111	*N.*	108	120	101	104	98	*N.*	...	104	102	*N.*	...	100
„ Dholera ...	99	93	99	105	90	88	...	82	86	93	...	91	74	94
„ Comptah ...	101	97	102	116	92	...	86	90	91	94	100	86	76	98
„ Mangalore and Pore Bunder	92	94	100	112	94	90	89	85	85	96	...	90	75	97
Wool, Mekran ...	80	91	107	123	140	126	134	118	123	96	86	80	64	96
„ Khorasan ...	78	82	101	*N.*	122	...	118	*N.*	100	95	...	*N.*	69	95
„ Marwar ...	74	95	112	116	121	105	126	*N.*	121	110	89	*N.*	71	100
„ Cutch ...	73	84	97	*N.*	109	104	116	*N.*	109	100	86	*N.*	65	100
Rice, Moonghy ...	82	106	...	100	106	...	141	123	100	141	106	100	106	100
Wheat, 1st sort ...	110	120	66	106	113	133	180	166	213	166	146	126	80	120
„ 2nd sort ...	104	123	84	108	115	146	205	198	231	182	167	123	77	108

TABLE No. III—*continued.*

	1850.		1851.		1852.		1853.		1854.		1855.		1856.	
	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.
IMPORTS.														
Grey Shirtings (8¼ lbs.)	100	93	100	91	72	70	76	85	80	66	91	93	95	97
Mule Twist, No. 40 ...	100	117	108	114	87	...	89	102	...	96	84	96	87	90
„ Turkey Red, Nos. 40-80	100	111	116	8	100	89	...	...	137	94	105	128	116	111
„ Orange Dye, Nos. 40-60	100	91	105	102	105	102	105	109	93	*N.*	95	100	114	105
Copper, Sheathing ...	100	96	91	81	88	95	106	110	125	116	133	140	145	128
„ Braziers ...	100	97	90	80	87	92	104	105	123	117	133	141	139	134
Iron, square, flat and bolt	100	84	79	72	73	70	93	112	126	140	135	126	149	138
Spelter	100	95	93	90	...	88	93	105	119	143	138	117	135	124
Coffee, Mocha ...	100	97	...	119	103	122	119	109	...	112	104	122	109	180
„ Malabar ...	100	88	92	104	100	96	104	120	108	104	106	110	106	114
Ivory, large ...	100	110	184	106	120	136	111	...	97	128	131	118	122	138
„ middling ...	100	132	118	100	143	153	143	...	125	143	155	144	143	171
Silk, China, Nankeen ...	100	108	105	113	111	117	135	120	129	...	89	100	104	120
„ „ Canton, No. 1	100	106	104	108	114	117	131	125	131	125	100	110	111	128
„ „ „ „ 4	100	136	125	...	137	166	150	172	200	175	137	125	1 1	...
„ „ „ „ 5	100	...	55	73	100	91	82	86	91	...	82	...	86	91
EXPORTS.														
Indigo, Sind ...	100	...	83	86	...	100	...	86	103	...	93	79	86	93
Saltpetre ...	100	...	253	133	213	266	320	*N.*	320	80	106	...	126	*N.*
Linseed ...	100	...	*N.*	...	80	87	*N.*	...	...	...	...	...	...	...
Cotton, Surat ...	100	133	128	113	97	118	100	120	98	99	89	107	11	117
„ Broach ...	100	128	123	113	92	119	100	121	98	99	90	107	91	118
„ Oomrawati ...	100	150	147	125	106	139	118	123	110	112	105	110	106	135
„ Cutch ...	100	138	145	117	101	118	105	121	105	*N.*	95	116	110	127
„ Dholera ...	100	130	131	101	95	113	101	114	98	87	78	109	96	114
„ Comptah ...	100	111	137	111	92	120	103	112	98	91	89	123	105	120
„ Mangalore and Pore Bunder...	100	137	135	104	90	119	96	116	102	94	86	110	99	121
Wool, Mekran ...	100	113	121	102	113	121	123	127	107	96	94	110	99	102
„ Khorasan ...	100	104	*N.*	...	111	*N.*	...	...	...	...	...	...	...	...
„ Marwar ...	100	105	*N.*	...	124	*N.*	...	...	...	...	...	...	...	...
„ Cutch ...	100	111	*N.*	...	107	111	*N.*	...	...	...	...	...	...	...
Rice, Moonghy ...	100	125	120	94	...	100	109	106	117	...	53	*N.*	50	114
Wheat, 1st sort ...	100	133	110	100	...	113	106	93	106	113	126	110	...	156
„ 2nd sort ...	100	142	108	123	...	115	138	115	123	138	...	127	111	154

TABLE No. III—*continued.*

	1857.		1858.		1859.		1860.		1861.		1862.		1863.	
	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.
IMPORTS.														
Grey Shirtings (8¼ lbs)...	95	103	112	120	146	128	123	128	...	116	119	132	168	213
Mule Twist, No. 40 ...	100	102	123	108	150	114	111	108	...	...	120	156	192	264
„ Turkey Red, Nos. 40-80	...	100	133	100	105	100	111	...	116	111	...	...	122	139
„ Orange Dye, Nos. 40-60	91	95	114	100	109	118	120	...	114	...	123	127	145	218
Copper, Sheathing ...	132	...	125	110	120	118	131	113	107	105	109	105	106	104
„ Braziers. ...	133	132	126	113	121	117	132	112	104	106	111	102	105	104
Iron, square, flat and bolt	126	116	119	103	114	105	108	114	...	99	99	100	107	87
Spelter	171	157	...	145	142	124	118	112	107	99	...	90	96	92
Coffee, Mocha ...	125	150	146	150	125	169	162	169	...	181	207	205	200	172
„ Malabar ...	120	156	152	...	144	134	144	148	...	...	160	188	184	...
Ivory, large ...	139	158	...	133	133	126	137	146	141	133	125	...	...	133
„ middling ...	170	189	...	168	164	154	161	177	177	...	159	168	...	143
Silk, China, Nankeen ...	162	167	146	121	...	140	146	156	143	119	113	124	140	170
„ „ Canton, No. 1	188	...	163	147	143	148	166	174	163	...	156	163	180	166
„ „ „ „ 4	212	250	184	156	181	162	187	181	168	159	156	164	187	206
„ „ „ „ 5	123	200	132	113	109	...	...	100	104	91	109	104	118	136
EXPORTS.														
Indigo, Sind ...	...	...	100	104	107	...	100	107	103	...	...	...	...	...	107
Saltpetre	140	180	160	166	160	240	200	...	140	...	...	126	146	166
Linseed	126	153	*N.*	...	130	...	125	120	125	145	147	173	163	188
Cotton, Surat ...	132	160	139	172	155	162	139	...	...	131	179	314	417	547
„ Broach ...	132	160	139	172	155	162	143	...	139	131	179	314	408	547
„ Oomrawati ...	143	173	159	196	183	181	163	151	142	194	200	351	499	594
„ Cutch ...	*N.*	159	145	179	166	168	149	138	144	*N.*	157	360	468	592
„ Dholera ...	130	152	138	164	149	155	136	127	133	174	179	316	418	534
„ Comptah ...	136	159	138	169	173	166	150	127	132	176	196	342	483	537
„ Mangalore and Pore Bunder ...	131	156	124	173	155	164	146	126	132	176	183	334	412	504
Wool, Mekran ...	115	129	102	96	....	91	122	102	94	107	...	110	137	139
„ Khorasan ...	117	128	117	100	115	95	99	117	119	124	130	143	174	158
„ Marwar ...	131	121	121	116	137	113	142	134	145	149	158	192	249	195
„ Cutch ...	125	141	132	125	118	104	131	143	136	152	159	179	232	183
Rice, Moonghy ...	167	170	159	161	211	223	235	...	223	217	206	200	...	235
Wheat, 1st sort ...	123	156	135	146	133	143	140	163	156	166	173	186	...	209
„ 2nd sort ...	138	170	227	162	142	169	161	173	...	200	...	...	...	235

TABLE No. III—*continued.*

	1864.		1865.		1866.		1867.		1868.		1869.		1870.
	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.
IMPORTS.													
Grey Shirtings (8¼ lbs.)...	208	258	237	181	225	188	171	151	128	139	129	139	133
Mule Twist, No. 40 ...	279	276	228	192	240	216	173	160	120	129	...	153	147
„ Turkey Red, Nos. 40-80	166	178	...	133	155	...	...	144	105	122	...	...	...
„ Orange Dye Nos. 40-60,	241	259	223	155	181	163	168	155	109	132	127	141	127
Copper, Sheathing ...	107	106	99	95	97	96	93	91	87	92	87	86	81
„ Braziers ...	116	109	101	93	97	95	93	...	87	90	86	87	81
Iron, square, flat and bolt	100	103	105	96	110	111	121	105	96	101	101	89	...
Spelter	90	93	97	90	108	126	135	157	128	119	112	107	105
Coffee, Mocha ...	162	137	156	...	165	...	175	147	153	162	...	178	189
„ Malabar ...	160	144	156	164	180	168	176	145	136	140	124	146	164
Ivory, large... ...	125	133	...	122	133	133	...	155	136	147	139	144	150
„ middling ...	161	...	167	136	150	...	151	164	166	168	161	168	181
Silk, China, Nankeen ...	146	167	189	221	...	227	224	192	175	229	183	...	186
„ „ Canton, No. 1	163	188	200	216	...	266	240	204	201	206	216	...	195
„ „ „ „ 4	...	...	356	412	...	...	237	119	*N.*	387	281	...	237
„ „ „ „ 5	114	...	...	191	...	209	164	173	195	182	164	...	168
EXPORTS.													
Indigo, Sind ...	...	...	...	...	...	...	111	89	100	114	116	119	100
Saltpetre ...	140	153	...	126	153	...	146	120	123	140	146	...	*N.*
Linseed ...	148	185	154	153	178	...	192	181	155	168	157	167	167
Cotton, Surat ...	650	666	447	336	524	333	300	261	157	263	271	339	336
„ Broach ...	650	666	447	336	522	333	300	261	157	263	271	344	336
„ Oomrawati ...	812	763	611	394	605	381	355	300	208	305	339	421	371
„ Cutch ...	703	697	*N.*	...	...	345	330	*N.*	160	287	285	*N.*	324
„ Dholera ...	654	660	478	344	517	330	316	251	149	278	291	332	309
„ Comptah ...	722	716	518	296	545	364	366	284	169	285	290	353	322
„ Mangalore and Pore Bunder	684	644	*N.*	290	450	321	302	*N.*	150	277	281	*N.*	314
Wool, Mekran ...	118	132	172	129	141	132	107	118	96	123	118	...	102
„ Khorasan ...	122	137	139	152	169	...	139	130	113	126	113	126	109
„ Marwar ...	168	216	...	200	210	202	179	163	142	163	158	163	152
„ Cutch ...	173	218	188	168	186	193	145	...	126	145	132	141	127
Rice, Moonghy ...	...	241	...	...	247	250	258	...	211	188	200	217	164
Wheat, 1st sort ...	283	350	...	...	...	...	223	236	253	223	241	256	258
„ 2nd sort ...	250	329	...	...	...	317	236	142	135	207	269	235	227

TABLE No. III—*concluded.*

	1870.	1871.		1872.		1873.		1874.		1875.		1876.	
	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.	January.	July.
IMPORTS.													
Grey Shirtings (8¼ lbs.)	127	118	121	118	122	121	123	114	112	104	107	110	105
Mule Twist, No. 40 ...	144	117	123	126	147	141	132	129	...	117	123	117	111
„ Turkey Red, Nos. 40-80	...	...	...	...	119	122	...	...	116	111	119	105	100
„ Orange Dye Nos. 40-60	...	118	...	...	127	134	132	127	120	114	...	...	109
Copper, Sheathing ...	72	77	83	87	105	103	104	110	103	109	108	...	106
„ Braziers ...	80	76	81	88	106	101	102	109	100	107	106	105	105
Iron, square, flat and bolt	91	110	101	116	137	140	168	184	154	131	123	126	114
Spelter	96	100	97	104	...	...	116	114	116	114	128	126	134
Coffee, Mocha ...	187	179	187	184	197	187	206	237	225	228	222	228	241
„ Malabar ...	160	130	150	164	196	200	248	276	244	228	246	252	276
Ivory, large ...	153	...	...	153	174	222	211	199	211	205	...	...	255
„ middling ...	171	183	179	173	207	243	250	221	243	229	...	...	307
Silk, China, Nankeen ...	...	156	164	186	197	186	174	162	...	...	...	...	154
„ „ Canton, No. 1	186	...	191	207	213	197	198	171	...	...	...	...	151
„ „ „ „ 4	231	178	237	244	237	244	241	237	...	...	...	...	188
„ „ „ „ 5	136	...	118	93	104	102	86	91	...	...	...	141	100
EXPORTS.													
Indigo, Sind ...	86	114	126	87	86	...	...	...	...	...	...	87	129
Saltpetre	166	220	180	173	200	...	...	...	...	...	...	...	*N.*
Linseed	170	161	157	160	168	163	158	...	151	163	144	151	153
Cotton, Surat ...	272	206	240	273	266	*N.*	...	230	217	222	228	238	183
„ Broach ...	272	206	240	273	266	*N.*	224	250	217	222	228	239	183
„ Oomrawati ...	322	237	292	329	342	289	263	256	231	225	227	233	206
„ Cutch ...	293	216	276	237	286	290	231	*N.*	...	...	...	...	188
„ Dholera ...	282	212	256	264	266	237	216	200	192	181	192	195	178
„ Comptah ...	296	222	262	237	285	269	237	216	*N.*	...	...	...	...
„ Mangalore and Pore Bunder	296	219	264	250	262	200	219	*N.*	...	...	...	...	175
Wool, Mekran ...	107	102	139	1 1	129	165	148	96	102	129	131	110	91
„ Khorasan ...	113	115	139	162	135	169	165	119	109	119	117	91	...
„ Marwar ...	150	152	221	205	186	189	212	147	142	174	200	184	192
„ Cutch ...	139	136	184	195	200	216	190	168	145	177	170	150	152
Rice, Moonghy ...	182	176	...	178	176	170	147	...	...	...	...	...	153
Wheat, 1st sort ...	261	130	190	196	198	226	215	175	171	168	165	171	179
„ 2nd sort ...	231	208	204	...	202	227	238	177	169	...	181	173	177

TABLE No. IV.

Variations in the wholesale prices of certain staple commodities at Bombay; taking the prices of January 1873 = 100.

[The prices from which Table III and this Table have been compiled were returned by the Commissioner of Customs, Bombay. They show the same results as Calcutta prices.]

	1873.		1874.		1875.		1876.	
	January.	July.	January.	July.	January.	July.	January.	July.
IMPORTS.								
Grey Shirtings (8¼lbs.) ...	100	102	94	93	86	89	91	87
Mule Twist, No. 40 ...	100	94	85	...	83	87	83	79
„ Turkey red, Nos. 40-80	100	...	...	95	91	98	86	82
„ Orange dye, Nos. 40-60	100	98	95	90	85	...	...	81
Copper, Sheathing	100	102	107	100	106	105	...	104
„ Braziers	100	101	108	99	106	104	103	104
„ Australian	100	98	100	94	102	...	104	99
Iron, flat, square and bolt ...	100	120	131	110	93	87	90	79
Spelter	100	111	109	111	108	123	120	124
Coffee, Mocha	100	110	126	120	122	118	122	128
„ Malabar	100	124	139	122	114	123	126	138
Ivory, large	100	95	89	95	92	...	...	115
„ middling	100	103	91	100	94	...	...	124
Silk, China, Nankeen ...	100	93	87	...	...	...	...	82
„ „ Canton, No. 5 ...	100	84	89	...	...	...	111	93
EXPORTS.								
Linseed	100	97	...	93	100	88	92	94
Cotton, Surat	100	...	94	81	83	85	89	69
„ Broach	100	84	94	81	83	85	90	69
„ Oomrawati	100	91	89	80	78	...	80	71
„ Dholera	100	91	84	81	76	81	82	75
Wool, Mekran	100	90	58	61	77	79	66	55
„ Khorasan	100	97	70	65	70	69	54	...
„ Marwar	100	112	78	75	91	105	97	101
„ Cutch	100	88	78	67	82	79	69	70
Sugar, Bengal, No. 1 ...	100	96	92	...	98	92	...	88
„ Mauritius, No. 1 ...	100	97	91	...	97	91	86	...
Wheat, Sohagpur Pissi ...	100	...	75	82	79	72	77	81
„ Khundwah Seoni ...	100	95	77	76	74	73	76	75
„ Lasalgaum	100	105	78	75	...	79	76	78
„ Jubbulpore	100	...	81	87	77	76	85	82

TABLE No. V.

Variations in the wholesale prices (i. e., values measured in gold) of certain commodities in London; taking the average prices 1845-50 *as* = 100.

[From the "London Economist."]

DATES.	Tobacco.	Coffee.	Indigo.	Leather.	Sheep's Wool.	Iron.	Butchers' Meat.	Lead.	Timber.	Cotton Yarn.	Tin.	Cotton Cloth	Silk, Raw.	Oils.	Flax and Hemp.	Cotton Wool, Pernambuco only.	Wheat.	Sugar.	*Total Index No.*	Silver.
1845-50, Aver age 6 years ...	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100'
1851—1 Jan. ...	161	114	128	97	113	90	87	100	84	128	98	118	107	101	106	106	71	94	104	103·35
1853—1 July ...	111	110	161	100	125	105	111	140	107	105	126	107	113	130	110	81	84	70	107	102·51
1857—1 „ ...	210	151	121	150	146	121	105	143	103	126	166	113	99	141	121	97	118	123	136	103·44
1858—1 Jan. ...	155	114	163	130	105	110	114	131	100	128	127	99	156	121	113	86	90	83	118	„
1865—1 Jan. ...	322	161	137	131	159	95	113	115	97	323	115	252	157	129	132	325	72	65	162	„
1866—1 „ ...	222	179	126	„	144	100	129	123	91	308	122	222	203	141	140	267	89	72	„	102·93
1867—1 Jan. ...	200	149	145	126	„	88	121	114	95	215	99	178	183	140	116	191	113	66	137	102·09
1868—1 „ ...	„	141	154	136	115	86	112	111	94	118	113	114	161	138	121	181	127	73	121	101·26
1869—1 Jan. ...	167	127	143	„	104	85	117	109	97	149	129	131	183	127	124	139	96	72	„	101·63
1870—1 „ ...	„	134	151	128	96	88	123	„	99	154	138	135	174	126	116	144	80	83	122	101·46
1871—1 Jan. ...	155	125	137	133	88	87	133	103	115	138	160	118	183	114	118	106	100	„	117	„
1872—1 „ ...	189	115	159	„	133	99	134	109	116	149	177	125	169	122	141	119	104	„	124	10·68
1873—1 Jan. ...	195	171	169	144	157	141	144	124	127	154	171	126	„	118	132	126	„	74	134	100·20
„ —1 July ...	189	133	124	147	139	107	171	134	125	141	151	123	161	107	137	111	111	73	132	99·48
1874—1 Jan. ...	183	233	123	„	140	„	146	139	„	136	143	116	149	110	121	106	116	68	131	97·27
„ —1 July ...	178	196	156	„	126	150	133	122	144	131	142	120	124	115	101	100	124	66	126	98·55
1875—1 Jan. ...	256	173	157	158	145	138	137	137	132	122	116	116	96	111	124	106	80	68	„	96·01
„ —1 July ...	„	179	150	150	134	126	167	126	125	121	106	„	109	109	97	96	81	63	122	93·50
1876—1 Jan. ...	„	183	130	147	133	125	153	131	128	123	99	111	87	116	105	106	84	67	123	94·13

"The construction is as follows:—The basis of 100 represents the average prices of the six years 1845-50, and all the subsequent figures are calculated from that datum line. Thus, as regards *Coffee* (col. 2), the price of 1st July 1857, was equal to 151, or 50 per cent. above the average prices of 1845-50. In order to ascertain the *percentage* rise or fall between one date and another—as, for example, *Coffee*—comparing 1st July 1857, when the figure was 151, with 1st January 1866, when the figure was 179, or a difference of 28, the rise per cent. has to be measured with the quantity 151, and gives of course a result of 19 per cent. as the real advance. In the course of so long a period of years as 1845-71, some variations have inevitably arisen in the mode of quoting prices in the usual Prices Current. In all such cases, the nearest approach possible has been made to a *uniform* quotation throughout the Table. In all such kinds. In *Tea* and *Sugar* also, changes have occurred in the kinds most usually quoted.

Raw Cotton especially, these have been considerable changes of *qualities*, introduced by the large use of Indian and other kinds.

The col. "*Total Index No.*" does not, of course, present a full and accurate representation of the variations of prices, inasmuch as it cannot allow for the relative importance of the different articles. *Wheat*, for example, reckons for as much in the "*Total Index No.*" than *Indigo*; and during the years of the high price of *Cotton* and *Cotton Fabrics*, the total Index No. is mainly raised by that special cause. Still the Total Index No. read with the needful qualifications, may suggest important inferences." (*Notes reproduced from the "Economist."*)

TABLE No. VI.

Values in London, measured in Silver, of certain selected Commodities at various periods, compared with their average values for the six years 1845-50, *and assuming the average value of each commodity during those years as*=100.

(Prepared from Table V. Both Tables show a great general rise in the values of other commodities, whether measured in Gold or Silver, as compared with the data of 1845-50; but no marked rise in recent years.)

	Tobacco.	Coffee.	Indigo.	Leather.	Sheep's Wool.	Iron.	Butchers' Meat.	Lead.	Timber.	Cotton Yarn.	Tin.	Cotton Cloth.	Silk, Raw.	Oils.	Cotton.	Tallow.	Copper.	Tea.	Flax and Hemp.	Cotton wool Pernambuco only.	Wheat.	Sugar.	Gold.	Silver.
1845-50, average for 6 years ...	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
1851, January 1st ...	155	110	124	94	109	87	84	97	81	124	95	114	109	98	82	88	92	125	91	102	68	91	96·75	100
1853, July 1st ...	108	107	156	97	122	102	108	137	104	102	123	104	114	127	*N.*	102	102	„	107	79	82	68	97·54	100
1857, July 1st ...	204	146	117	145	142	117	102	139	100	122	161	109	198	136	92	142	117	157	117	94	114	119	96 95	100
1858, January 1st ...	189	111	158	126	102	107	111	127	97	119	123	96	151	117	71	114	107	136	110	83	87	80	„	100
1865, January 1st ...	312	156	133	127	154	92	119	111	94	313	111	244	152	125	352	90	98	105	198	315	70	63	„	100
1866, January 1st ...	216	174	122	„	140	97	125	119	88	299	119	216	194	137	372	109	119	137	136	259	86	70	97·15	100
1867, January 1st ...	196	146	142	124	141	86	119	112	93	211	97	174	179	„	222	104	96	106	114	187	111	65	97·94	100
1868, January 1st ...	197	139	152	134	114	85	111	110	„	117	111	113	159	136	99	97	95	103	119	179	125	72	98·75	100
1869, January 1st ...	164	125	141	„	102	84	115	107	95	147	127	129	180	125	152	109	87	„	122	137	94	71	98·35	100
1870, January 1st ...	165	132	149	126	95	87	121	„	98	152	136	133	171	124	170	103	82	100	114	142	79	82	98·55	100
1871, January 1st ...	153	123	135	„	87	86	121	101	113	136	158	116	180	112	116	100	80	99	„	104	99	„	„	100
1872, January 1st ...	186	143	156	131	131	97	132	107	114	147	174	123	166	120	139	109	101	98	113	117	102	„	98·35	100
1873, January 1st ...	194	170	169	144	157	141	144	124	127	154	170	126	169	118	132	98	105	100	118	126	104	74	99·79	100
„ July 1st ...	190	184	125	148	140	168	172	135	126	142	162	124	162	108	138	99	104	92	„	112	112	73	100·53	100
1874, January 1st ...	188	240	126	151	144	172	150	143	129	140	147	119	153	113	124	96	107	111	121	109	119	70	102·80	100
„ July 1st ...	180	198	158	149	127	152	134	123	146	132	123	121	125	116	110	95	99	102	125	101	115	67	101·06	100
1875, January 1st ...	267	180	164	159	151	144	143	143	137	127	„	„	120	„	116	112	109	104	99	99	83	71	104·15	100
„ July 1st ...	274	191	160	160	143	135	168	135	134	129	113	124	103	119	117	99	107	107	104	103	87	67	106·95	100
1876, January 1st ...	272	194	138	156	141	133	163	139	136	131	105	118	92	123	114	127	106	106	112	113	89	71	106·23	100

TABLE No. VII.

Prices (i. e. values measured in gold) in London of certain Commodities at various periods, compared with those of March 1873.

[Prepared from the "London Economist."]

	1873.			1874.		1875.		1876.			
	March.	July.	December.	June.	December.	June.	December.	January.	February.	March.	April.
Beef, inferior	100	125·00	125·00	97·50	110·00	127·50	127·50	127·50	97·50	...	110·00
Coffee	100	94·22	124·28	108·09	97·11	104·04	104·62	102·89	102·89	100·00	95·37
Beef, prime, small	100	109·52	103·17	101·58	103·17	106·35	100·00	101·58	95·24	95·24	104·76
Silver (Bar)	100	99·37	97·07	98·74	95·82	93·41	93·93	91·84	89·33	89·54	89·54
Copper, Chili Bars	100	90·50	92·73	88·54	93·29	91·62	91·62	90·22	87·15	85·47	88·27
Flour, Town-made	100	110·64	110·64	107·44	81·91	76·59	90·42	90·42	90 42	90·42	86·17
„ New York	...	100·	109·60	100·	82·40	84·80	88·00	84·80	82·40	84·00	83·20
American Redspring at New York ...	...	100·	105·29	98·67	80·79	80·13	88 08	90·06	89·40	92·05	90·06
Wool, South Down Hogs ...	100	97·56	96·34	76·83	89·02	82·92	85·36	80·48	80·48	80·48	80·48
Saltpetre	100	...	85·58	70·27	80 18	85·58	82 88	81·08	81·98	81·98	80·18
Cotton, No. 40, Mule Twist ...	100	96·42	94·64	90·07	82·92	82·92	85·71	85·71	80·35	80·35	80·35
Wheat	100	108·74	111·61	109·79	80 84	77·69	82·80	79·94	78·28	78·43	81·90
Pepper	100	98·86	105·68	88 63	95 45	85·22	78·40	73·29	66·47	66·47	64·77
Sugar, Foreign Muscovada ...	100	87·18	92·31	82·05	87·18	83·33	76·92	74·36	69·23	67·95	71·79
Cotton, Middling, Upland ...	100	94·59	86·49	89·19	79·05	80·40	75·00	68·92	66·89	81·76	68·92
Coals, Hetton, Wallsend London ...	100	86·56	94·03	74·63	89·55	67·16	74·63	67·16	64 18	67·16	63·43
Sugar, Mauritius	100	87·90	87·90	75·34	75·34	71·86	70·46	70·47	69·77	69·08	69·08
Straits Tin	100	89·34	79·38	69·41	64·60	57·04	56·36	54·64	52·23	49·82	49·14
Scotch Pig Iron (warrants) ...	100	91·82	91·04	81·49	67·55	51·30	54·25	53·83	49·82	49·82	49·19

Note.—The prices of March 1873 were inflated owing to special circumstances; but the quotations from which this table is calculated are not forthcoming from an earlier period. Moreover, March 1873 is near the date, November 1872, when the values of gold and silver began to diverge.

TABLE No. VIII.

Values measured in Silver of certain Selected Commodities at various periods, compared with their values in March 1873, *and taking these values as* = 100.

[Prepared from Table VI. Both these tables shew a general decrease in the value of other commodities, whether measured in gold or silver; in other words, a rise in the value of both these metals since 1873 : and no reaction even during 1876.]

	1873.			1874.		1875.		1876.			
	March.	July.	December.	June.	December.	June.	December.	January.	February.	March.	April.
Silver	**100**	**100**	**100**	**100**	**100**	**100**	**100**	**100**	**100**	**100**	**100**
Gold	**100**	**100·63**	**103·04**	**101·27**	**104·37**	**107·03**	**106·46**	**108·87**	**111·91**	**111·72**	**111·72**
Scotch Pig Iron	100	92·42	94·85	82·53	70·52	54·92	57·74	58·61	55·78	55·63	54·92
Coals, Hetton, Wallsend ...	100	87·14	96·96	75·53	93·57	71·96	79·46	73·21	71·93	75·09	70·71
Copper, Chili Bars	100	91·08	95·56	89·68	97·39	98·10	97·56	98·26	97·56	95·46	99·00
Straits Tin...	100	89·90	81·76	70·29	67·41	61·07	60·00	59·49	58·46	55·65	54·87
Wheat	100	109·41	115·04	111·26	84·42	83·12	88·20	87·12	87·69	88·33	91·45
American Redspring	...	100·	107·89	99·12	83·33	85·09	92·98	97·81	99·82	102·51	100·00
Flour, Town-made	100	111·32	113·99	108·78	85·49	82·06	96·31	98·47	101·30	101·05	96·31
„ New York	...	100·	112·26	100·63	85·41	90·27	93·02	91·88	91·79	93·31	92·39
Beef, inferior	100	125·85	128·90	98·74	114·90	136·62	135·91	138·26	109·32	...	122·98
„ prime, small	100	110·25	104·33	102·85	107·74	115·89	106·49	110·59	106·59	106·43	117·08
Cotton, Middling, Upland ...	100	95·35	89·15	89·92	82·17	86·04	79·84	75·04	74·88	91·47	76·74
No. 40 Mule Twist	100	96·92	97·44	92·31	87·70	89·74	91·29	93·34	89·74	89·74	89·74
Wool, South Down Hogs ...	100	98·19	99·27	77·81	92·91	88·80	90·90	87·65	90·13	89·91	89·91
Sugar, Manilla Muscovada ...	100	87·73	95·09	83·13	90·79	89·26	81·90	81·04	77·58	75·95	80·06
„ Mauritius	100	88·33	90·50	76·17	78·50	76·83	75·00	76·68	78·05	77·10	77·00
Coffee	100	94·82	128·06	109·47	101·38	111·40	111·40	112·12	115·20	111·68	106·56
Pepper	100	99·02	108·82	90·20	100·	91·18	83·33	80·00	74·61	74·41	72·55
Saltpetre, English, refined ...	100	...	86·21	71·12	81·90	91·59	88·15	88·36	91·85	91·63	89·63

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SUPPLEMENT No. 41.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 16th September 1876.

No. 607.—The services of Mr. L. McIver, of the Madras Civil Service, Assistant Commissioner in British Burma, are replaced at the disposal of the Government of Madras.

JUDICIAL.

The 22nd September 1876.

No. 1553.—In exercise of the power conferred by Section 3 of the Scheduled Districts Act, 1874, the Lieutenant-Governor of the North-Western Provinces is pleased, with the sanction of the Governor General in Council, to declare that so much of each enactment mentioned in the Schedule hereto annexed, as is in force in those parts of the North-Western Provinces which are not included in any Scheduled District, is in force likewise in the Tarái District.

2. Nothing herein contained shall be deemed to affect the operation of any enactment in force in the Tarái District, and not mentioned in the said Schedule.

SCHEDULE.

Number and year of Regulation or Act.	Subject.
Bengal Regulations.	
Regulation XVII of 1806	Redemption and foreclosure of mortgages.
Acts of the Governor General in Council.	
Act XVI of 1854	Police powers of Tahsíldárs.
„ XXXI of 1860 and VI of 1866	Arms.
„ XLV of 1860	Penal Code and Amendments.
„ XXVII of 1870	
„ XIX of 1872	
„ XVI of 1861	Stage Carriages.
„ XVI of 1863 and X of 1871	Excise.
„ VII of 1865	Forests.
„ X of 1865 and XIII of 1875	Succession and Probates and Letters of Administration.
„ XIV of 1866	Post-office.
„ III of 1867	Gambling.
„ XXII of 1867	Sarais and Paráos.
„ II of 1869	Justices of the Peace.
„ IV of 1869	Divorce Act.
„ XV of 1869	Prisoners' Testimony.
„ XVIII of 1869	General Stamp Act.
„ VII of 1870 and XX of 1870	Court Fees Act and Amendment.
„ X of 1870	Lands appropriation.
„ I of 1871	Cattle trespass.
„ VIII of 1871	Registration.
„ XVIII of 1871	Local rates.
„ XXVI of 1871	Land improvements.
„ I of 1872 and XVIII of 1872	Evidence.
„ III of 1872 and XV of 1872	Marriage.
„ IX of 1872	Contracts.
„ XI of 1872	Extradition.
„ X of 1873	Oaths.
„ XV of 1873	Municipalities.
„ XVI of 1873	Village and Road Police.
„ I of 1876	Telegraphs.

No. 1554.—In exercise of the power conferred by Section 5 of the Scheduled Districts Act, 1874, the Lieutenant-Governor of the North-Western Provinces is pleased, with the sanction of the Governor General in Council, to extend so much of each enactment mentioned in the Schedule hereto annexed as is in force in those parts of the North-Western Provinces which are not included in any Scheduled District, to the Tarái District.

SCHEDULE.

Number and year of Regulation or Act.	Subject.
Bengal Regulations.	
Regulation XXXVIII of 1793	Loans by Civilians.
„ I of 1798	Conditional sales of land.
„ X of 1804	Punishment of State offences by Court Martial.
„ XI of 1806	Passage of Troops.
„ XX of 1810	Camp followers.
„ V of 1817	Hidden treasure.
„ III of 1818	State prisoners.
„ VI of 1819	Ferries.
„ XI of 1822	Non-liability of Government for errors of Court.
„ VII of 1823	Loans to Civilians.
„ VI of 1825	Supplies for troops.
„ XI of 1825	Alluvion.
„ XX of 1825	Jurisdiction of Courts Martial.
„ XVII of 1829	Widow-burning.
„ XI of 1831	Police powers of Tahsíldárs.

Number and year of Regulation or Act.	Subject.
Acts of the Governor General in Council.	
Act XXXII of 1839	Interest.
„ XVIII of 1841	Exportation of Military stores.
„ V of 1843	Slavery.
„ XX of 1847	Copy-right.
„ XII of 1850	Security from Public Accountants.
„ XVIII of 1850	Protection of Judicial Officers.
„ XIX of 1850	Apprentices.
„ XXI of 1850	Abolition of religious disabilities.
„ XXXVII of 1850	Enquiries into behaviour of Public Servants.
„ XXXIII of 1852	Enforcement of Judgments (of High Courts).
„ XIX of 1853	Recusant witnesses.
„ XVIII of 1854 and XXV of 1871 ...	Railways.
„ XII of 1855	Executors and Administrators, &c.
„ XIII of 1855	Compensation for loss occasioned by death caused by actionable wrong.
„ XXVIII of 1855	Interest.
„ XXXIV of 1855	To amend Act XXXIII of 1852.
„ XV of 1856	Re-marriage of Hindu widows.
„ XX of 1856 and XXII of 1871	Chaukidárs.
„ XI of 1857	State offences.
„ XIII of 1857 and XXVI of 1872 ...	Opium.
„ III of 1858	State prisoners.
„ XXXV of 1858	Lunatics.
„ XXXVI of 1858	Lunatic Asylums.
„ XL of 1858	Minors.
„ IX of 1859	Claims to property seized as forfeited.
„ XIV of 1859, Section 15	Illegal dispossession.
„ XV of 1859	Patents.
„ XXVII of 1860	Collection of debts on succession.
„ XXXIV of 1860	Indemnity.
„ IX of 1861	Minors.
„ X of 1863	Religious Endowments.
„ XXIII of 1863	Claims to waste lands.
„ III of 1864	Foreigners.
„ VI of 1864	Whipping.
„ III of 1865	Carriers.
„ XV of 1865 and XXI of 1865	Párasís.
„ X of 1866	Companies.
„ XXI of 1866	Divorces of Converts.
„ XXV of 1867	Printing Presses, &c.
„ XXXI of 1867	Railway servants.
„ XXIV of 1868	Inoculation.
„ XIII of 1870	State Railways.
„ V of 1871	Prisoners.
„ XXVII of 1871	Criminal Tribes.
„ X of 1872 and XI of 1874	Criminal Procedure Code.
„ VIII of 1873	Canals.
„ II of 1874	Administrator General.
„ III of 1874	Married women's property.
„ IV of 1874	Foreign recruiting.
„ VI of 1874	Appeals to the Queen in Council.
„ IX of 1874	European vagrants.
„ VIII of 1875	Inland Customs.
„ IX of 1875	Majority.

No. 1555.—In exercise of the power conferred by Section 5 of the Scheduled Districts Act, 1874, the Lieutenant-Governor of the North-Western Provinces is pleased, with the sanction of the Governor General in Council, to extend Act XIX of 1873 (the North-Western Provinces Land Revenue Act) to the settled tracts of the Tarái District.

PATENTS.

The 21st September 1876.

No. 58.—Specifications of the undermentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secre-

tary to the Government of India in the Home Department at the Presidency, to public inspection upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying:—

No. 12 *of* 1876.—Mr. G. Dubern of Alipore, Government Telegraph Department, Electrician, for "An apparatus for the production of Ice."

No. 18 *of* 1876.—Mr. E. T. Hughes of 123, Chancery Lane, London, England, for "Improvements in apparatus for propelling or shunting railway rolling stock applicable also to other vehicles."

No. 48 *of* 1876.—Mr. G. E. L. Dawson of Rangoon, for "Working Earth Oil or Petroleum Wells by Horizontal Galleries, ventilation and reflected light."

No. 52 *of* 1876.—Mr. W. Jackson, Engineer, 103, Clive Street, Calcutta, India, for "An improved feeding and discharging action admitting of a continuous motion feeding Hopper for a Tea-leaf rolling machine."

No. 53 *of* 1876.—Mr. H. Bull, Engineer, Sahebgunge, Bengal, for "A Punkah-pulling machine."

No. 57 *of* 1876.—Mr. C. C. Coleman of the City and County of San Fransisco, State of California in the United States of America, for "Improvements in machines for dressing and cleaning Ramie and other fibre."

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.

COMMERCE AND TRADE.

Simla, the 20th September 1876.

No. 14 *of* 1876.—The following Notice is published for general information:—

NOTICE TO MARINERS.

Colombo—Ceylon.

Information has been received from the Colonial Government, Ceylon, to the following effect:—

Commanders of vessels are hereby cautioned not to pass between the black buoy (moored off the end of the break-water) and the end of the break-water in entering or leaving the port, as a stone mound is now being deposited there, and vessels might strike on it.

MARINE SURVEY DEPT.,
CALCUTTA,
5th September 1876.

A. DUNDAS TAYLOR,
Commander, late I. N.,
Superintendent, Marine Survey of India.

By Order,

T. C. HOPE,
Offg. Secretary to the Government of India.

This notice affects the following Admiralty charts:—

Ceylon Island, Colombo on the West to the South and South-East Coast No. 813; Bay of Bengal No. 70*a*.

If this notice is received on board ship the substance of it should be inserted on the charts affected by it, and introduced into the Sailing Directions to which it relates.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 19th September 1876.

No. 2124*P.*—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mons. LeRoy as Consul for Italy at Calcutta.

GENERAL.

The 20th September 1876.

No. 2047*G.*—*Appointment.*—Muhammad Shahabuddin, Khan Bahadoor, Attaché to the Resident at Hyderabad, to officiate temporarily as an Assistant Commissioner, 3rd class, in the Hyderabad Assigned Districts with effect from the date of receiving charge.

The 21st September 1876.

No. 2050*G.*—With reference to Notification No. 1924G., dated 1st September 1876, Mr. A. Mackenzie, Officiating Magistrate and Collector of Moorshedabad, is appointed to the temporary charge of the office of Agent to the Governor General at Moorshedabad, in addition to his other duties, with effect from the date of receiving charge until relieved by Captain W. J. W. Muir.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATION.

LEAVE AND ALLOWANCES.
(Travelling Allowance.)

Simla, the 22nd September 1876.

No. 3022.—The Governor General in Council is pleased to rule that whenever the actual personal fare, including freight of personal baggage only, paid by any officer in the receipt of a fixed monthly or daily travelling allowance, for a duly authorised journey on public duty, by rail, steamer, or other public conveyance, exceeds the amount of his fixed travelling allowance for the day on which the journey is made, he may for that day draw in lieu of his fixed allowances the travelling allowance to which he would have been entitled if he had no fixed travelling allowance.

The words "public conveyance" in this rule do not include a palanquin, carriage, boat, or other conveyance hired for the special use of the officer, but mean a conveyance which plies regularly for the carriage of passengers on the journey for which the charge is made.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 21st September 1876.

No. 974 *of* 1876.—In continuation of G. G. O. No. 215 of 1876, it is hereby notified that the Staff grade in the Department of Military Accounts will consist of seven Assistant Military Accountants, instead of six, as given in that order.

No. 975 *of* 1876.—The following promotions and alterations of rank are made in the warrant grades of the Army Commissariat Department:—

Promotions.

Rank and Names.	To what rank promoted.	From what date.	In whose room.
Permanent.			
Sub-Conductor and Officiating Conductor Terence O'Brien.	Conductor ..	2nd Sept. 1875.	Conductor D. Hutchins, pensioned.
Sergeant and Officiating Sub-Conductor Thomas Carroll.	Sub-Conductor	16th March 1876.	Sub-Conductor W Kane, pensioned.
Sergeant and Officiating Sub-Conductor George G. Reid.	Ditto ..	31st May 1876.	Sub-Conductor J. Pentland, deceased.
Temporary.			
Sergeant Henry Martin	Officiating Sub-Conductor.	Ditto.	Officiating Sub-Conductor G. G. Reid, confirmed in that grade.

Alterations of rank.

Rank and Names.	To rank from	In whose room.
Conductor John Meighan	18th May 1875	Conductor J. Ready, deceased.
Conductor James Simpson	8th June „	Conductor R. A. Dawson, retired.
Sub-Conductor Patrick Wallace.	18th May „	Sub-Conductor J. Meighan, promoted.
Sub-Conductor James Pentland (deceased).	8th June „	Sub-Conductor J. Simpson, promoted.
Sub-Conductor Thomas Radford.	2nd Sept. „	Sub-Conductor T. O'Brien, promoted.
Sub-Conductor James Stephens.	27th „ „	Sub-Conductor H. Strong, remanded.

No. 976 *of* 1876.—Lieutenant-Colonel Rowley Sale Hill, Bengal Infantry, is promoted to the rank of Colonel by brevet, from the 29th August 1876, under the operation of the Royal Warrant of the 21st December 1871, clause *c*, paragraph 13, subject to Her Majesty's approval.

No. 977 *of* 1876.—It is hereby notified that the provisions of G. G. O. No. 204 of 1876, are also applicable to all non-combatant officers of the Volunteer Forces in India.

No. 978 *of* 1876.—With reference to Home Department Notification No. 524, dated the 13th September 1876, the services of Apothecary J. N. White, Subordinate Medical Department, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 979 *of* 1876.—Surgeon George Hutcheson, M.D., Medical Department, Garrison Surgeon, Chunar, has been allowed furlough to Europe on medical certificate for two years under note I of Rule IX of the Regulations of 1868.

No. 980 *of* 1876.—Sergeant William McSeveney, late 1st Battalion, 14th Foot, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension of one shilling and eight pence per diem in India, from the date he ceases to receive regimental pay, chargeable to Imperial revenue.

No. 981 *of* 1876.—Major William Donnelly Palmer, Bengal Staff Corps, Wing Officer, 10th Regiment of Native Infantry, is allowed furlough to Europe for two years: seven days on private affairs under Rules IX and XV, and the remaining period on medical certificate under Rule XIV, Clause II of the Regulations of 1868.

The 22nd September 1876.

No. 982 *of* 1876.—Supernumerary Surgeon-Major Henry Seymour Smith, M.B., Medical Department, is brought on the establishment of Surgeons-Major to fill an existing vacancy.

No. 983 *of* 1876.—The services of the undermentioned Native Medical Pupils are dispensed with:—

Maldhani Opidiah, No. 1011.
Ram Pershad, No. 1030.
Mahomed Karamali, No. 1014.
Thanuram Das, No. 1013.
} Admitted by G. G. O. No. 1046 of 1875.

No. 984 *of* 1876.—With reference to G. G. O. No. 796 of 1876, Honorary Captain and Deputy Commissary E. Quin, Ordnance Commissariat Department, has been granted by the Right Hon'ble the Secretary of State for India a special pension of Rs. 300 per mensem, in lieu of that previously notified.

No. 985 *of* 1876.—Captain Thomas Francis Stillwell, Bengal Staff Corps, is permitted to proceed to Europe on furlough on private affairs for two years under Rules IX and XV of the Regulations of 1868.

No. 986 *of* 1876.—William McMahon, late 20th Brigade, Royal Artillery, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension of one shilling per diem in India from the date he ceases to receive regimental pay, chargeable to Imperial revenue.

No. 987 *of* 1876.—The undermentioned Hospital Assistants who have passed their septennial professional examinations are advanced to the next higher grade with effect from the dates specified against their respective names:—

Names.			Date of completion of 14 years' service.	Date of completion of 7 years' service.	Date of passing the professional examination.	Date of promotion.
To be 1st Class Hospital Assistants.						
Hyder Khan	A	...	8th April 1875	...	15th April 1876	15th April 1876
Akbur Khan		...	,, ,, ,,	...	20th Oct. 1875	20th Oct. 1875
Shaik Shubratee	B	...	,, ,, ,,	...	15th April 1876	15th April 1876
Asiff Zuman	A	...	14th ,, ,,	...	,, ,, ,,	,, ,, ,,
Abdoollah	C	...	31st July ,,	...	17th ,, ,,	,, ,, ,,
Wuzeer-ood-deen	D	...	,, ,, ,,	...	,, ,, ,,	,, ,, ,,
Shaik Kurreem Buksh		...	14th April 1876	...	,, ,, ,,	,, ,, ,,
Mahomed Yousuff	J	...	,, ,, ,,	...	15th ,, ,,	,, ,, ,,
Rujjub Allee	E	.	,, ,, ,,	...	17th ,, ,,	,, ,, ,,
Erfan Allee	F	...	,, ,, ,,	...	15th ,, ,,	,, ,, ,,
To be 2nd Class Hospital Assistants.						
Auhamud Hussain		...	...	22nd Sept. 1869	15th April 1876	15th April 1876
Jugroop	A	...	...	31st Mar. 1874	,, ,, ,,	,, ,, ,,
Sona Oollah Ahmed		...	...	15th July ,,	,, ,, ,,	,, ,, ,,
Toolsee Ram		..	...	26th Jan. 1875	26th ,, ,,	,, ,, ,,
Zakir Ally		...	...	14th April ,,	15th ,, ,,	,, ,, ,,
Mohmed Ufzul *		..	...	,, ,, ,,	17th ,, ,,	,, ,, 1875
Assa Ram	D	...	...	16th ,, ,,	15th ,, ,,	,, ,, 1876
Permanund		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Ram Sing		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Alla Deen		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Sedeq *	B	...	...	,, ,, ,,	,, ,, ,,	17th ,, 1875
Bhowany Sing		...	...	,, ,, ,,	17th ,, ,,	15th ,, 1876
Rohuth Ally *		...	...	,, ,, ,,	15th Oct. 1875	17th ,, 1875
Fyaz Buksh		...	...	24th June ,,	,, ,, ,,	25th June ,,
Nihal Chund		...	...	31st July ,,	15th April 1876	15th April 1876
Ameer Allee		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Abdool Samud	E	...	...	10th Oct. ,,	,, ,, ,,	,, ,, ,,
Abdool Rehman	F	...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Mahtab Shah		...	...	7th Dec. ,,	,, ,, ,,	8th Dec. 1875
Khobeer Oodeen		...	...	12th Jan. 1876	,, ,, ,,	13th Jan. 1876
Abdool Nyem	D	...	...	8th Feb. ,,	27th ,, ,,	9th Feb. ,,
Ruheem Bux		...	...	10th April ,,	17th ,, ,,	11th April ,,
Mohmed Yar Khan	G	...	...	,, ,, ,,	15th ,, ,,	,, ,, ,,
Ruheembodeen		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Salamut Allie		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Mohmed Nafees	I	...	...	,, ,, ,,	17th ,, ,,	,, ,, ,,
Ausgur Hoossein		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Mahboob Khan		...	...	,, ,, ,,	18th ,, ,,	,, ,, ,,
Atta Rasool Khan		...	...	,, ,, ,,	15th ,, ,,	,, ,, ,,
Babur Khan		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Emamood Deen		...	...	,, ,, ,,	17th ,, ,,	,, ,, ,,
Nonneeth	A	...	...	15th ,, ,,	,, ,, ,,	16th ,, ,,
Gholam Mahomed		...	...	,, ,, ,,	,, ,, ,,	,, ,, ,,
Alla Ahmed	H	...	...	,, ,, ,,	15th ,, ,,	,, ,, ,,

A. Passed an examination in English, *vide* G. G. O. No. 968 of 1870.
B. ,, ,, ,, ,, No. 913 of 1871.
C. ,, ,, ,, ,, No. 926 of 1875.
D. ,, ,, ,, ,, No. 729 of 1871.
E. ,, ,, ,, ,, No. 66 of 1874.
F. ,, ,, ,, ,, No. 1310 of 1875.
G. ,, ,, ,, ,, No. 242 of 1872.
H. ,, ,, ,, ,, No. 594 of 1875.
I. ,, ,, ,, ,, No. 974 of 1874.
J. ,, ,, ,, on the 15th April 1876.

NOTE.—The three men opposite whose names an asterisk is put were prevented by the necessities of the service from appearing before the half-yearly committees convened on the first date after the completion of their septennial periods.

No. 988 *of* 1876.—First Class Assistant Apothecary S. Saxon, Subordinate Medical Department, is granted an extension of leave to the 17th December 1875, the date on which he returned to India from the furlough to Europe granted him by G. G. O. No. 166 of 1874.

No. 989 *of* 1876.—Captain Herbert Henry Paterson Cowper, General List, Cavalry, Military Accountant, 2nd Class, 2nd Grade, is permitted to proceed to Europe on furlough on private affairs for twenty months under Rules IX and XV of the Regulations of 1868.

No. 990 *of* 1876.—*Appointments*—

Garrison Instruction Staff.

Lieutenant G. Henry, Assistant Garrison Instructor, to be Garrison Instructor, *vice* Captain C. H. Walsh, who resigns, 15th October 1876.

Captain H. Gunter, 73rd Foot, to be Assistant Garrison Instructor, *vice* Captain G. Firebrace, who resigns, 25th September 1876.

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2. This order does not apply to Officers who were admitted to the Staff Corps on and after the 1st July 1868.

No. 992 *of* 1876.—The following Royal Warrant, dated the 1st September 1875, is declared applicable to European Non-Commissioned Officers and men of the Indian Army and Unattached List, and published for general information:—

Royal Warrant—Medals and Gratuities for Long Service and Good Conduct.

VICTORIA R.

WHEREAS WE deem it expedient to revise the Regulations which at present govern the issue of Medals and Gratuities for Long Service and Good Conduct awarded to Non-Commissioned Officers and Soldiers of Our Army on discharge, OUR WILL AND PLEASURE IS that Articles 896 to 910 of Our Warrant of 27th December 1870 be cancelled, and that the following Regulations be substituted in lieu thereof:

1. A silver medal, having on one side the words "For Long Service and Good Conduct," and on the other side Our Royal Arms, with the name and rank of the soldier, shall be presented in Our name by the Commanding Officer on parade, to each soldier awarded a gratuity, and shall be worn by him, as an honourable testimonial of Our approbation of his conduct.

2. A gratuity, the amount of which shall be fixed by Our Secretary of State for War, from time to time, but not exceeding Five Pounds in amount, shall be granted, on the recommendation of Our Commander-in-Chief, in addition to ordinary pension on discharge, to Non-Commissioned Officers on the Staff of Our Army, to Non-Commissioned Officers and Men of European Regiments, and to European Non-Commissioned Officers of Black Regiments, who shall have served in Our Army for 18 years with an irreproachable character, and either shall not have been convicted by a Court-Martial during that period, or shall have been relieved from the consequences of such conviction under the circumstances specified in Article 5.

3. A gratuity, the amount of which shall be fixed by Our Secretary of State for War, from time to time, but not exceeding Three Pounds in amount, shall be granted, on the same conditions, in addition to ordinary pension on discharge, to Non-Commissioned Officers, not being Europeans, and Men of Black Regiments.

4. Non-Commissioned Officers and Men who may have distinguished themselves by the display of zeal and brilliant gallantry in Our Service, shall be eligible for these gratuities, although their cases do not strictly fulfil the conditions specified in Article 2.

5. A Non-Commissioned Officer convicted by Court-Martial and reduced to the ranks for any other offence than those specified in the 81st and 168th Articles of War (1875) shall be relieved of the consequences of such conviction as affecting his claim to be recommended by Our Commander-in-Chief for the gratuity and Medal after a probation of five years' continuous good conduct from the date of reduction.

6. An Army Schoolmaster shall not be entitled to the Gratuity, but he shall be entitled to the Medal for Long Service and Good Conduct.

7. If the soldier to whom such gratuity is awarded be still serving in Our Army, such gratuity shall, with the sanction of Our Secretary of State, be deposited in the Regimental Savings' Bank. It shall there accumulate at interest until the discharge of the soldier entitled thereto, but it shall be subject to forfeiture by desertion or on the sentence of a General, Garrison, or District Court-Martial, or by a conviction for felony in a Court of Criminal Judicature. The gratuity, with all accumulations, shall be paid to the soldier entitled thereto upon his discharge, or (if he shall die prior thereto), to his legal representatives. If the soldier to whom such gratuity is awarded shall not still be serving, it shall be issued to him at once by Our Secretary of State.

8. Our Commander-in-Chief will notify to Our Secretary of State the names of the soldiers to whom these gratuities and medals shall be awarded in order that he may sanction the investment of the amount of the gratuity in the Regimental Savings' Banks, and Our Secretary of State, upon receiving notice of the approaching discharge of a soldier with such gratuity and medal will, when practicable, notify to the parish to which he belongs the honourable distinction which has been conferred upon him.

9. A soldier in possession of a medal and gratuity for Long Service and Good Conduct who shall receive a commission or be awarded an annuity under Article 892 of Our Warrant of 27th December 1870, shall, in the former case, surrender the gratuity only, and in the latter both the medal and the gratuity; but he shall be entitled to receive the accumulated interest thereof up to the end of the month preceding that in which he received his commission or his annuity.

10. In the case of a gratuity relinquished under the provisions of Article 9, or forfeited under the

provisions of Article 7, some other deserving soldier or soldiers of the same Corps, serving in the year in which the medal and gratuity were originally awarded, and who, having fulfilled the required conditions as to service and character in that year, have since been discharged, may be recommended by Our Commander-in-Chief for a medal and gratuity.

11. Non-Commissioned Officers and Drummers on the Permanent Staff of the Militia and Yeomanry, and Serjeant Instructors of Volunteers, who were eligible previously to their discharge from Our Army for the Medal with gratuity, shall, after a period of 12 months in any of the above-mentioned services, be eligible at any time during their remaining service therein, for Medals with gratuities. Staff Serjeants and Quartermaster Serjeants of Pension Districts, Staff Serjeants of Recruiting Districts, Staff Clerks, Barrack Serjeants, and other Pensioners employed under military control, in equally responsible appointments, shall, if otherwise qualified, be also eligible for medals with gratuities after 12 months' service in such appointments respectively, on the recommendation of their immediate military superior, to Our Commander-in-Chief.

12. A gratuity for distinguished service in the field, which may have been forfeited by desertion, may be restored, but without interest, to the soldier on his being pardoned, and allowed to wear the Medal which accompanied the gratuity.

Given at Our Court at Osborne, this 14th day of August 1875, in the 39th Year of Our Reign.

By Her Majesty's Command,

GATHORNE HARDY.

No. 993 *of* 1876.—Under the authority of the Right Hon'ble the Secretary of State for India, His Excellency the Governor General in Council is pleased to confer the honorary rank of Lieutenant in the 1st Bengal Cavalry on Mr. Alexander Van Cortlandt Skinner.

Lieutenant Skinner will not be attached to the 1st Bengal Cavalry for duty, but will be borne on the returns as an honorary Lieutenant, and be permitted to wear the uniform of the regiment.

No. 994 *of* 1876.—The services of Veterinary Surgeon R. F. Frost, Royal Artillery, are placed at the disposal of the Department of Revenue, Agriculture and Commerce.

No. 995 *of* 1876.—The following promotions are made in the undermentioned Corps from the dates specified:—

12th Bengal Cavalry.

Kote Duffadar Mahtab Ali Khan to be Jemadar, *vice* Wuzeer Mahomed Khan, invalided—1st May 1876.

3rd Regiment of Native Infantry.

Subadar Sheck Muhboob to be Subadar-Major, *vice* Khoosial Tewarry, invalided.
Jemadar Oomrao Misser to be Subadar, *vice* Khoosial Tewarry, invalided.
Havildar Seetul Persad Dilchit to be Jemadar, *vice* Oomrao Misser, promoted.
} 1st May 1876.

4th Regiment of Native Infantry.

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5th Regiment of Native (Light) Infantry.

Havildar Kawul Singh to be Jemadar, *vice* Girdhari Singh, promoted, by transfer, to the 10th Native Infantry—26th August 1876.

15th (The Loodianah) Regiment of Native Infantry.

Jemadar Jeewun Singh to be Subadar, *vice* Huree Singh, invalided.
Havildar Anoke Singh to be Jemadar, *vice* Jeewun Singh, promoted.
Havildar Dowlut Singh to be Jemadar, *vice* Soondur Singh, invalided.
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2. The 1st, 2nd and 3rd circles will remain unaltered.

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4. The troops and Volunteers of the Sirhind division with those at Roorkee, Delhi, Ferozepore, and Dharmsála, will be embraced in the 5th circle, Head Quarters, Umballa.

5. The remaining troops and Volunteers of the Lahore division and those of Sialkot and Jhelum in the Rawal Pindi division, will compose the 6th circle, Head Quarters, Meean Meer.

6. The Deputy Assistant Adjutant General for Musketry, 6th circle, now at Rawal Pindi will, with his office, be removed to Meean Meer.

7. The troops and Volunteers of the Peshâwar district and remaining stations of the Rawal Pindi division will compose the 7th circle, Head Quarters, during the winter, Peshâwar; for the summer, with the Head Quarters, Rawal Pindi division. No expense in periodical transfer of Head Quarters is to be incurred.

8. The Punjab Frontier Force, with all Volunteers at stations garrisoned by that force, will form the 8th circle, Head Quarters, Abbottabad.

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Musketry Instruction Staff.

Captain J. M. Mure, 34th Foot, to be Deputy Assistant Adjutant General for Musketry, from the 1st October 1876, to complete the establishment.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

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4. The troops and Volunteers of the Sirhind division with those at Roorkee, Delhi, Ferozepore, and Dharmsála, will be embraced in the 5th circle, Head Quarters, Umballa.

5. The remaining troops and Volunteers of the Lahore division and those of Sialkot and Jhelum in the Rawal Pindi division, will compose the 6th circle, Head Quarters, Meean Meer.

6. The Deputy Assistant Adjutant General for Musketry, 6th circle, now at Rawal Pindi will, with his office, be removed to Meean Meer.

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H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 18th September 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers, on the dates specified, were received in the Military Department from 9th to 15th September 1876 :—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	Remarks.
Her Majesty's 73rd Foot.	Sub-Lieutenant R. T. Barter ...	3rd Sept. 1876	Near Solon.		
Royal Artillery ...	Captain J. A. Loch ...	7th „ „	Jubbulpore.		
Madras Medical Establishment.	Surgeon A. A. Thomas ...	14th Aug. „	Banda.		
Subordinate Medical Department, Bengal.	Apothecary J. Pitts ...	26th July „	Akola.		

Statement of Deposits on account of Estates from 3rd to 15th September 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					*Rs. a. p.*		
Thomas Boydell (a) ...	Lieutenant (local Capt.)	39th Foot...	15th June 1876.	Testate ...	3,849 1 7		

(a) *Next-of-kin.*—Father, John Boydell, Esq., Rossett, Wrexham, Denbighshire.
Executors.—Brother, Richard Golightly Boydell, Esq. Half-brother, James Sidney Boydell, Esq, Rossett, Wrexham.—Administrator General, Bengal, administering.

ALLEN JOHNSON, *Colonel,*
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 16th September 1876.

No. 390.—Mr J. Sullivan, Probationary Accountant, 3rd Grade, attached to the Office of the Examiner, Guaranteed Railway Accounts, Calcutta, is confirmed in his appointment.

The 18th September 1876.

No. 391.—The services of Mr. T. P. S. Crosthwaite, Executive Engineer, 3rd Grade, Punjab Irrigation Branch, are placed temporarily at the disposal of the Foreign Department, with effect from the date on which he may be relieved of his present duties.

The 19th September 1876.

No. 392.—Mr. (late Private) E. Lund, Accountant, 4th Grade, now attached to the Office of Director, State Railways, having obtained his discharge from the army on the 21st September 1874, is re-appointed as a civilian in the same grade with effect from that date.

No. 393.—The following Financial Department Notification is re-published for information and guidance. All Military Officers in the Public Works Department should be advised of the necessity of making timely applications to the Military Department of the Presidency concerned for the certificates prescribed by the Notification :—

FINANCIAL DEPARTMENT.

NOTIFICATION.

LEAVE AND ALLOWANCES.

Simla, the 7th July 1876.

No. 1392.—The Governor General in Council directs the substitution of the following for Rule 2 (*a*) in Chapter XI of the Civil Leave Code :—

2 (*a*). A Military Officer in civil employ proceeding on furlough cannot obtain a last-pay certificate until he submits to the Accountant General a certificate by the Military Department of the Presidency to which he belongs, in Form A, B or C (as the case may be) contained in Appendix C.

The Governor General in Council also directs that the following be inserted as Appendix C to the Civil Leave Code :—

Appendix C.

FORM A.

OBVERSE.

Furlough Rules of 1854.

Certified that A. B. has years months days' furlough on private affairs at his credit, and is under the Furlough Rules of 1854.

A. B. is eligible for such furlough for years months days on English furlough pay, and to such extension on medical certificate without pay, as may be granted.

Should A. B. proceed on medical certificate, he will be eligible for furlough for twenty months on pay in the first instance, drawing for the first six months Indian pay (or pay and allowances) and half staff salary, and for the remaining fourteen months English furlough pay. Extension of this leave up to three years in all on English furlough pay can be given on medical certificate, but any further extension will be without pay.

MILITARY DEPARTMENT; }
The 187 . } *Secy. to the Govt. of*

NOTE.—On the back is noted the date of beginning and ending of any leave already taken, the nature of such leave, and the rule under which it was taken.

Reverse.

LEAVE ALREADY TAKEN.		Nature of leave.	Rule under which taken.
Date of beginning.	Date of ending.		

FORM B.

OBVERSE.

Furlough Rules of 1868.

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

A. B. is eligible for furlough on "furlough pay" up to years months days in all, on private affairs, also to years months days more, if granted an extension on medical certificate.

But no pay can be granted to A. B. under any circumstances after he has been three years absent.

MILITARY DEPARTMENT; }
The 187 . } *Secy. to the Govt. of*

NOTE.—(As in Form A).

Reverse.

(As in Form A).

FORM C.

OBVERSE.

Furlough Rules of 1868.—*Rule XI.*

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

Not being eligible for ordinary furlough.

A. B. can only obtain it under Rule XI for a period not exceeding six months on pay equivalent to the British regimental pay of his rank.

This furlough cannot be extended beyond six months except on medical certificate, on the same pay and for such periods as the Secretary of State may think fit. But any extension allowed after three years' absence must be without pay.

MILITARY DEPARTMENT; }
The 187 . } *Secy. to the Govt. of*

NOTE.—(As in Form A).

Reverse.

(As in Form A).

R. B. CHAPMAN,
Secy. to the Govt. of India.

No. 394.—Baboo Tarabur Mitter, Probationary Accountant, 4th Grade, attached to the Northern Bengal State Railway, is dismissed from his appointment in the Public Works Department.

No. 395.—The undermentioned Accountants, 4th Grade, on probation, in Assam, are confirmed in their appointments:—

Mr. W. C. Phillips.
Baboo Kirti Ram Borooah.

The 21st September 1876.

No. 396.—Captain G. T. Skipwith, R. E., Assistant Secretary to the Government of India, Public Works Department, is granted subsidiary leave not exceeding 30 days under Sections 18 (*a*) and 20 (*d*) 1 of the Civil Leave Code, with effect from the 1st October 1876, or such subsequent date as he may avail himself of it.

C. H. DICKENS, *Col., R. A.,*
Secy. to the Govt. of India.

The Gazette of India,

EXTRAORDINARY.

Published by Authority.

SIMLA, TUESDAY, SEPTEMBER 26, 1876.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 26th September 1876.

His Excellency the Viceroy and Governor General will leave Simla on Tuesday the 10th October 1876 upon his autumn tour.

His Excellency will visit Cashmere, Peshawur, Lahore, Mooltan, Bhawulpore, Sind, Kurrachee and Bombay, and return to Delhi on the 23rd December 1876, where he will hold an Imperial Assemblage.

By Command,

G. POMEROY COLLEY, *Colonel,*
Military Secretary to the Viceroy.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 40. SIMLA, SATURDAY, SEPTEMBER 30, 1876. Register No. 33.

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

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 26th September 1876.

His Excellency the Viceroy and Governor General will leave Simla on Tuesday the 10th October 1876 upon his autumn tour.

His Excellency will visit Cashmere, Peshawur, Lahore, Mooltan, Bhawulpore, Sind, Kurrachee and Bombay, and return to Delhi on the 23rd December 1876, where he will hold an Imperial Assemblage.

By Command,

G. POMEROY COLLEY, *Colonel*,
Military Secretary to the Viceroy.

PRIVATE SECRETARY'S OFFICE.

NOTICE.

Simla, the 29th September 1876.

All covers intended for His Excellency the Viceroy and Governor General and party during His Excellency's tour through Cashmere, Peshawur, Kurrachee, Bombay and Delhi should be addressed "Governor General's Camp" without the addition of any Post Town.

O. T. BURNE, *Lieut.-Col.*,
Private Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 27th September 1876.

No. 625.—Under the provisions of the Act of Parliament 24 and 25 Vic., Cap. 104, Section 7, the Governor General in Council has been pleased to appoint Baboo Romesh Chunder Mitter, B. L., to act as a Judge of the High Court of Judicature at Fort William in Bengal in the vacancy caused by the death of the late Mr. F. A. B. Glover.

No. 626.—Under the provisions of the Act of Parliament 24 and 25 Vic., Cap. 104, Section 7, the Governor General in Council has been pleased to appoint Mr. W. F. McDonell, V. C., of the Bengal Civil Service, to act as Additional Judge of the High Court of Judicature at Fort William in Bengal in the room of Baboo Romesh Chunder Mitter appointed to act in the vacancy caused by the death of the late Mr. F. A. B. Glover.

Mr. McDonell took his seat in the High Court on the forenoon of the 14th ultimo.

The 28th September 1876.

No. 628.—Leave of absence during the Doorga Poojah vacation of the High Court of Judicature at Fort William in Bengal is granted to the Hon'ble G. C. Paul, Officiating Advocate General for Bengal, under Clause III, Section 5 of the Rules published under Financial Department Notification No. 2788, dated 2nd December last.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 28th September 1876.

No. 2205*P.*—With reference to Notification No. 967P., dated 21st April 1876, the recognition by the Government of India of the appointment of Mons. Eydin as Consul General for France at Calcutta, has been confirmed by Her Majesty's Government.

GENERAL.

The 26th September 1876.

No. 2093*G.*—Captain C. Ransford, Adjutant, Bhopal Battalion, to officiate as 2nd in Command, in addition to his own duties, with effect from the date of receiving charge, *vice* Major Bates.

The 28th September 1876.

No. 2108*G.*—Lieutenant N. F. F. Chamberlain, Officiating 2nd Squadron Subaltern, 2nd Regiment, Central India Horse, on probation, is granted 3 months' leave of absence to proceed to Bombay for the purpose of passing an examination in the Native languages.

The 29th September 1876.

No. 2110*G.*—The services of Colonel G. B. Malleson, C.S.I., Guardian to His Highness the Maharaja of Mysore, are placed at the disposal of the Military Department with effect from 6th September 1876.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 29th September 1876.

No. 3144.—Privilege leave for twenty-nine days beginning on the 4th October 1876 is granted to Mr. H. A. Mangles, B. C. S., Accountant General, Bengal.

Mr. E. W. Kellner is appointed to officiate as Accountant General, and Mr. F. deH. Larpent is appointed to officiate as Deputy Accountant General, Bengal, during the absence, on privilege leave, of Mr. Mangles, or until further orders.

Mr. Kellner received charge of the Office of Accountant General, Bengal, from Mr. Mangles, after noon, on the 21st September 1876.

No. 3163.—*Bills drawn upon India by the Secretary of State*, 1876-77.

	£	Rs.	Average rate.	Loss compared with outturn at an exchange of 2s. the rupee.
Estimated for the whole year.	13,660,000	15,99,20,000	1s. 8·5d.	2,28,20,000
In the month of September 1876.	1,153,227	1,40,00,000	1s. 7·77d.	24,67,730
First six months ..	6,257,432	7,56,57,944	1s. 7·85d.	1,30,38,[illegible]
Remains to make estimate good.	7,402,568	8,42,62,056	1s. 9·00d.	1,02,36,[illegible]

Estimated expenditure in excess of the cost at 2s. the rupee in raising £6,257,432 @ 1s. 8·5d. ...	Rs.	1,06,82,[illegible]
Actual expenditure in excess of the cost at 2s. the rupee in raising £6,257,432 @ ...	,,	1,30,83,[illegible]
Expenditure in excess of estimate ...	Rs.	24,01,[illegible]

No. 3172.—*Cash balances in the Government Treasuries in India on the last day of the month of August* 1876, *compared with those on the same date in* 1875 *and* 1874:—

	1874.	1875.	1876.
	Rs.	Rs.	Rs.
Govt. of India	3,81,12,872	3,45,23,509	3,24,49,207
Bengal ...	1,95,06,397	1,82,95,065	1,05,43,074
Assam ...	21,14,427	34,08,014	31,32,282
British Burmah	28,20,648	35,66,282	30,73,720
N.-W. Provinces	1,78,75,918	2,23,12,615	2,24,97,408
Oudh ...	43,96,906	65,99,579	60,08,393
Punjab ...	1,37,04,734	1,27,53,687	1,34,29,955
Bombay ...	1,73,61,236	1,73,47,775	2,41,21,737
Central Provs.	44,88,092	46,74,522	45,51,973
Madras ...	1,97,66,962	2,53,92,874	1,66,74,327
TOTAL ...	14,01,48,192	14,88,73,922	13,64,82,076

LEAVE AND ALLOWANCES.

The 29th September 1876.

No. 3147.—The Governor General in Council is pleased to direct that the following be inserted as Rule 9 under Section 18 of the Civil Leave Code:—

An order by a Local Government granting to an officer, proceeding on furlough or special leave, "the usual subsidiary leave" must be understood to cover subsidiary leave under clause (*b*) as well as under clause (*a*), and, if with reference to the note at the head of the chapter, the Local Government limits the subsidiary leave of an officer under clause (*a*), the same limitation will, in the absence of further orders, apply to his subsidiary leave under clause (*b*).

PENSIONS AND GRATUITIES.

The 29th September 1876.

No. 3141.—The Governor General in Council directs that the following be inserted as Rule 12 under Section 35 of the Civil Pension Code:—

If an officer is, under this chapter, transferred from qualifying service to substantive service under a Native State, Municipality or other body financially independent of the Government of India, it must be arranged that he does not forfeit a lien upon his substantive office under the British Government which his *locum tenens* should hold substantively for the time only, under Section 4 of the Acting Allowance Code.

An officer so transferred cannot return to acting service under the British Government without reverting also to his substantive office under the British Government, the *locum tenens* of this office, thereupon, falling back on acting allowances. No officer, while acting in any appointment under the British Government, or the pay of which is regulated by the British Government, is entitled to allowances on account of any office under a Native State, Municipality or other body financially independent of the Government of India. But there is no objection to his being permitted to retain a lien upon such an office, or to the actual incumbent being appointed thereto, during his absence, substantively for a time only.

No. 3160.—The Governor General in Council directs that the following be substituted for Section 50 (*c*) of the Civil Pension Code:—

If he is a superior officer serving in the interior of the country under such circumstances that, in the opinion of the Local Government, he can be conveniently required to appear before a periodical military invaliding Committee;—by such Committee.

MINT AND CURRENCY.

The 29th September 1876.

No. 3162.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year* 1876.

	Bullion or Coin received		Coined and examined.
	From Government.	From Merchants.	
In the month of August.	Rs.	Rs.	Rs.
Calcutta	5,231	65,003	3,76,23[illegible]
Bombay	3,000	7,85,482	20,99,47[illegible]
TOTAL ..	8,231	8,50,485	29,75,71[illegible]
First eight months.			
Calcutta	1,47,352	90,24,065	45,56,46[illegible]
Bombay	11,269	2,07,13,292	3,16,64,06[illegible]
TOTAL ..	1,58,621	2,97,37,357	3,62,19,46[illegible]

Imports and Exports of Gold and Silver during the calendar year 1876.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net Exports.	Imports.	Exports.	Net Exports.	Imports.	Exports.	Net Exports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of August ..	6,70,060	33,55,750	26,85,690	32,45,560	37,55,200	5,09,640 Net Imports	39,15,620	71,10,950	31,95 330 Net Imports
First eight months ..	86,36,590	1,01,89,280	15,52,690	4,10,61,760	1,56,95,190	2,53,66,570	4,96,98,350	2,58,84,470	2,38,13,880

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 26th September 1876.

No. 998 *of* 1876.—His Excellency the Governor General in Council is pleased to sanction an exchange between Lieutenant Benjamin Horatio Pollard, Bengal Staff Corps, and Lieutenant Alfred Fox Cotton, Madras Staff Corps, subject to the approval of the Right Hon'ble the Secretary of State for India.

No. 999 *of* 1876.—Lieutenant-Colonel Edwin Venour, of Infantry, 2nd in Command and Wing Officer, 5th Regiment of Native (Light) Infantry, has been permitted to proceed to Europe on furlough on private affairs for one year under Rules IX and XV of the Regulations of 1868.

No. 1000 *of* 1876.—Supernumerary Surgeon-Major Charles Cameron, Medical Department, is brought on the establishment of Surgeons-Major to fill an existing vacancy.

No. 1001 *of* 1876.—The undermentioned Hospital Assistants passed their English qualification examination according to the test laid down in G. G. O. No. 945 of 1868:—

Names.	Date of rank.	Date of passing.
1st Class Hospital Assistant.		
Muzhur Allee ...	7th April 1857	7th Aug. 1876.
2nd Class Hospital Assistants.		
Busharut Ollah ...	9th Jan. 1866	15th June 1876.
Abdoolla Khan ...	12th Feb. 1867	16th May 1876.
3rd Class Hospital Assistants.		
Kefayutoollah Khan ...	11th April 1870	20th July 1876.
Luchman Doss ...	21st Feb. 1876	14th Aug. 1876.

No. 1002 *of* 1876.—First Class Hospital Assistant Sheik Najeeb Ally, attached to the Office of the Commissioner of Chota Nagpur, is granted a pension of Rs. 30 per mensem, payable in the Presidency circle.

No. 1003 *of* 1876.—The undermentioned Officer of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Benjamin George Vander Gucht, Bengal Staff Corps,—20th September 1876.

No. 1004 *of* 1876.—The undermentioned Officer of the Bengal Staff Corps, having completed 20 years' service, is promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain George Stewart,—20th September 1876.

No. 1005 *of* 1876.—The following promotion by Brevet is made from the date specified, under the operation of G. G. O. No. 632 of the 4th August 1864, paragraph 69, subject to Her Majesty's approval:—

To be Major.

Captain Henry Phipson Peacock, late 3rd European Light Cavalry,—20th September 1876.

No. 1006 *of* 1876.—With the sanction of Her Majesty's Government, and in conformity with the practice in England, the following reductions in the musketry instruction staff of British Infantry regiments in India will be carried out, prospectively as vacancies occur among present incumbents.

2. The Assistant Officer Instructor will draw only horse allowance Rs. 30 per mensem during the annual course. The appointment of Sergeant Assistant Instructors will be abolished.

3. This order is applicable to the three Presidencies.

The 28th September 1876.

No. 1007 *of* 1876.—His Excellency the Governor General in Council is pleased, with the sanction of Her Majesty's Government, to publish the following revised tables of pay for British soldiers serving in India, in substitution of the rates published in the orders marginally noted. In other respects the provisions of those orders will continue in force:—

G. G. O. No. 96 of 1874, paragraph 2.
Ditto „ 1211 of 1874.
Ditto „ 191 of 1875.

New Pay Tables for the British Forces in India.

Rank.		For a month of 28 days. On appointment.	28 days. After two years' service in rank of Sergeant, Bombardier and Corporal.	29 days. On appointment.	29 days. After two years' service in rank of Sergeant, Bombardier and Corporal.	30 days. On appointment.	30 days. After two years' service in rank of Sergeant, Bombardier and Corporal.	31 days. On appointment.	31 days. After two year's service in rank of Sergeant, Bombardier and Corporal.
HORSE ARTILLERY.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Sergeant-Major ...	G	72 2 10	...	74 12 1	...	77 5 4	...	79 14 7	...
	N	70 13 10	...	73 6 4	...	75 14 10	...	78 7 4	...
Quartermaster-Sergeant ...									
Sergeant Instructor of Gunnery	G	59 11 9	62 3 7	61 13 10	64 7 1	64 0 0	66 10 8	66 2 2	68 14 3
Battery Sergeant-Major ... / Quartermaster Sergeant.	N	58 6 9	60 14 7	60 8 1	63 1 4	62 9 6	65 4 2	64 10 11	67 7 0
Orderly-Room Sergeant* ...									
Armourer Sergeant ...	G	46 0 9	48 8 6	47 11 0	50 4 3	49 5 4	52 0 0	50 15 8	53 11 9
Trumpet-Major ...	N	44 11 9	47 3 6	46 5 3	48 14 6	47 14 10	50 9 6	49 8 5	52 4 6
Hospital Sergeant ...									
Sergeant ...									
Trumpeter ...	G	29 13 10	...	30 14 11	...	32 0 0	...	33 1 1	...
Collar-Maker ...	N	28 8 10	...	29 9 2	...	30 9 6	...	31 9 10	...
Wheeler ...									
Farrier Sergeant and Carriage Smith.	G	52 4 3	54 12 1	54 2 2	56 11 5	56 0 0	58 10 8	57 13 10	60 9 11
	N	50 15 3	53 7 1	52 12 5	55 5 8	54 9 6	57 4 2	56 6 7	59 2 8
Corporal ...	G	34 13 6	36 1 5	36 1 5	37 6 1	37 5 4	38 10 8	38 9 3	39 15 3
	N	33 8 6	34 12 5	34 11 8	36 0 4	35 14 10	37 4 2	37 2 0	38 8 0
Bombardier ...	G	32 5 8	33 9 7	33 8 2	34 12 9	34 10 8	36 0 0	35 13 2	37 3 2
	N	31 0 8	32 4 7	32 2 5	33 7 0	33 4 2	34 9 6	34 5 11	35 11 11
Acting Bombardier ...	G	31 1 9	...	32 3 7	...	33 5 4	...	34 7 1	...
	N	29 12 9	...	30 13 10	...	31 14 10	...	32 15 10	...
Shoeing and Carriage Smith ...	G	32 5 8	...	33 8 2	...	34 10 8	...	35 13 2	...
	N	31 0 8	...	32 2 5	...	33 4 2	...	34 5 11	...
Gunner ...	G	19 14 7	...	20 9 11	...	21 5 4	...	22 0 9	...
	N	18 9 7	...	19 4 2	...	19 14 10	...	20 9 6	...
Driver ...	G	18 10 8	...	19 5 4	...	20 0 0	...	20 10 8	...
	N	17 5 8	...	17 15 7	...	18 9 6	...	19 3 5	...
Boys, until they attain the age of 15.	G	11 3 2	...	11 9 7	...	12 0 0	...	12 6 5	...
	N	9 14 2	...	10 3 10	...	10 9 6	...	10 15 2	...
FIELD AND GARRISON ARTILLERY.									
Sergeant-Major ...	G	69 11 0	...	72 2 10	...	74 10 8	...	77 2 6	...
	N	68 6 0	...	70 13 1	...	73 4 2	...	75 11 3	...
Quartermaster Sergeant ...									
Sergeant Instructor of Gunnery.	G	57 3 11	59 11 9	59 4 7	61 13 10	61 5 4	64 0 0	63 6 1	66 2 2
Field Battery Sergeant-Major / Quartermaster Sergeant.	N	55 14 11	58 6 9	57 14 10	60 8 1	59 14 10	62 9 6	61 14 10	64 10 11
Battery Sergeant-Major of Garrison Artillery.	G	51 0 4	53 8	52 13 6	55 6 9	54 10 8	57 5 4	56 7 10	59 3 11
	N	49 11 4	52 3 2	51 7 9	54 1 0	53 4 2	55 14 10	55 0 7	57 12 8
Orderly-Room Sergeant† ...	G	43 8 11	46 0 9	45 1 9	47 11 0	46 10 8	49 5 4	48 3 7	50 15 8
	N	42 8 11	44 11 9	43 12 0	46 5 3	45 4 2	47 14 10	46 12 4	49 8 5

NOTE.—{G. Gross pay without any deduction. N. Net pay, i. e., gross pay, *minus* nine pies per diem for grocery ration.

		For a month of 28 days.	29 days.	30 days.	31 days.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
* After three years' uninterrupted service as Orderly-Room Sergeant (including the additional pay given after two years' service in the rank of Sergeant).	G	56 0 0	58 0 0	60 0 0	62 0 0
	N	54 11 0	56 10 3	58 9 6	60 8 9
After five years' uninterrupted service as Orderly-Room Sergeant (including the additional pay given after two years' service in the rank of Sergeant).	G	56 7 10	60 9 3	62 10 8	64 12 1
	N	57 2 10	59 3 6	61 4 2	63 4 10
† After three years' uninterrupted service as Orderly-Room Sergeant, Field and Garrison Artillery (including the additional pay given after two years' service in the rank of Sergeant).	G	53 8 2	55 6 9	57 5 4	59 3 11
	N	52 3 2	54 1 0	55 14 10	57 12 8
After five years' uninterrupted service as Orderly-Room Sergeant, Field and Garrison Artillery (including the additional pay given after two years' service in the rank of Sergeant).	G	56 0 0	58 0 0	60 0 0	62 0 0
	N	54 11 0	56 10 3	58 9 6	60 8 9

NOTE.—The Second Instructor of Gunnery in each Brigade of Artillery will receive extra duty pay at 8 annas 6 pies per diem for six days in the week [illegible] to pay of rank.
[illegible] Staff Sergeants of Heavy and Mountain batteries will receive pay as Staff Sergeants of Field batteries.

RANK.		FOR A MONTH OF: 28 DAYS. On appointment.	28 DAYS. After two years' service in rank of Sergeant, Bombardier and Corporal.	29 DAYS. On appointment.	29 DAYS. After two years' service in rank of Sergeant, Bombardier and Corporal.	30 DAYS. On appointment.	30 DAYS. After two years' service in rank of Sergeant, Bombardier and Corporal.	31 DAYS. On appointment.	31 DAYS. After two years' service in rank of Sergeant, Bombardier and Corporal.
FIELD AND GARRISON ARTILLERY—*contd.*		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Orderly-Room Sergeant if appointed to a Field Brigade prior to 16th February 1874, after three years' uninterrupted service as Orderly-Room Sergeant (without further increase).	G	56 0 0	...	58 0 0	...	60 0 0	...	62 0 0	...
	N	54 11 0	...	56 10 3	...	58 9 6	...	60 8 9	...
Armourer Sergeant ...									
Trumpet-Major ...	G	43 8 11	46 0 9	45 1 9	47 11 0	46 10 8	49 5 4	48 3 7	50 15 8
Hospital Sergeant ...	N	42 3 11	44 11 9	43 12 0	46 5 3	45 4 2	47 14 10	46 12 4	49 8 5
Sergeant ...									
Collar-Maker ...	G	27 6 1	...	28 5 8	...	29 5 4	...	30 5 0	...
Wheeler ...	N	26 1 1	...	26 15 11	...	27 14 10	...	28 13 9	...
Farrier Sergeant and Carriage Smith.	G	49 12 5	52 4 3	51 8 11	54 2 2	53 5 4	56 0 0	55 1 9	57 13 10
	N	48 7 5	50 15 3	50 3 2	52 12 5	51 14 10	54 9 6	53 10 6	56 6 7
Corporal ...	G	32 5 8	33 9 7	33 8 2	34 12 10	34 10 8	36 0 0	35 13 2	37 3 2
	N	31 0 8	32 4 7	32 2 5	33 7 1	33 4 2	34 9 6	34 5 11	35 11 11
Bombardier ...	G	29 13 10	31 1 9	30 14 11	32 3 7	32 0 0	33 5 4	33 1 1	34 7 1
	N	28 8 10	29 12 9	29 9 2	30 13 10	30 9 6	31 14 10	31 9 10	32 15 10
Acting Bombardier ...	G	28 9 11	...	29 10 4	...	30 10 8	...	31 11 0	...
	N	27 4 11	...	28 4 7	...	29 4 2	...	30 3 9	...
Shoeing and Carriage Smith ...	G	29 13 10	...	30 14 11	...	32 0 0	...	33 1 1	...
	N	28 8 10	...	29 9 2	...	30 9 6	...	31 9 10	...
Trumpeter ...	G	18 0 9	...	18 11 0	...	19 5 4	...	19 15 8	...
Gunner ...	N	16 11 9	...	17 5 3	...	17 14 10	...	18 8 5	...
Driver ...									
Boys, until they attain the age of 15.	G	11 3 2	...	11 9 7	...	12 0 0	...	12 6 5	...
	N	9 14 2	...	10 3 10	...	10 9 6	...	10 15 2	...
CAVALRY.		The Senior Trumpeter in batteries of Field and Garrison Artillery will receive pay as a Bombardier.							
Regimental Sergeant-Major ...	G	60 15 8	...	63 2 6	...	65 5 4	...	67 8 2	...
	N	59 10 8	...	61 12 9	...	63 14 10	...	66 0 11	...
Bandmaster ...	G	56 0 0	58 7 10	58 0 0	60 9 3	60 0 0	62 10 8	62 0 0	64 12 1
	N	54 11 0	57 2 10	56 10 3	59 3 6	58 9 6	61 4 2	60 8 9	63 4 10
Quartermaster-Sergeant ...	G	48 8 6	51 0 4	50 4 3	52 13 6	52 0 0	54 10 8	53 11 9	56 7 10
Troop Sergeant-Major ...	N	47 3 6	49 11 4	48 14 6	51 7 9	50 9 6	53 4 2	52 4 6	55 0 7
Sergeant Instructor in Fencing and Gymnastics.	G	46 0 9	48 8 6	47 11 0	50 4 3	49 5 4	52 0 0	50 15 8	53 11 9
	N	44 11 9	47 3 6	46 5 3	48 14 6	47 14 10	50 9 6	49 8 5	52 4 6
Armourer Sergeant ...	G	75 14 7	78 6 5	78 9 11	81 3 2	81 5 4	84 0 0	84 0 9	86 12 10
	N	74 9 7	77 1 5	77 4 2	79 13 5	79 14 10	82 9 6	82 9 6	85 5 7
Saddler Sergeant ...	G	51 0 4	53 8 2	52 13 6	55 6 9	54 10 8	57 5 4	56 7 10	59 3 11
	N	49 11 4	52 3 2	51 7 9	54 1 0	53 4 2	55 14 10	55 0 7	57 12 8
Farrier Major ...	G	56 0 0	58 7 10	58 0 0	60 9 3	60 0 0	62 10 8	62 0 0	64 12 1
	N	54 11 0	57 2 10	56 10 3	59 3 6	58 9 6	61 4 2	60 8 9	63 4 10
Farrier ...	G	38 9 3	41 1 1	39 15 3	42 8 6	41 5 4	44 0 0	42 11 5	45 7 6
	N	37 4 3	39 12 1	38 9 6	41 2 9	39 14 10	42 9 6	41 4 2	44 0 3
Paymaster-Sergeant* ...									
Orderly-Room Sergeant* ...	G	36 1 5	38 9 3	37 6 1	39 15 3	38 10 8	41 5 4	39 15 3	42 11 5
Hospital Sergeant ...	N	34 12 5	37 4 3	36 0 4	38 9 6	37 4 2	39 14 10	38 8 0	41 4 2
Trumpet-Major ...									
Sergeant ...									
Lance-Sergeant ...	G	33 9 7	...	34 12 10	...	36 0 0	...	37 3 2	...
	N	32 4 7	...	33 7 1	...	34 9 6	...	35 11 11	...
Trumpeter ...	G	19 14 7	...	20 9 11	...	21 5 4	...	22 0 9	...
	N	18 9 7	...	19 4 2	...	19 14 10	...	20 9 6	...
Corporal ...	G	24 4 3	25 8 2	25 2 2	26 6 9	26 0 0	27 5 4	26 13 10	28 3 11
	N	22 15 3	24 3 2	23 12 5	25 1 0	24 9 6	25 14 10	25 6 7	26 12 8
Lance-Corporal ...	G	23 0 4	...	23 13 6	...	24 10 8	...	25 7 10	...
	N	21 11 4	...	22 7 9	...	23 4 2	...	24 0 7	...
Private ...	G	17 6 9	...	18 0 9	...	18 10 8	...	19 4 7	...
	N	16 1 9	...	16 11 0	...	17 4 2	...	17 13 4	...
Boys, until they attain the age of 15.	G	8 11 5	...	9 0 4	...	9 5 4	...	9 10 4	...
	N	7 6 5	...	7 10 7	...	7 14 10	...	8 3 1	...

NOTE.—{G. Gross pay without any deduction. N. Net pay, *i. e.*, gross pay, *minus* nine pies per diem for grocery ration.

The rates of pay in the above table for Saddler Sergeant include working pay.

		FOR A MONTH OF: 28 days.	29 days.	30 days.	31 days.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
* After three years' uninterrupted service as Paymaster-Sergeant or Orderly-Room Clerk (including the additional pay given after two years' service in the rank of Sergeant).	G	46 0 9	47 11 0	49 5 4	50 15 8
	N	44 11 9	46 5 3	47 14 10	49 8 5
After five years' uninterrupted service as Paymaster-Sergeant or Orderly-Room Clerk (including the additional pay given after two years' service in the rank of Sergeant).	G	48 8 6	50 4 3	52 0 0	53 11 9
	N	47 3 6	48 14 6	50 9 6	52 4 6

RANK.		FOR A MONTH OF: 28 DAYS. On appointment.	28 DAYS. After two years' service in rank of Sergeant and Corporal.	29 DAYS. On appointment.	29 DAYS. After two years' service in rank of Sergeant and Corporal.	30 DAYS. On appointment.	30 DAYS. After two years' service in rank of Sergeant and Corporal.	31 DAYS. On appointment.	31 DAYS. After two years' service in rank of Sergeant and Corporal.
INFANTRY.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Regimental Sergeant-Major ...	G	56 0 0	...	58 0 0	...	60 0 0	...	62 0 0	...
	N	54 11 0	...	56 10 3	...	58 9 6	...	60 8 9	...
Bandmaster ...	G	48 8 6	51 0 4	50 4 3	52 13 6	52 0 0	54 10 8	53 1 9	56 7 10
	N	47 3 6	49 11 4	48 14 6	51 7 9	50 9 6	53 4 2	52 14 6	55 0 7
Quartermaster-Sergeant ...	G	41 1 1	43 8 11	42 8 6	45 1 9	44 0 0	46 10 8	45 7 6	48 3 7
	N	39 12 1	42 3 11	41 2 9	43 12 0	42 9 6	45 4 2	44 0 3	46 12 4
Sergeant Instructor of Musketry.	G	46 0 9	48 8 6	47 11 0	50 4 3	49 5 4	52 0 0	50 15 8	53 11 9
	N	44 11 9	47 3 6	46 5 3	48 14 6	47 14 10	50 9 6	49 8 5	52 4 6
Armourer Sergeant ...	G	75 14 7	78 6 5	78 9 11	81 3 2	81 5 4	84 0 0	84 0 9	86 12 10
	N	74 9 7	77 1 5	77 4 2	79 13 5	79 14 10	82 9 6	82 9 6	85 5 7
Hospital Sergeant ...	G	33 9 7	36 1 5	34 12 10	37 6 1	36 0 0	38 10 8	37 3 2	39 15 3
	N	32 4 7	34 12 5	33 7 1	36 0 4	34 9 6	37 4 2	35 11 11	38 8 0
Colour-Sergeant ...	G	38 9 3	41 1 1	39 15 3	42 8 6	41 5 4	44 0 0	42 11 5	45 7 6
	N	37 4 3	39 12 1	38 9 6	41 2 9	39 14 10	42 9 6	41 4 2	44 0 3
Paymaster-Sergeant* ...									
Orderly-Room Sergeant* ...	G	31 1 9	33 9 7	32 3 7	34 12 10	33 5 4	36 0 0	34 7 1	37 3 2
Drum and Pipe Major ...	N	29 12 9	32 4 7	30 13 10	33 7 1	31 14 10	34 9 6	32 15 10	35 11 11
Pioneer Sergeant ...									
Sergeant ...									
Lance-Sergeant ...	G	28 9 11	...	29 10 4	...	30 10 8	...	31 11 0	...
	N	27 4 11	...	28 4 7	...	29 4 2	...	30 3 9	...
Drummer ...	G	16 2 10	...	16 12 1	...	17 5 4	...	17 14 7	...
	N	14 13 10	...	15 6 4	...	15 14 10	...	16 7 4	...
Corporal ...	G	19 14 7	21 2 6	20 9 11	21 14 7	21 5 4	22 10 8	22 0 9	23 6 9
	N	18 9 7	19 13 6	19 4 2	20 8 10	19 14 10	21 4 2	20 9 6	21 15 6
Lance-Corporal ...	G	18 10 8	...	19 5 4	...	20 0 0	...	20 10 8	...
	N	17 5 8	...	17 15 7	...	18 9 6	...	19 3 5	...
Private ...	G	14 14 11	...	15 7 6	...	16 0 0	...	16 8 6	...
	N	13 9 11	...	14 1 9	...	14 9 6	...	15 1 3	...
Boys, until they attain the age of 15.	G	8 11 5	...	9 0 4	...	9 5 4	...	9 10 4	...
	N	7 6 5	...	7 10 7	...	7 14 10	...	8 3 1	...
ROYAL ENGINEERS AND SAPPERS AND MINERS.									
Sergeant-Major ...	G	76 8 6	...	79 4 3	...	82 0 0	...	84 11 9	...
	N	75 3 6	...	77 14 6	...	80 9 6	...	83 4 6	...
Quartermaster Sergeant ...	G	64 1 5	66 9 3	66 6 1	68 15 3	68 10 8	71 5 4	70 15 3	73 11 5
	N	62 12 5	65 4 3	65 0 4	67 9 6	67 4 2	69 14 10	69 8 0	72 4 2
Company Sergeant-Major ...	G	51 10 4	54 2 2	53 7 10	56 1 1	55 5 4	58 0 0	57 2 10	59 14 11
	N	50 5 4	52 13 2	52 2 1	54 11 4	53 14 10	56 9 6	55 11 7	58 7 8
Sergeant ...	G	44 2 10	46 10 8	45 12 1	48 5 4	47 5 4	50 0 0	48 14 7	51 10 8
	N	42 13 10	45 5 8	44 6 4	46 15 7	45 14 10	48 9 6	47 7 4	50 3 5
Corporal ...	G	32 15 8	34 3 7	34 2 6	35 7 1	35 5 4	36 10 8	36 8 2	37 14 3
	N	31 10 8	32 14 7	32 12 9	34 1 4	33 14 10	35 4 2	35 0 11	36 7 0
2nd Corporal ...	G	28 9 11	29 13 10	29 10 4	30 14 11	30 10 8	32 0 0	31 11 0	33 1 1
	N	27 4 11	28 8 10	28 4 7	29 9 2	29 4 2	30 9 6	30 3 9	31 9 10
Lance-Corporal ...	G	27 6 1	...	28 5 8	...	29 5 4	...	30 5 0	...
	N	26 1 1	...	26 15 11	...	27 14 10	...	28 13 9	...
Bugler ...	G	16 12 10	...	17 6 5	...	18 0 0	...	18 9 7	...
Private ...	N	15 7 10	...	16 0 8	...	16 9 6	...	17 2 4	...
Boys, until they attain the age of 17.	G	11 3 2	...	11 9 7	...	12 0 0	...	12 6 5	...
	N	9 14 2	...	10 3 10	...	10 9 6	...	10 15 2	...
TRAINED SCHOOLMASTERS.									
On appointment ...	G	58 7 10	60 15 8	60 9 3	63 2 6	62 10 8	65 5 4	64 12 1	67 8 2
	N	57 2 10	59 10 8	59 3 6	61 12 9	61 4 2	63 14 10	63 4 10	66 0 11
After 3 years' service (including the additional pay given after two years' service in the rank.)	G	68 7 1	...	70 14 3	...	73 5 4	...	75 12 5	...
	N	67 2 1	...	69 8 6	...	71 14 10	...	74 5 2	...
Ditto 6 ditto ditto ...	G	75 14 7	...	78 9 11	...	81 5 4	...	84 0 9	...
	N	74 9 7	...	77 4 2	...	79 14 10	...	82 9 6	...
Ditto 9 ditto ditto ...	G	83 6 1	...	86 5 8	...	89 5 4	...	92 5 0	...
	N	82 1 1	...	84 15 11	...	87 14 10	...	90 13 9	...
Ditto 12 ditto ditto ...	G	90 13 6	...	94 1 5	...	97 5 4	...	100 9 3	...
	N	89 8 6	...	92 11 8	...	95 14 10	...	99 2 0	...
Ditto 15 ditto ditto ...	G	98 5 0	...	101 13 2	...	105 5 4	...	108 13 6	...
	N	97 0 0	...	100 7 5	...	103 14 10	...	107 6 3	...
Ditto 18 ditto ditto ...	G	105 12 6	...	109 8 11	...	113 5 4	...	117 1 9	...
	N	104 7 6	...	108 3 2	...	111 14 10	...	115 10 6	...

NOTE.—{G. Gross pay without any deduction. N. Net pay, *i. e.*, gross pay, *minus* nine pies per diem for grocery ration.

		FOR A MONTH OF: 28 days.	29 days.	30 days.	31 days.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
* After three years' uninterrupted service as Paymaster-Sergeant or Orderly-Room Sergeant (including the additional pay given after two years' service in the rank of Sergeant).	G	41 1 1	42 8 6	44 0 0	45 7 6
	N	39 12 1	41 2 9	42 9 6	44 0 8
After five years' uninterrupted service as Paymaster-Sergeant or Orderly-Room Sergeant (including the additional pay given after two years' service in the rank of Sergeant).	G	43 8 11	45 1 9	46 10 8	48 3 7
	N	42 3 11	43 12 0	45 4 2	46 12 4

2. An Armourer Sergeant of a regiment of Cavalry and Infantry when invalided or when the charge of the arms shall have been necessarily transferred to another qualified Armourer, will receive the following rate of pay :—

	For a month of								
	28 days.			29 days.			30 days.			31 days.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
G	31	1	9	32	3	7	33	5	4	34	7	1
N	29	12	9	30	13	10	31	14	10	32	15	10

NOTE.—{G. Gross pay without any deduction. N. Not pay, *i. e.*, gross pay, *minus* nine pies per diem for grocery ration.

3. A Lance-Sergeant receiving pay as such will not draw good-conduct pay in addition.

4. The proportion of lance ranks to be paid in India will be fixed hereafter with retrospective effect.

5. The increased pay after two years' service in the rank of Sergeant given in the foregoing tables will continue to be issued on promotion. Thus an Infantry Sergeant after two years' service as such will receive Rs. 34-9-6 (net pay for a month of 30 days), and if promoted to be Colour-Sergeant, while in receipt of that rate, will at once receive Rs. 42-9-6 per mensem, and not the lowest pay of Colour-Sergeant, which is only Rs. 39-14-10.

6. The provisions of this order will have effect from the 1st April 1876, and Sergeants, Corporals and others, who on that date had completed two years' service in their several ranks, will at once receive the increased pay prescribed in the tables.

No. 1008 *of* 1876.—In continuation of G. G. O. No. 540 of 1860 and No. 551 of 1862, it is notified that Non-commissioned Officers of the Unattached list are entitled, during their absence on furlough out of India, to draw the British pay of their rank, with 6*d.* a day extra in lieu of rations, and half staff salary for six months.

No. 1009 *of* 1876.—The following Articles of the Royal Warrant of the 1st April 1876 are declared applicable to India, and republished for general information, together with the instructions of the Secretary of State thereon :—

Royal Warrant, dated the 1st April 1876.

Deferred Pay.

21. An addition of 2*d.* a day shall be made to the daily pay of soldiers serving in Our Army on, and subsequently to, the 1st April 1876, during such portion of the first twelve years of their Army Service as may be rendered after that date, subject to the forfeitures specified in Articles 25 and 26.

22. The issue of this Pay shall be deferred until the soldier completes his Army Service, whether on final discharge from Our Army, or on entering the first class of the Army Reserve; and shall be made in such manner as may be prescribed in Regulations issued by Our Secretary of State.

23. Soldiers who are discharged before completing their Army Service, whether by purchase or on account of unfitness for further service, or in consequence of the reduction of the Military Establishment, shall receive, after discharge, the amount of Deferred Pay due to them.

24. In the case of soldiers who die in Our Service, the amount of Deferred Pay which may have accrued to them to the date of death shall be disposed of in accordance with the Regulations for the collection and disposal of the effects of deceased soldiers, laid down in the Regimental Debts Act, 1863.

25. Deferred Pay shall be forfeited for the day or days for which a soldier has forfeited the privilege of reckoning his service towards Good-Conduct Pay and Pension under the rules laid down in Our Warrant of the 27th December 1870, as amended by Our Warrant of the 29th May 1875.

26. Deferred Pay shall also be forfeited on conviction of desertion, or by sentence of a General, District, or Garrison Court-Martial, or by conviction of felony by a Court of Civil Judicature, for all periods prior to such conviction or sentence; but if the soldier thus convicted shall, subsequently to such conviction, perform good, faithful, or gallant service, he may, on the same being duly certified by Our Commander-in-Chief, have the whole or any part of his Deferred Pay restored to him, upon Our pleasure to that effect being signified by Our Secretary of State.

Secretary of State's Instructions on the foregoing Warrant.

Deferred Pay.

2. Soldiers who, on the recommendation of their Commanding Officers, and with their own free assent, are permitted after three years' Army Service, to pass to the Army Reserve, will receive the Deferred Pay due to them for their Army Service, when they shall have completed the number of years' Reserve Service which, with their Army Service, will amount to six years, the computation being made in accordance with the rules laid down in Article 25 of the foregoing Warrant.

2. Soldiers enlisted for short service, with the exception of those who are permitted after three years' Army Service to pass to the Army Reserve before completing their Army Service, will receive, on the completion of their Army Service, the amount of Deferred Pay to which they are entitled.

4. Soldiers enlisted for short service, who are recommended for permission to extend the terms of their engagement so as to complete 12 years' Army Service, will be credited in their pocket ledgers, with the amount of Deferred Pay to which they may be entitled at the end of six years' Army Service, and they will receive it after their discharge, in the manner directed in paragraph 6, together with the amount of simple interest which may have accrued thereon at 2*l.* 10*s.* per cent per annum as allowed by the Post Office Savings Bank Regulations. The Commanding Officer will in each case certify in the pocket ledger the date on which the man completed his six years' Army Service.

5. Soldiers who have re-engaged to complete a total service of 21 years, will, on the completion of 12 years' Army Service, in like manner be credited in their pocket ledgers with the further amount of Deferred Pay to which they may be entitled, and they will receive it on final discharge, together with the amount of simple interest allowed by the Post Office Savings Bank Regulations which may have accrued thereon, in the manner directed in paragraph 6. The Commanding Officer will in each case certify in the pocket ledger the date on which the man completed his 12 years' Army Service.

6. The amount due to a soldier on his discharge from Army Service will not, except in the cases specified in Article 23 of the foregoing Warrant, be paid to him at the depôt or place of discharge, but will be remitted to his intended place of residence, and be paid to him, together with the simple interest which may have been credited to him while serving, at such intervals, and in such proportions, as may be determined on.

The 29th September 1876.

No. 1010 *of* 1876.—The following promotions are made, subject to Her Majesty's approval :—

Corps.	Rank and Names.	To what rank promoted.	From what date.	In whose room.
Infantry ...	Major Henry Rowband ...	Lieut.-Colonel	30th Augt. 1876	Lieut.-Col. H. A. Rooke, deceased.
Cadre of the late 63rd Native Infantry.	Captain C. K. Mackinnon (Staff Corps).	Major.		

No. 1011 *of* 1876.—The temporary promotion of Surgeon-Major W. H. Adley to the rank of Deputy Surgeon-General notified in G. G. O. No. 585 of 1876, will be held to have effect from the date on which he may have taken up the duties of the office on relieving Deputy Surgeon-General H. M. Cannon, M. B., of the Lucknow Circle.

No. 1012 *of* 1876.—The services of Major C. Hayter, Madras Staff Corps, are replaced at the disposal of the Government of Fort St. George, with effect from the 29th August 1876.

No. 1013 *of* 1876.—Jemadar Uslum, who was appointed in that rank on probation to the 20th (Punjab) Regiment of Native Infantry by G. G. O. No. 645 of 1876, is permitted to resign his commission.

No. 1014 *of* 1876.—*Appointment—*

East Indian Railway Volunteer Rifle Corps.

Doctor Frederick Sydney Coombe, to be Honorary Surgeon.

No. 1015 *of* 1876.—Captain Alexander Jeffery Nicholson, General List, Infantry, is allowed furlough in India on private affairs for two years, from such date as he may quit his station under Rules IX and XVII of the Regulations of 1868.

No. 1016 *of* 1876.—*Appointments—*

HYDERABAD CONTINGENT.

4th Infantry.

Surgeon T. Hume, officiating in medical charge, 6th Infantry, Hyderabad Contingent, to officiate in medical charge, *vice* Surgeon-Major A. Sanderson, M. D., transferred to the 5th Infantry, or until further orders.

5th Infantry.

Surgeon-Major A. Sanderson, M. D., officiating in medical charge, 4th Infantry, Hyderabad Contingent, to officiate in medical charge during the absence on furlough to Europe of Surgeon J. F. Sargent, or until further orders.

No. 1017 *of* 1876.—The following extracts from the *London Gazette* of the 11th and 15th August 1876, pages 4481, 4482, 4534, 4535, 4536 and 4537, are published for general information :—

London Gazette, August 11, 1876, page 4481.

BREVET.

The undermentioned Officers having completed the qualifying service to be Colonels :—

Lieutenant-Colonel Arthur Jacob Macan Rainey, Madras Staff Corps. Dated 3rd December 1875.

Lieutenant-Colonel William Elliot Marshall, Bengal Staff Corps. Dated 9th December 1875.

Lieutenant-Colonel Francis Henry Hanmer, Bengal Staff Corps (since deceased). Dated 9th December 1875.

Lieutenant-Colonel Mangles James Brander, Bengal Staff Corps. Dated 10th December 1875.

Lieutenant-Colonel James Michael, C. S. I., Madras Staff Corps. Dated 10th December 1875.

Lieutenant-Colonel Frederick John Ellis, Bengal Staff Corps. Dated 10th December 1875.

Lieutenant-Colonel John Adam Tytler, C.B., V. C., Bengal Staff Corps. Dated 10th December 1875.

Lieutenant-Colonel Arthur Frederick Battye, Bombay Staff Corps. Dated 10th December 1875.

Lieutenant-Colonel Frederick James Stephenson, Bengal Staff Corps. Dated 10th December 1875.

Lieutenant-Colonel Samuel Crozier Law, Bombay Staff Corps. Dated 28th December 1875.

Lieutenant-Colonel Samuel Black, Bengal Staff Corps. Dated 29th December 1875.

Lieutenant-Colonel Andrew Robert Clephane, Madras Staff Corps. Dated 29th December 1875.

Lieutenant-Colonel Robert Griffith Lewis, Madras Staff Corps. Dated 29th December 1875.

Lieutenant-Colonel John Craufurd Millar, Bengal Staff Corps. Dated 29th December 1875.

Lieutenant-Colonel Charles Henry Hall, Bengal Staff Corps. Dated 29th December 1875.

Lieutenant-Colonel Frederick Duffin, Bengal Staff Corps. Dated 29th December 1875.

Lieutenant-Colonel Edward Owen Leggatt, Madras Staff Corps. Dated 3rd January 1876.

Lieutenant-Colonel Alexander Thomas Armstrong, Bengal Staff Corps. Dated 3rd January 1876.

Lieutenant-Colonel William Conrad Hamilton, Bengal Staff Corps. Dated 5th January 1876.

Lieutenant-Colonel John Collins Macdonald, Madras Staff Corps. Dated 11th January 1876.

Lieutenant-Colonel George Archimedes Searle, Madras Staff Corps. Dated 12th January 1876.

Lieutenant-Colonel Francis John Wilson, Madras Staff Corps. Dated 12th January 1876.

Lieutenant-Colonel Walter Weldon, Madras Staff Corps. Dated 18th January 1876.

Lieutenant-Colonel Charles Chester Dandridge, Bengal Staff Corps. Dated 18th January 1876.

Lieutenant-Colonel Richard Alexander Moore, Madras Staff Corps. Dated 18th January 1876.

Lieutenant-Colonel Gordon Cavenagh, Bengal Staff Corps. Dated 18th January 1876.

Lieutenant-Colonel Charles Edward Bates, Madras Staff Corps. Dated 18th January 1876.

London Gazette, August 11, 1876, *page* 4482.

Lieutenant-Colonel Henry John Thomas Neild, Madras Staff Corps. Dated 18th January 1876.

Lieutenant-Colonel William Alexander Deey, Madras Staff Corps. Dated 20th January 1876.

Lieutenant-Colonel James Williamson, Bengal Staff Corps. Dated 20th January 1876.

Lieutenant-Colonel Nathaniel Frederic Bayly, Madras Staff Corps. Dated 20th January 1876.

Lieutenant-Colonel Joseph Miles, Bombay Staff Corps. Dated 3rd February 1876.

Lieutenant-Colonel George Edward Thomas, Bombay Staff Corps. Dated 3rd February 1876.

Lieutenant-Colonel John Miles, Bombay Staff Corps. Dated 3rd February 1876.

Lieutenant-Colonel William Creagh, Bombay Staff Corps. Dated 3rd February 1876.

Lieutenant-Colonel William Paske, Bengal Staff Corps. Dated 11th February 1876.

Lieutenant-Colonel Patrick Maxwell, Bengal Staff Corps. Dated 11th February 1876.

Lieutenant-Colonel James Turner Hill, Bombay Staff Corps. Dated 18th February 1876.

Lieutenant-Colonel William Charles Robert Mylne, Bengal Staff Corps. Dated 20th February 1876.

Lieutenant-Colonel Henry Charles Zachary Claridge, Madras Staff Corps. Dated 2nd March 1876.

Lieutenant-Colonel John Wood Rideout, Madras Staff Corps. Dated 2nd March 1876.

Lieutenant-Colonel William Rose, Madras Staff Corps. Dated 2nd March 1876.

Lieutenant-Colonel Edward Bertie Clay, Bengal Staff Corps. Dated 2nd March 1876.

Lieutenant-Colonel Walter Theodore Chitty, Bombay Staff Corps. Dated 1st April 1876.

Lieutenant-Colonel Thomas Mowbray Baumgartner, Bombay Staff Corps. Dated 4th April 1876.

Lieutenant-Colonel Francis George Hodgson, Madras Staff Corps. Dated 20th May 1876.

The undermentioned Officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement :—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel Patrick Maxwell, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Alexander Thomas Armstrong, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel and Brevet Colonel Henry Mills, Bengal Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel and Brevet Colonel Thomas Williams Holland, Bengal Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel and Brevet Colonel Thomas Pierce, Bengal Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel and Brevet Colonel Hugh Norris Hodgson, Bengal Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel and Brevet Colonel Augustus Prichard, Madras Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel and Brevet Colonel Roberts Michael Westropp, Bombay Infantry. Dated 12th August 1876.

Lieutenant-Colonel and Brevet Colonel George Elliot Ashburner, Bombay Infantry. Dated 12th August 1876.

To be Colonels.

Lieutenant-Colonel Robert Hope Moncrieff Aitken, V.C., Bengal Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel Henry Brabazon Urmston, Bengal Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel Edward Holmes Scott, Bengal Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel Patrick Plunkett Leslie Stafford, Madras Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel Cyril Jackson Prescott, Bombay Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel Stanley Scott, Bombay Staff Corps. Dated 12th August 1876.

Lieutenant-Colonel Robert Burd, Bombay Staff Corps. Dated 12th August 1876.

To be Deputy Surgeon-General.

Surgeon-Major Norman Chevers, Bengal Establishment. Dated 12th August 1876.

London Gazette, August 15, 1876, *page* 4534.

INDIA OFFICE, 14TH AUGUST 1876.

Her Majesty has been pleased to approve of the following promotions amongst the Officers of the Staff Corps and of Her Majesty's Indian Military Forces, made by the Governments in India :—

BREVET.

To be Colonels.

Major and Brevet Lieutenant-Colonel Charles Stanley Gough, C.B., V.C., Bengal Cavalry. Dated 28th November 1875.

Lieutenant-Colonel Stanley de Burgh Edwardes, Bombay Infantry. Dated 4th February 1876.

Lieutenant-Colonel Richard Jenkins, Bengal Cavalry. Dated 20th February 1876.

To be Lieutenant-Colonels.

Major John Boyd Saunders, Bengal Cavalry. Dated 20th December 1875.

To be Majors.

Captain Augustus Frederick Curtis, Madras Cavalry, to be Major, in succession to General A. Dick, Bengal Infantry, deceased. Dated 26th November 1875.

Captain John Shakespear Irvine, Bengal Cavalry, to be Major, in succession to General Sir H. G. A. Taylor, Madras Infantry, deceased. Dated 10th February 1876.

SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Henry Twisden Forbes. Dated 11th December 1875.

Major Frank Barnard Foote. Dated 11th December 1875.

Major Henry Thomas Oldfield. Dated 11th December 1875.

Major Henry Lionel Charles Bernard. Dated 11th December 1875.

Major William Alexander Garden. Dated 11th December 1875.

Major Thomas Buttanshaw. Dated 12th December 1875.

Major William Gordon. Dated 12th December 1875.

Major Henry Vincent Mathias. Dated 20th December 1875.

Major William Jackson. Dated 20th December 1875.

Major William Playfair. Dated 20th December 1875.

Major (Brevet Colonel) Thomas Gilbert Kennedy. Dated 24th December 1875.

Major Charles William Robert Chester. Dated 20th February 1876.

London Gazette, August 15, 1876, *page* 4535.

Major (Brevet Lieutenant-Colonel) Francis Edward Archibald Chamier. Dated 20th February 1876.

Major Charles William Fletcher. Dated 20th February 1876.

Major William Winson. Dated 3rd March 1876.

Major Guy Annesley Prendergast. Dated 20th March 1876.

Major Thomas Gally Ross. Dated 20th March 1876.

Major Henry Fowler Newmarch. Dated 25th March 1876.

To be Majors.

Captain (Brevet Major) James Clephane Minto. Dated 3rd December 1875.

Captain John Liston. Dated 7th December 1875.

Captain Alfred FitzHugh. Dated 7th December 1875.

Captain Robert Horace Huddleston. Dated 7th December 1875.

Captain Russell Morland Skinner. Dated 7th December 1875.

Captain Richard Thomas Hare. Dated 7th December 1875.

Captain Frederick Peere Williams Freeman. Dated 7th December 1875.

Captain Francis David Millett Brown, V. C. Dated 8th December 1875.

Captain William Vesey FitzGerald Jacob. Dated 8th December 1875.

Captain Robert Wheeler. Dated 8th December 1875.

Captain Henry Morton. Dated 20th December 1875.

Captain Robert Groves Sandeman. Dated 8th February 1876.

Captain Henry Peter Poleman Nash. Dated 4th March 1876.

Captain Alfred Bloomfield. Dated 7th March 1876.

Captain (Brevet Major) Charles Ellison Bates. Dated 20th April 1876.

To be Captains.

Lieutenant John Robert Burlton Bennet. Dated 24th November 1875.

Lieutenant George Frederic Churchill. Dated 8th March 1876.

Lieutenant James Mandeville Wood Van Beverhoudt. Dated 8th March 1876.

Lieutenant (Brevet Captain) Thomas Oliver Wingate. Dated 19th March 1876.

Lieutenant Robert Jocelyn Waller. Dated 22nd March 1876.

Lieutenant Edmund Charles Elliston. Dated 22nd March 1876.

Lieutenant John Francis James Miller. Dated 1st March 1876.

Lieutenant Hugh De la Motte Hervey. Dated 5th April 1876.

Lieutenant Montagu Gilbert Gerard. Dated 19th April 1876.

Lieutenant Arthur Fishe. Dated 19th April 1876.

BENGAL ARMY.

INFANTRY.

Major Richard Worsley to be Lieutenant-Colonel. Dated 1st April 1876.

London Gazette, August 15, 1876, *pages* 4536 *and* 4537.

The dates of the Commissions of the undermentioned Officers should be as follows, and not as stated in the *London Gazettes* named:—

London Gazette, 2nd February 1875—Lieutenant-Colonel W. R. Martin, 5th October 1874.

London Gazette, 2nd February 1875—Major F. D. Plowden, 5th October 1874.

London Gazette, 26th February 1875—Colonel H. L. Christie, 9th December 1874.

London Gazette, 27th August 1875—Major A. E. Arbuthnot, 2nd December 1874.

London Gazette, 30th May 1876—Colonel G. Caulfield, 31st October 1875.

London Gazette, 30th May 1876—Captain J. B. Watts, 2nd October 1875.

London Gazette, 30th May 1876—Captain W. Hailes, 16th October 1875.

The names of the undermentioned Officers should be as follows, and not as stated in the *London Gazettes* named:—

London Gazette, 2nd February 1875—Captain B. H. *Stephens* Gower.

London Gazette, 9th April 1875—Major S. I. *Browne*.

London Gazette, 9th April 1875—Major J. *Picton-Warlow*.

London Gazette, 4th May 1875—Lieutenant-Colonel G. *Massey* Payne.

London Gazette, 18th May 1875—Colonel C. *Renney* Blair.

London Gazette, 27th August 1875—Colonel *George* Strangways.

London Gazette, 27th August 1875—Major W. *Edwin* Trevor.

London Gazette, 8th October 1875—Major E. L. *Ommanney*.

London Gazette, 8th October 1875—Major J. *Innis* Robinson.

London Gazette, 8th October 1875—Lieutenant-Colonel E. *Bose* Sladen.

London Gazette, 8th October 1875—Lieutenant-Colonel W. *Hudleston*.

London Gazette, 2nd November 1875—Captain R. J. *Humphrey* Wyllie.

London Gazette 30th May 1876—Lieutenant-Colonel E. *Burroughes* Ward.

London Gazette, 30th May 1876—Lieutenant-Colonel S. *Hodgson*.

London Gazette, 30th May 1876—Major V. *Edward* Law.

India Office, 14th August 1876.

Her Majesty has been pleased to approve of the following admissions to the Staff Corps made by the Governments in India:—

BENGAL STAFF CORPS.

To be Captain.

Captain Richard George Kennedy, 1st Dragoons. Dated 6th January 1875.

To be Lieutenants.

Lieutenant Charles Grenville Mansel, 63rd Regiment. Dated 20th July 1870.

Lieutenant Robert Gordon, 109th Regiment. Dated 8th September 1871.

Lieutenant Arthur James Brander, 60th Regiment. Dated 28th October 1871.

Lieutenant Charles James Jameson, 41st Regiment. Dated 28th October 1871.

Lieutenant Henry Campbell Lamb, 26th Regiment. Dated 28th October 1871.

The "London Gazette," August 15, 1876, *page* 4537.

Lieutenant Arthur Burlton-Bennet, 37th Regiment. Dated 28th October 1871.

Lieutenant Frederick Charles Napier Goldney, 37th Regiment. Dated 28th October 1871.

Lieutenant Robert Francis Trotter, 4th Hussars. Dated 28th October 1871.

Lieutenant Hesketh Broderick Prichard, 25th Regiment. Dated 28th October 1871.

Lieutenant Frederick Charles Maisey, 17th Regiment. Dated 28th October 1871.

Lieutenant Charles Hugh Manners Smith, 70th Regiment. Dated 28th October 1871.

Lieutenant Arthur Cantley Bunny, 107th Regiment. Dated 30th December 1871.

Lieutenant Charles Hamilton Des Vœux, 37th Regiment. Dated 10th January 1872.

Lieutenant Frank Montagu Rundall, 49th Regiment. Dated 9th March 1872.

Lieutenant Charles Withers Ravenshaw, 14th Regiment. Dated 8th May 1872.

Lieutenant Henry Martindale Temple, 7th Regiment. Dated 8th June 1872.

Lieutenant Frank Mardall, 21st Regiment. Dated 8th June 1872.

No. 1018 *of* 1876.—The following temporary appointment is made:—

Army Remount Department.

Captain W. A. Roberts, Royal Horse Artillery, to officiate as Remount Agent at the Presidency.

No. 1019 *of* 1876.—His Excellency the Governor General in Council is pleased to re-appoint Major W. C. Mackinnon, 3rd Foot, to be a Deputy Assistant Adjutant General for Musketry, for a further term of two years, from the 1st October 1876.

No. 1020 *of* 1876.—The following promotions are made in the undermentioned Corps:—

12th Bengal Cavalry.

Naib Ressaldar Futteh Singh to be Ressaidar, *vice* Sooltan Mookurrub Khan, invalided,—1st September 1876.

31st (Punjab) Regiment of Native Infantry.

Jemadar Diam Khan to be Subadar, *vice* Goolab Singh, invalided.
Havildar Ram Persad Misser to be Jemadar, *vice* Sumus Deen, invalided.
Havildar Chuttur Singh to be Jemadar, *vice* Lehna Singh, invalided.
} 1st May 1876.

37th (The Meerut) Regiment of Native Infantry.

Jemadar Mahiss Singh to be Subadar, *vice* Surnam Singh, invalided.
Havildar Bhairo Singh to be Jemadar, *vice* Janee Khan, invalided.
Havildar Khajan Singh, to be Jemadar, *vice* Mahiss Singh, promoted.
} 1st May 1876.

No. 1021 *of* 1876.—The following promotion is made in the undermentioned Corps:—

PUNJAB FRONTIER FORCE.

1st Sikh Infantry.

Havildar Lal Singh to be Jemadar, *vice* Gulab Singh, invalided,—1st May 1876.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 26th September 1876.

No. 397.—Mr. W. E. Palmer, temporary Assistant Examiner, Guaranteed Railway Accounts, Lahore, is transferred to the Office of the Accountant General, Public Works Department.

No. 398—*Erratum.*—In Public Works Department Notification No. 386 of 13th September 1876, permitting Mr. G. E. Nepean, Engineer Apprentice, British Burmah, to resign his appointment with effect from 8th August 1876, read with effect from 31st August 1876.

The 27th September 1876.

No. 399.—Mr. G. W. Brown is appointed to the Public Works Department as an Accountant 4th Grade, on probation, and posted to the Military Works Branch.

No. 401.—Lieutenant-Colonel J. Bonus, R. E. Superintending Engineer, 2nd Grade, Indus Valley Railway, now on furlough, is transferred to the Scindia State Railway as Engineer-in-Chief of that Line.

No. 402.—The undermentioned passed Students of the Thomason Civil Engineering College are appointed to the Public Works Department as Apprentice Engineers, and posted as follows:—

To Punjab Provincial Establishment.

Krishna Chandra Bandyopadhyay, B. A.
Mr. H. Granville.
„ W. Macdonald.

To Bengal Provincial.

Mr. W. B. Gwyther.
Bakshi Ram Singh.

To Rajpootana.

Mr. C. E. Housden.

To Central Provinces.

Mr. C. H. DeMello.

To Central India.

Mr. H. E. Grant.

The 28th September 1876.

No. 403.—Sergeant R. Sullivan, Supervisor 2nd Grade, Military Works Branch, is remanded to Military duty.

No. 404.—In Notification No. 370, dated the 22nd August 1876, the words "with effect from the 17th January 1876" are cancelled.

No. 405.—In supersession of Public Works Department Notification No. 99 of 29th February 1876, Mr. G. J. Lynn, Assistant Examiner of Guaranteed Railway Accounts, Calcutta, is granted 18 months' leave on medical certificate under Sections 3 and 14 of Supplement F of the Civil Leave Code with effect from the date on which he availed himself of the leave originally granted.

RAILWAY.

The 29th September 1876.

No 406.—Captain K. C. Pye, R. E., Manager of the Rajpootana State Railway, is appointed to act as Secretary to the Railway Conference about to be assembled in Calcutta, and *ex officio* Under Secretary to the Government of India, Public Works Department, Railway Branch.

With reference to Public Works Department Nos. 2282-88R, dated 1st September 1876, it is hereby notified that all communications regarding the approaching Railway Conference, and papers for discussion, should be forwarded to the Secretary to the Railway Conference, care of the Secretary to the Government of India, Public Works Department, Calcutta.

C. H. DICKENS, *Col., R. A.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 41. SIMLA, SATURDAY, OCTOBER 7, 1876. Register No. 33.

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

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

PRIVATE SECRETARY'S OFFICE.

NOTICE.

Simla, the 29th September 1876.

All covers intended for His Excellency the Viceroy and Governor General and party during His Excellency's tour through Cashmere, Peshawur, Kurrachee, Bombay and Delhi should be addressed "Governor General's Camp" without the addition of any Post Town.

O. T. BURNE, *Lieut.-Col.*,
Private Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—EXAMINATIONS.

Simla, the 6th October 1876.

No. 99.—The following Regulations for the Examination of Candidates for the Civil Service of India to be held in March 1877 are published for general information :—

REGULATIONS FOR THE OPEN COMPETITION OF 1877.

N. B.—The Regulations are liable to be altered in future years.

1. On March 20th, 1877, and following days, an Examination of Candidates will be held in London. At this Examination not fewer than Candidates will be selected, if so many shall be found duly qualified. Of these, will be selected for the Presidency of Bengal [for the Upper Provinces and for the Lower Provinces], for that of Madras, and for that of Bombay.*— Notice will hereafter be given of the days and place of examination.

2. Any person desirous of competing at this Examination must produce to the Civil Service Commissioners, before the 1st of February 1877, evidence showing—

(*a*) That he is a natural-born subject of Her Majesty.

* The number of appointments to be made, and the number in each Presidency, will be announced hereafter.

(*b*) That his age, on the 1st March 1877, will be above seventeen years and under twenty-one years. [*N. B.—In the case of Natives of India this must be certified by the Government of India, or of the Presidency or Province in which the Candidate may have resided.*]

(*c*) That he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the Civil Service of India.*

(*d*) That he is of good moral character.

He must also pay such fee as the Secretary of State for India may prescribe.†

3. Should the evidence upon the above points be *primâ facie* satisfactory to the Civil Service Commissioners, the Candidate will, upon payment of the prescribed fee, be admitted to the Examination. The Commissioners may however, in their discretion, at any time prior to the grant of the Certificate of Qualification hereinafter referred to, institute such further inquiries as they may deem necessary; and if the result of such inquiries, in the case of any Candidate, should be unsatisfactory to them in any of the above respects, he will be ineligible for admission to the Civil Service of India, and if already selected, will be removed from the position of a Probationer.

4. The Examination will take place only in the following branches of knowledge:—

	Marks.
English Composition	500
History of England—including that of the Laws and Constitution	500
English Language and Literature	500
Language, Literature, and History of Greece ...	750
" " " Rome ...	750
" " " France ...	375
" " " Germany	375
" " " Italy ...	375
Mathematics (pure and mixed)	1,250
Natural Science: that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; (5) Botany	1,000
*** The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of science included under this head.	
Moral Sciences: that is, Logic, Mental and Moral Philosophy	500
Sanskrit Language and Literature ...	500
Arabic Language and Literature	500

Candidates are at liberty to name, before February 1, 1877, any or all of these branches of knowledge. No subjects are *obligatory*.

5. The merit of the persons examined will be estimated by marks; and the number set opposite to each branch in the preceding regulation denotes the greatest number of marks that can be obtained in respect of it.

6. No Candidate will be allowed any marks in respect of any subject of examination, unless he shall be considered to possess a *competent knowledge* of that subject.‡

7. The Examination will be conducted by means of printed questions and written answers and by *viva voce* examination, as may be deemed necessary.

8. The marks obtained by each Candidate in respect of each of the subjects in which he shall have been examined will be added up, and the names of the Candidates who shall have obtained a greater aggregate number of marks than any of the remaining Candidates will be set forth in order of merit, and such Candidates shall be deemed to be selected Candidates for the Civil Service of India, provided they appear to be in other respects duly qualified. Should any of the selected Candidates become disqualified, the Secretary of State for India will determine whether the vacancy thus created shall be filled up or not. In the former case, the Candidate next in order of merit and in other respects duly qualified shall be deemed to be a selected Candidate. A selected Candidate declining to accept the appointment which may be offered to him will be disqualified for any subsequent competition.

9. Selected Candidates before proceeding to India will be on probation for two years, during which time they will be examined periodically, with a view of testing their progress in the following subjects:—*

	Marks.
1. Oriental Languages—	
Sanskrit	500
Vernacular† Languages of India (each) ...	400
2. The History and Geography of India ...	350
3. Law	1,250
4. Political Economy	350

In these Examinations, as in the Open Competition, the merit of the Candidates examined will be estimated by marks, and the number set opposite to each subject denotes the greatest number of marks that can be obtained in respect of it at any one Examination. The Examination will be conducted by means of printed questions and written answers and by *viva voce* examination, as may be deemed necessary. The last of these Examinations will be held at the close of the second year of probation, and will be called the "Final Examination," at which it will be decided whether a selected Candidate is qualified for the Civil Service of India.

10. Any Candidate who, at any of the periodical Examinations, shall appear to have wilfully neglected his studies, or to be physically incapacitated for pursuing the prescribed course of training, will be liable to have his name removed from the list of selected Candidates.

11. The selected Candidates who, at the Final Examination, shall be found to have a competent knowledge of the subjects specified in Regulation 9, and who shall have satisfied the Civil Service Commissioners of their eligibility in respect of age, health and character, shall be certified by the said Commissioners to be entitled to be appointed to the Civil Service of India, provided they shall comply with the Regulations in force at the time for that Service.

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* Evidence of health and character must bear date not earlier than the 1st January 1877.

† The Fee for this Examination will be £5, payable by means of a special stamp according to instructions which will be communicated to Candidates.

‡ "Nothing can be further from our wish than to hold out premiums for knowledge of wide surface and of small depth. *We are of opinion that a Candidate ought to be allowed no credit at all for taking up a subject in which he is a mere smatterer.*"—Report of Committee of 1854. A deduction of marks will be made under each subject, *including Mathematics*.

* Full instructions as to the course of study to be pursued will be issued to the successful Candidates as soon as possible after the result of the Open Competition is declared.

† Including, besides the languages prescribed for the several Presidencies, such other languages as may, with the approval of the Commissioners, be taken up as subjects of examination.

12. Applications from persons desirous to be admitted as Candidates are to be addressed to the Secretary to the Civil Service Commissioners, London, S. W., from whom the proper form for the purpose may be obtained.

4th August 1876.

THE Civil Service Commissioners are authorised by the Secretary of State for India in Council to make the following announcements:—

(1.) *Selected Candidates will be permitted to choose,* according to the order in which they stand in the list resulting from the Open Competition as long as a choice remains, the Presidency (and in Bengal the Division of the Presidency) to which they shall be appointed; but this choice will be subject to a different arrangement should the Secretary of State or Government of India deem it necessary.*

(2.) *No Candidate will be permitted to proceed to India before he shall have passed the Final Examination and received a Certificate of Qualification from the Civil Service Commissioners or after he shall have attained the age of twenty-four years.*

(3.) *The seniority in the Civil Service of India of the selected Candidates shall be determined according to the order in which they stand on the list resulting from the Final Examination.*

(4.) *It is the intention of the Secretary of State to allow the sum of £50 after each of the three first half-years of probation and £150 after the last half-year to each selected Candidate who shall have passed the required Examinations to the satisfaction of the Commissioners, and shall have complied with such rules as may be laid down for the guidance of selected Candidates.*

(5.) *All selected Candidates will be required, after having passed the second periodical Examination, to attend at the India Office for the purpose of entering into an agreement binding themselves, amongst other things, to refund in certain cases the amount of their allowance in the event of their failing to proceed to India. For a Candidate under age a surety will be required.*

(6.) *After passing the Final Examination, each Candidate will be required to attend again at the India Office, with the view of entering into covenants. The stamps payable on these documents amount to £1.*

(7.) *Candidates rejected at the Final Examination of 1879 will in no case be allowed to present themselves for re-examination.*

CIVIL SERVICE OF INDIA.

FORM OF APPLICATION: TO BE FILLED UP BY CANDIDATES.

*** *This Form must be sent so as to be received at the Office of the Civil Service Commission before the 1st of February* 1877.

*Date*_____

SIR,

I beg to inform you that I desire to be a Candidate at the forthcoming Examination for the Civil Service of India.

As required by the Regulations, I transmit herewith—

(1) If a General Register Office certificate cannot be obtained, the instructions printed on the other side will show what evidence should be supplied. If evidence is already in the hands of the Commissioners, strike out "A certificate of my birth," and insert "Evidence is already in the possession of the Commissioners."

(2) The terms indicated by the marks of quotation must appear in the certificate, which must be given after personal examination, and bear date not earlier than 1st January 1877.

(3) Two testimonials must be sent bearing date not earlier than 1st January 1877. One of them should be given by an intimate acquaintance (not a relative) of not less than three or four years' standing; the other, if the Candidate has recently left school, should be given by his late schoolmaster, or if he has had employment of any kind, by his late employer. If the Candidate has been at any University, he should send a certificate of good conduct from his College tutor.

(4) If Mathematics be named, state whether pure or mixed or both are intended; if Natural Science be mentioned, state which branches.

(1) A certificate of my birth, showing that I was born on the _____ day of _____ 18____, and that therefore my age on March 1, 1877, will be above 17 years (complete) and under 21 years.

(2) A certificate signed by _____ of my having "no disease, constitutional affection, or bodily infirmity unfitting me for the Civil Service of India."

(3) Proof of my moral character, *viz.*:—

(1) A testimonial from _____

(2) A testimonial from _____

(4) A statement of the branches of knowledge in which I desire to be examined, *viz.*:—

I have also to state, with reference to Section 2, Clause (*a*) of the Regulations, that I am a natural-born subject of Her Majesty.

I am, SIR,

Your obedient Servant,

*Name in full*_____

*Address*_____

To the Secretary,
Civil Service Commission.

* This choice must be exercised immediately after the result of the Open Competition is announced, on such day as may be fixed by the Civil Service Commissioners.

EVIDENCE OF AGE TO BE REQUIRED FROM CANDIDATES FOR THE CIVIL SERVICE OF INDIA.

I.—EVERY Candidate born in England or Wales should produce a Certificate from the Registrar-General of Births, Marriages, and Deaths, or from one of his Provincial Officers. This Certificate may be obtained at Somerset House, or from the Superintendent Registrar of the District in which the birth took place.

II.—A Candidate who is a Native of India must have his age certified by the Government of India, or of the Presidency or Province in which he may have resided.

III.—Every other Candidate *not producing the Certificate* mentioned in Clause I must prove his age by Statutory Declaration, and should also, if possible, produce a record of Birth or Baptism from some official Register; under which term may be included the Parochial Registers of Baptisms, the non-Parochial Registers of Baptisms and Births deposited at Somerset House under Acts of Parliament, the Register kept at the India Office of persons born in India, &c., &c. This Regulation applies—

(1) To all Candidates not born in England or Wales.

(2) To Candidates who, though born in England or Wales, cannot produce the Registrar-General's Certificate.

The Civil Service Commissioners reserve to themselves the right of deciding in each case upon the sufficiency of the evidence produced, but they subjoin the following general rules for the guidance of Candidates:

(*a*) The Declaration should specify precisely the date and place of birth, and should, if possible, be made by the father or mother of the Candidate. If made by any other person, it should state the circumstances which enable the Declarant to speak to the fact. If an entry in a Bible or other family record be referred to, the Bible or other record must be produced at the time of making the Declaration, and must be mentioned in the Declaration as having been so produced.

(*b*) If the Candidate was born in England or Wales, the Declaration must contain a statement, that after due inquiry no entry has been found in the books of the Registrar-General; or a separate Declaration must be made to that effect.

(*c*) If no extract from any Register is produced, the Declaration must contain a statement, that after due inquiry no such record is believed to exist; or a separate Declaration must be made to that effect.

(*d*) Statutory Declarations must be exactly in the form prescribed by the Act of 5 and 6 William IV., c. 62. A printed Form, if required, will be supplied on application to the Civil Service Commissioners.

N.B.—Clergymen, as such, are not qualified to take Declarations.

ECCLESIASTICAL.

The 6th October 1876.

No. 350.—Three months' extension of furlough has been granted by Her Majesty's Secretary of State for India to the Reverend D. P. Williams, a Senior Chaplain on the Bengal Ecclesiastical Establishment.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Simla, the 5th October 1876.

No. 1039.—Mr. H. C. Hill, Assistant Conservator of Forests of the 2nd Grade, attached to the Forest Survey Branch, is transferred to British Burma.

CUSTOMS—INLAND.

The 6th October 1876.

No. 257.—On and after the 1st November next the Assistant Commissioner of the Inland Customs Department in charge at the Sámbhar Lake will be prepared to receive indents for the supply of salt in any quantity not less than fifty maunds from any person who is resident at any town to which there is direct communication by railway from Sámbhar.

2. Salt will be supplied in compliance with such indents at the rate of 8 annas per maund of 3,200 tolahs. No selection of special varieties of salt will be permitted for these consignments. The Government will, however, undertake to deliver salt of fair quality and of average sized crystals as excavated from the heap, and will also undertake that no local trader purchasing on selection shall be permitted to select special qualities of salt from any heap which may be opened for the supply of traders from a distance who under this notification may deal direct with the Assistant Commissioner.

3. The salt indented for will be weighed, filled into bags, and loaded on the railway waggons by Government without any further charge except for bags supplied (if any). The Assistant Commissioner will be prepared to supply bags to any parties requiring them at four annas per bag. Any person who prefers to do so may consign his own bags prepaid by rail to the Assistant Commissioner, who on the arrival of the bags will weigh off, pack and despatch the consignment. It must however be understood that the Officer at Sámbhar is empowered to refuse to despatch a consignment in cases where the bags are not sufficiently strong to stand the journey.

4. All traders and others indenting for salt under the provisions of this notification must, in the first instance, pay into the Government treasury of the district where they reside (*a*) the value of the salt they require at the rate* of 8 annas per maund, (*b*) the duty of three rupees a maund, and (*c*) the price of the bags for packing, in the event of their preferring to buy bags from the Assistant Commissioner. They will then receive a receipt, which they must forward by post (registered), together with their indent, to the Assistant Commissioner at Sámbhar, mentioning the address to which they wish the salt consigned. The Treasury Officer will by the same day's post despatch a duplicate of the receipt to the Assistant Commissioner at Sámbhar, and he, after comparing the two receipts, will at once cause the consignment to be despatched by railway *bearing* to the consignee, forwarding to him the railway receipt under bearing service cover.

5. The consignee will then take delivery from the railway in the usual manner on payment of the railway freight and charges.

6. It is to be distinctly understood that the Government is responsible only for due delivery of the salt to the Railway Company, and the railway receipt shall be a sufficient release to Government for the quantity consigned.

7. The Railway authorities will arrange in concert with the Customs officials for the inspection and verification of the quantity of salt on the consignment passing the Customs line at Bichpuri or Garhi Harsru, and it will not be necessary for any person to attend at those stations on behalf of the consignee.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

* This rate will not be altered under any circumstances for the next twelve months, and thereafter not without three months' previous notice.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 6th October 1876.

No. 123*J.*—Under Section 6 Act XI of 1872, the Governor General in Council appoints the Political Agent for the time being in Munnipoor, being a European British subject, to be a Justice of the Peace within the aforesaid State, and directs that the High Court of Fort William shall be the Court to which such Justice of the Peace shall commit for trial.

POLITICAL.

The 4th October 1876.

No. 2268*P.*—With reference to Notification No. 1342P., dated 6th June 1876, the recognition by the Government of India of the appointment of Mr. J. Brandenburg as Acting Consul for the German Empire at Bombay has been confirmed by Her Majesty's Government.

The 6th October 1876.

No. 2293 *P.*—The Governor General in Council is pleased to direct that the following amendment be made in the "General list of persons who are declared to be Talukdars in the Province of Oudh under Act I of 1869, being List No. I referred to in Section 8 of the said Act," which was published under the Notification of this Department, No. 1003, dated 20th July 1869:—

No.	Subordinate List.	No. in Subordinate List.	Name of Talukdar.	Name of Estate.	District.
253	II	115	Babu Ajit Sing	Tiraul ...	Partabgarh.
251	V	57	" "	Dootaha ...	Gonda.
			Read		
253	II	115	Babu Ajit Sing	Tiraul ...	Partabgarh.
254	V	57	" "	Chamiani ..	Unao.
			" "	Harouli Kutabnagar.	Hardoi.
			" "	Aurungabad ..	Kheri.

GENERAL.

The 3rd October 1876.

No. 2140*G.*—Surgeon J. C. Shircore, 5th Bengal Cavalry, is appointed to the medical charge of the Bundelcund Political Agency, in addition to his other duties, with effect from the forenoon of the 6th August 1876.

The 4th October 1876.

No. 2144*G.*—Major E. Temple, Officiating Political Agent, 3rd Class, and Cantonment Magistrate, Mhow, passed on the 16th September 1876 an examination in the Persian language, according to the tests prescribed in the Resolution of the Foreign Department, No. 541P., dated 17th March 1871, for officers in political employ.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 5th October 1876.

No. 3306.—Mr. W. H. Dobbie is appointed to officiate as Deputy Accountant General, Bengal, during the absence on privilege leave of Mr. H. A. Mangles, or until further orders.

The appointment on the 29th September 1876 of Mr. F. deH. Larpent to officiate as Deputy Accountant General, Bengal, is cancelled.

PENSIONS AND GRATUITIES.

The 6th October 1876.

No. 3284.—With the sanction of Her Majesty's Secretary of State for India, the Governor General in Council directs that the following modifications be made in the Civil Pension Code:—

(*The following is to be substituted for Section* 12.)

"Service as an apprentice, or in Bengal as a supernumerary Assistant Surgeon does not qualify; and except for compensation gratuity, superior service, before completion of twenty-two years of age, does not qualify. But this restriction does not apply to officers appointed to the service under the Regulations of the Royal Indian Engineering College at Cooper's Hill, or specially educated in Europe for the Forest Department under Regulations made by the Secretary of State."

(*The following is to be inserted as Section* 12*A in Chapter III.*)

"The service of an officer appointed to the service under the Regulations of the Royal Indian Engineering College at Cooper's Hill, or specially educated in Europe for the Forest Department under Regulations made by the Secretary of State, counts from the date of the despatch appointing him to the service unless any special date of appointment be fixed in the despatch announcing it to the Government of India. But this privilege is forfeited unless the officer land in India within three months from the date of his appointment. In such cases, his service, like the service of any Civil Engineer appointed in England, counts from the date on which he lands in India."

(*The following is to be inserted as an exception under Section* 41.)

"*Exception.*—In the case of an officer appointed to the service under the Regulations of the Royal Indian Engineering College at Cooper's Hill and of an officer specially educated in Europe for the Forest Department under Regulations made by the Secretary of State, furlough to the following extent counts as service:—

Service from date of appointment.	*Furlough counts as service.*
Under 20 years ...	... None.
20 years ...	... 2 years.
25 „ ...	... 3 „
30 „ ...	... 4 „
35 „ ...	... 5 „ „

(*The following is to be inserted as case (e) under Section* 61.)

"(*e.*) When on the ground of his previous experience a Civil Engineer is appointed specially to the service of the Government in the Department of Public Works with initial rank higher than that of a first grade Assistant Engineer, the Secretary of State will at the time of the engagement of the officer sanction such a departure from the rules of this Code in his favor as may be agreed upon."

No. 3316.—The Governor General in Council directs the substitution of the following for case (*a*) and (1) of Section 61 of the Civil Pension Code:—

(*a.*) To the following officers not being natives of Asia, pension is admissible after three years less service than is required from other officers, provided that they began service after twenty-five years of age:—

(1). Directors of Public Instruction, Inspectors of Schools, Principals and Professors of Colleges, and Head Masters of Colleges and High Schools.

No. 3318.—The Governor General in Council directs the substitution of the following for Rule 1 under Section 52 of the Civil Pension Code:—

An officer who has submitted a medical certificate of incapacity for further service must not (except for special reasons to be reported to the Local Government) be retained in the service pending the decision on his application for pension. Without the further special sanction of the Local Government, service after the date of a medical certificate can in no case count for pension. The object of this rule is to discourage tentative applications. But an inferior servant or a police officer below the rank of Head Constable who, in the opinion of the head of his office, is fit for light work, may be retained in employment till his pension or gratuity is sanctioned, provided that his place is not filled up till he retires, and that his service counts only to the date of his medical certificate.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 2nd October 1876.

No. 1022 *of* 1876.—The services of **Lieutenant** H. E. Ravenshaw, 63rd Foot, officiating **2nd** Squadron Subaltern, 7th Bengal Cavalry, on probation, are placed at the disposal of the **Foreign** Department.

The 3rd October 1876.

No. 1023 *of* 1876.—First Class Hospital **Assistant** Ellahie Bux, 32nd (Punjab) **Regiment** of Native Infantry (Pioneers), is granted **a monthly** pension of Rs. 10-1-2 from the date of **his** discharge, payable in the North-Western **Provinces** circle.

No. 1024 *of* 1876.—The undermentioned **men** are transferred to the Pension Establishment:—

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		11th Hussars.		Rs.	
	Syce ...	Jughan ...	Syce ...	3	N.-W. P.
		12th (The Kelat-i-Ghilzie) Regiment of Native Infantry.			
	Subadar	Sewdeen Chowbay.	Subadar	25	N.-W. P.
	„	Moshuruff Khan	„	25	„
	Havildar	Beejadher Sing	Havildar	7	Presidency.
	Sepoy	Shaick Mahomed Buksh.	Sepoy	4	N.-W. P.
	„	Kalay Khan ...	„	4	„
		32nd (Punjab) Regiment of Native Infantry (Pioneers).			
	Jemadar	Dewa Sing ...	Jemadar	12	Punjab.
	Bugler	Wuzeer Sing...	Bugler	4	„
	Sepoy	Dussonda Sing	Sepoy	4	„

No. 1025 *of* 1876.—The grant of furlough to Europe on private affairs to Lieutenant-Colonel T. F. Forster, Bengal Staff Corps, 2nd class Deputy Commissioner, Hissar district, **Punjab**, in G. G. O. No. 866 of 1876, is cancelled at his own request.

No. 1026 *of* 1876.—Gouri, widow of **Subadar** Duriow, late 34th Regiment, Native Infantry, is admitted to the 3rd Class Order of Merit Pension as Subadar, *viz.*, Rs. 17-5-4 per mensem, for three years, from the 25th November 1875, payable in the North-Western Provinces circle.

No. 1027 *of* 1876.—Joonsa, widow of the late **Futteh** Sing, a Duffadar in Hodson's Horse, is granted a family pension of Rs. 4-8 per mensem, from the 8th March 1876, payable in the Punjab circle.

No. 1028 *of* 1876.—Brevet pay of rank (Rs. 25 per mensem) is continued to Subadar-Major **Khoosial** Tewarry, 3rd Regiment of Native Infantry, admitted to pension in G. G. O. No. 900 of 1876.

No. 1029 *of* 1876.—With reference to G. G. O. No. 664 of 1876, Subadar Geereeraj Sirisht, **42nd** (Assam) Regiment of Native (Light) **Infantry**, is granted the pension of a Subadar, *viz.*, **Rs. 25** per mensem, in lieu of that previously notified.

No. 1030 *of* 1876.—Drum Majors **Mohomed** Sillamon and Bhowany, 3rd and 5th **Infantry**, Hyderabad Contingent, are granted a **pension of** Rs. 8-4-3 each per mensem, payable at Aurangabad and Hingoli, respectively.

The 4th October 1876.

No. 1031 *of* 1876.—In continuation of G. G. O. No. 961, dated the 15th September 1876, the undermentioned Officer is permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 1 of the 1st January 1876:—

No.	RANK AND NAME.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
40	Lieutenant-Colonel Arthur Cory.	Staff Corps	292 0 0	.....	2,640 0 0	4th October 1876.	England.

No. 1032 *of* 1876.—*Appointment*—

HYDERABAD CONTINGENT.

3rd Cavalry.

Lieutenant M. J. Meade, 89th Foot, a candidate for the Bengal Staff Corps, to be officiating Squadron Subaltern, on probation, during the period Lieutenant C. E. Gubbins may officiate as Adjutant, or until further orders.

The 5th October 1876.

No. 1033 *of* 1876.—The following extract from List No. 14, dated 8th September 1876, received from the India Office, is published for general information:—

Permitted to return to duty.

Surgeon D. F. Keegan.
Captain F. C. W. Drummond, S.C.
Major C. T. O. Mayne, S.C.
Captain C. E. Harenc, S.C.
Surgeon A. H. Williams.
Major G. A. A. Baker, S.C.
Lieutenant-Colonel J. F. L. Fisher, S.C.
Surgeon-Major J. W. R. Amesbury.
Captain R. F. Lewis, R.A.
Surgeon-Major J. R. Johnson.
Surgeon-Major F. Odevaine.
Assistant Apothecary J. Kelly.
Surgeon S. H. Browne.
Captain D. T. H. Sampson, S.C.
Captain A. Conolly, S.C.
Surgeon H. Boyd.

Granted extensions of leave.

Lieut.-Col. A. H. Bamfield, S.C.	... 2	months,	sick certificate.
Lieut.-Col. H. H. Lyster, V.C., S.C.	... 2	„	„ „
Major G. B. C. Simpson, S.C.	... 3	„	„ „
Major-General R. Maclagan, R.E.	... 6	weeks,	private affairs.
Captain M. O. Boyd, S.C.	... 2	months,	„ „
Colonel J. C. Millar, S.C.	... 6	„	„ „
Captain G. B. Wolseley, Infantry	... 6	„	sick certificate.
Surgeon H. A. C. Gray	... 1	month,	„ „
Colonel D. S. Dodgson, C B., Infantry	... 6	months,	„ „
Captain R. S. Robinson, R A.	... 6	„	private affairs.

No. 1034 *of* 1876.—In continuation of G. G. O. No. 188 of 1876, His Excellency the Governor in Council is pleased to rule as follows:—

I. That when an officer is allowed to draw the full staff salary of an officiating appointment, he can draw no portion of the salary of his substantive appointment which will be available for his successor.

II. That when more than half (but not the full) staff salary of an appointment is available, the officiating officer will be allowed to draw it in addition to such portion, not exceeding half, of the staff salary of his substantive appointment as will not, in the aggregate, exceed the amount he would draw if he held the officiating appointment permanently. The officer or officers officiating in succession will draw whatever portion of the staff salary is available on the same principle.

III. That in the case of an officer who, while on furlough, may be transferred to another appointment and allowed, under G. G. O. No. 559 of 1869, a continuance of the furlough pay he formerly drew, the amount of such furlough pay shall be considered as a charge against his new appoint-

ment, the allowances of the officer acting in the latter being regulated accordingly.

IV. That when an officer is transferred during furlough from a better to a worse paid appointment, the officer acting for him in the latter will be allowed the half staff of the appointment notwithstanding the additional charge involved thereby.

This order is applicable to the three presidencies.

No. 1035 *of* 1876.—In G. G. O. No. 850 of 1876, for "Native Medical Pupil Mukana Singh" *read* Mukand Singh.

No. 1036 *of* 1876.—*Appointments*—

PUNJAB FRONTIER FORCE.

4th Sikh Infantry.

Major F. T. Bainbridge, Commandant, 4th Punjab Infantry, to be 2nd in command and Wing Officer, *vice* Major A. FitzHugh, transferred to the 5th Goorkha Regiment (The Hazara Goorkha Battalion).

4th Punjab Infantry.

Lieutenant-Colonel H. P. Close, 2nd in command and Wing Officer, 5th Goorkha Regiment (The Hazara Goorkha Battalion) and officiating Commandant, 4th Punjab Infantry, to be Commandant, *vice* Major Bainbridge, removed to the 4th Sikh Infantry.

5th Goorkha Regiment (the Hazara Goorkha Battalion.

Major A. FitzHugh, 2nd in command and Wing Officer and officiating Commandant, 4th Sikh Infantry, to be 2nd in command and Wing Officer, *vice* Lieutenant-Colonel Close; but to continue to officiate as Commandant, 4th Sikh Infantry, or until further, orders.

The 6th October 1876.

No. 1037 *of* 1876.—Conductor George Blake Barrackmaster, 1st class, Rawal Pindi, will take rank as Conductor from the 21st February 1872, his name standing in the Army List next above that of Conductor W. Wilson.

No. 1038 *of* 1876.—Native Medical Pupil Baburam, No. 1235, is permitted to resign the service.

Admitted by G. G. O. No. 841 of 1876.

No. 1039 *of* 1876.—With reference to G. G. O. No. 394 of 1876, Captain S. Beckett, Bengal Staff Corps, Assistant Political Agent and Superintendent, Bahâwalpur, Punjab, has been granted by the Right Hon'ble the Secretary of State for India a further extension of leave for six months on medical certificate, commencing from the 23rd May 1876.

No. 1040 *of* 1876.—The undermentioned officers are permitted to proceed to Europe on furlough on private affairs:—

Lieutenant-General David Pott, C.B., Bengal Staff Corps,—for two years under Rule IX of the Regulations of 1868.

Lieutenant-Colonel (Brevet Colonel) Charles Hopkins Byers, Bengal Staff Corps,—for two years under Rule IX of the Regulations of 1868.

Lieutenant-Colonel (Brevet Colonel) George Alexander St. Peter Fooks, Bengal Staff Corps, Commandant, 3rd Regiment of Native Infantry,—for one year and eight days under Rule IX of the Regulations of 1868.

Lieutenant-Colonel Leopold Exxel Evans, of Infantry,—for two years under Rule IX of the Regulations of 1868.

Lieutenant-Colonel James Dowell Swayne, Bengal Staff Corps, Executive Engineer, 1st grade, Public Works Department,—for two years under Rule IX of the Regulations of 1868.

Captain James Calder Stewart, Bengal Staff Corps, 3rd Squadron Officer, 5th Punjab Cavalry, Punjab Frontier Force,—for one year under Rule IX of the Regulations of 1868.

No. 1041 *of* 1876.—Conductor A. Buchanan, Public Works Department, has been permitted to proceed to Australia on furlough on medical certificate for two years under the Regulations of 1868.

No. 1042 *of* 1876.—The undermentioned officer of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Frederick Charles John Brownlow, Bengal Staff Corps,—1st October 1876.

No. 1043 *of* 1876.—The Right Hon'ble the Governor General in Council is pleased to notify that soldiers employed as Saddletree Makers in British Cavalry regiments, shall receive working pay at the rate of six annas a day for every day of the week, and those employed as Assistants four annas for each day they may be employed.

This order is applicable to the three presidencies.

No. 1044 *of* 1876.—Under the authority of Her Majesty's Government, it is hereby notified that officers of the Staff Corps and Indian armies will be allowed to compete for entrance to the staff college, Sandhurst, under the terms of the annual Horse Guards general order publishing the conditions, with the exception that one of the conditions of qualification is, service in the Staff Corps or in India of not less than 5 years, exclusive of all furlough or leave of absence (except privilege leave), or the leave annually granted in England.

2. Of the officers competing annually, the three highest on the list will be admitted to the college, provided they secure a position within the number permitted to join.

3. The selected officers will travel at the public expense and be provided with passage in the troopships. They will proceed to England about the 15th November, so as to join the college on the 1st February following.

4. From the date of leaving India to the date of their return they will receive English pay of rank, and in addition, while at the staff college, quarters or the usual allowances in lieu, the ordinary extra allowance to staff college officers, forage, fuel and light, and be on exactly the same footing as officers of the British army.

5. The whole time from date of leaving appointment on duty in India, to the date of rejoining the same after passing through the college, will count as "duty," both for promotion and pension, (but not for furlough as service in India), provided the final examination be passed successfully.

6. Any officer recommended for removal from the college by the Commandant, as unlikely to make an efficient staff officer, or failing to pass the probationary examination at the end of the first year or the final examination, will be required to rejoin in India with the least possible delay; and the time spent from the date of leaving regiment, appointment, or duty in India, to the date of rejoining the same, will be absolutely forfeited, but will not be counted as furlough.

7. The course with other Arms (see Horse Guards general order No. 26 of 1874) will be undergone in India, and officers on passing the final examination will be allowed six weeks leave of absence, and be required to embark for India by a troopship on or about the 1st February.

8. An officer while on furlough will be permitted to go up for the final examination without passing through the college according to the Horse Guards regulations on the subject.

No. 1045 *of* 1876.—The following promotions are made in the undermentioned corps:—

20th (Punjab) Regiment of Native Infantry.

Jemadar Chutter Singh to be Subadar, *vice* Goordut Singh, deceased, 9th September 1876.

Havildar Brijloll to be Jemadar, *vice* Thoploo, invalided, 1st July 1876.

Havildar Khooshail Singh, to be Jemadar, *vice* Chutter Singh, promoted, 9th September 1876.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 28th September 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from 16th to 28th September 1876:—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Royal Artillery ...	Surgeon A. J. Clapp, M. D. ...	25th Aug. 1876.	Cashmere.	Testate.	
Her Majesty's 72nd Foot.	Lieutenant F. W. Holland ...	10th Sept. 1876	Sialkot.		

ALLEN JOHNSON, *Colonel*,
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 2nd October 1876.

No. 407.—Sergeant R. Chalmers, Sub-Engineer 3rd Grade, Military Works Branch, is promoted temporarily to the 2nd Grade with effect from 10th May 1876.

The 5th October 1876.

No. 410.—The orders of the Government of the North-Western Provinces (Public Works Department Notification No. 802 E. C. of 19th September 1876) dispensing with the services of Mr. W. D. R. Brown, Assistant Engineer 3rd Grade, are confirmed.

C. H. DICKENS, *Col., R. A.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 42. SIMLA, SATURDAY, OCTOBER 14, 1876. Register No. 33.

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

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

PRIVATE SECRETARY'S OFFICE.

NOTICE.

Simla, the 29th September 1876.

All covers intended for His Excellency the Viceroy and Governor General and party during His Excellency's tour through Cashmere, Peshawur, Kurrachee, Bombay and Delhi should be addressed "Governor General's Camp" without the addition of any Post Town.

O. T. BURNE, *Lieut.-Col.*,
Private Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 13th October 1876.

No. 674.—Mr. T. J. Chichele Plowden, of the Bengal Civil Service, to be Inspector General of Police in the general Police District of Assam. Mr. Plowden is also appointed Inspector General of Prisons under Section 6, Act XXVI of 1870, Commissioner of Abkari Revenue under Section 3, Act XXI of 1856, and Superintendent of Stamps in the Chief Commissionership of Assam.

No. 679.—With reference to Home Department Notification No. 454, dated the 6th July last, the following despatch from Her Majesty's Secretary of State for India is published for general information:—

No. 96. INDIA OFFICE;
London, the 31st August 1876.

To

His Excellency the Right Hon'ble the Governor General of India in Council.

MY LORD,—I have to acknowledge the receipt of the despatch of Your Excellency in Council dated 10th July, No. 40 of 1876, and in reply to inform you that Her Majesty the Queen is pleased to

approve of the appointment of Sir George Couper, Bart., C.B., to officiate as Lieutenant-Governor of the North-Western Provinces during the absence of Sir John Strachey, K.C.S.I., or until further orders.

I have, &c.,

(Sd.) SALISBURY.

MEDICAL.

The 13th October 1876.

No. 570.—Third Grade Assistant Surgeon Shama Churn Mozumdar is dismissed from the service of Government.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 11th October 1876.

No. 798.—Mr. J. B. N. Hennessey, M.A., F.R.S., Deputy Superintendent of the 1st Grade, is appointed to officiate as Superintendent of the Great Trigonometrical Survey of India, with effect from the date on which he takes over charge of that office from Captain H. R. Thuillier, R.E., and during the absence of Colonel J. T. Walker, R.E., or until further orders.

Captain H. R. Thuillier, R.E., will revert to his appointment as Officiating Deputy Superintendent of the 1st Grade on the date on which he is relieved by Mr. Hennessey of the office of Superintendent of the Great Trigonometrical Survey of India.

MINERALS AND GEOLOGICAL SURVEY.

The 12th October 1876.

No. 141.—Mr. F. R. Mallet, F.G.S., Assistant, Geological Survey Department, is appointed as a temporary arrangement to act as Curator of the Geological Museum.

Mr. T. H. Turner will revert to his substantive post of Assistant Curator on being relieved by Mr. Mallet.

COMMERCE AND TRADE.

The 12th October 1876.

No. 15 *of* 1876.—The following Notice is published for general information :—

NOTICE TO MARINERS.

India—Bay of Bengal.

NOTICE is hereby given that the blue light at the Eastern Channel light ship, exhibited during the South-West Monsoon at half-hourly intervals, will be continued till the end of October 1876.

MARINE SURVEY DEPT.,
CALCUTTA,
6th October 1876.

A. DUNDAS TAYLOR,
Commander, late I. N.,
Superintendent of Marine Surveys.

By Order,

T. C. HOPE,
Offg. Secretary to the Government of India.

This Notice affects the following Admiralty Charts :—

Bay of Bengal No. 70 A.; Hooghly River Soonderbunds, No. 138; Palmyra Point to Chittagong, No. 1681; and Mutlah River, No. 82.

Also Admiralty List of Lights in South Africa, East Indies, &c., 1876, and Indian Marine Survey Light List, 1876, No. 77. If this Notice is received on board ship the substance of it should be inserted on the Charts affected by it and introduced into the Sailing Directions to which it relates.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 11th October 1876.

No. 130*J.*—The Governor General in Council is pleased to declare that the following Acts apply to the Cantonment of Secunderabad to the extent and subject to the modifications hereinafter mentioned :—

Act.	Subject.	Extent of application.	Modifications.
XIII of 1859	Masters and Workmen.	The whole Act except Section V.	In Section I *for* "any Presidency Town" *read* "in the Cantonment of Secunderabad," and *for* "a Magistrate of Police" *read* "Cantonment Magistrate." In Sections II and III *for* "Magistrate" *read* "Cantonment Magistrate."
III of 1867	Public Gambling.	Clauses 3, 4, 5, Section I. Section 3 to end except Section 14.	Throughout the Act *for* "Magistrate of a District" or "any Magistrate" or "a Magistrate" or "Magistrate" *read* "the Cantonment Magistrate." In Sections 5 and 17 *for* "Lieutenant Governor or Chief Commissioner" *read* "Resident at Haidarábád." In Section 7 *omit* "before the same or any other Magistrate." In Section 8 *omit* "convicting." In Section 10 *for* "the same or any other" *read* "such." In Section 17 *for* "61" *read* "307." *Omit* Section 18.

No. 132*J.*—The Governor General in Council is pleased, under Section 39 of Act XXII of 1864, to extend the provisions of the aforesaid Act to the Cantonment of Deolee.

GENERAL.

The 11th October 1876.

No. 2206*G.*—*Appointment.*—Colonel R. Renton, Town Magistrate, Mysore, to officiate as Military Assistant to the Chief Commissioner, Mysore, with effect from the date of receiving charge, *vice* Major Stewart on furlough.

Abdul Kadir, Assistant Commissioner, 3rd grade, to officiate as Town Magistrate, Mysore, with effect from the date of receiving charge, *vice* Colonel Renton.

No. 2209*G.*—*Appointment.*—Lieutenant H. E. Ravenshaw, Officiating 2nd Squadron Subaltern, 7th Bengal Cavalry, to officiate as 1st Squadron Subaltern, 2nd Regiment, Central India Horse, on probation, *vice* Lieutenant Daly, or until further orders.

No. 2210*G.*—The following Station orders issued by the Commandant of the Erinpoorah Irregular Force are confirmed :—

Third Class Hospital Assistant Mahomed Fakeer officiated in medical charge of the Erinpoorah Irregular Force from 9th January to 2nd June 1876, consequent on the appointment of Surgeon S. Brereton to the Eastern States Agency, and again from 26th June to 19th September 1876 on the appointment of Surgeon J. Scully to the officiating medical charge of the Nipal Residency.

No. 2211*G.*—The Governor General is pleased to accept the resignation by Rao Keshree Sing of his appointment of Extra Assistant Commissioner, Ajmere, with effect from the date on which he may be relieved of his duties.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 11th October 1876.

No. 3480.—Mr. H. S. Schurr is appointed to officiate as Assistant to the Comptroller General.

Mr. W. T. Piercy is appointed to officiate as Assistant to the Accountant General, Bengal.

The 12th October 1876.

No. 3445.—Messrs. Adam Henry Anthony and Charles Goodrick Vansittart are appointed to be probationers in the sixth class of the Financial Department. Mr. Anthony is attached to the Office of the Accountant General, Bengal, and Mr. Vansittart is attached to the Office of the Accountant General, Bombay.

PENSIONS AND GRATUITIES.

The 12th October 1876.

No. 3481.—The Governor General in Council directs that the following be substituted for Rule 1 under Section 114 of the Civil Pension Code :

1 (*a.*)—If a pension is granted to a family under this section, it is allotted, towards the support of the family, to the eldest surviving son;

failing sons, to the eldest widow for the same purpose;

failing both sons and widows, to the eldest surviving unmarried daughter for the same purpose;

these failing, to the father for the same purpose;

and, failing all others, to the mother for the same purpose.

(*b.*)—To a male, pension is given as follows :—

If the pensioner is under six years of age; till he is eighteen years old;

If above six and under fifty years; for twelve years;

If not under fifty years; for life.

(*c.*)—The pension to a female is for life or until marriage: but on a suitable marriage, she may, at the discretion of the Local Government, have a dowry equal to five years' pension.

(*d.*)—A pension is given to only one member of each family, and no transfer of the pension to another member is permitted on its lapse either by the demise of the pensioner or for any other reason, or, on its remaining in abeyance under the operation of the rules in Chapter XX.

(*Note.*—The words "towards the support of the family" should be inserted in every order sanctioning a pension under this section.)

SEPARATE REVENUE—OPIUM.

The 13th October 1876.

No. 3483.—*Opium Revenue to date compared with the Estimate for the year* 1876-77. (*In Rupees omitting* 0) :—

PRESIDENCY.	LATEST MONTH.			SEVEN SALES OF BENGAL OPIUM AND SIX MONTHS' DUTY ON MALWA OPIUM.		
	Estimate.	Actual.	Better than Estimate.	Estimate.	Actual.	Better than Estimate.
Bengal	448,477	501,240	52,763	3,145,074	3,523,514	378,440
Bombay	220,905	287,101	66,196	1,216,718	1,387,141	170,423
TOTAL ...	669,382	788,341	118,959	4,361,792	4,910,655	548,863

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 11th October 1876.

No. 1046 *of* 1876.—Lieutenant George Frederick Wilson, Royal Engineers, Assistant Engineer, 2nd grade, Public Works Department, is permitted to proceed to Europe on furlough on urgent private affairs for six months, under Rule XI of the Regulations of 1868.

No. 1047 *of* 1876.—The services of Lieutenant H. D. P. Okeden, 2nd Battalion, 60th Rifles, are placed temporarily at the disposal of the Hon'ble the Lieutenant-Governor, North-Western Provinces, for employment on His Honor's Personal Staff.

No. 1048 *of* 1876.—Lieutenant-Colonel (Brevet Colonel) John Wood Rideout, Madras Staff Corps, Military Accountant, 1st class, 1st grade, is permitted to proceed on furlough on private affairs for one year, under Rules IX and XV of the Regulations of 1868.

The 12th October 1876.

No. 1049 *of* 1876.—The undermentioned Officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant Harry Heptinstall Rose Heath, 10th Hussars, 1st Squadron Subaltern, 11th (Prince of Wales' Own) Bengal Lancers,—17th September 1875.

No. 1050 *of* 1876.—The following order issued by the Resident at Hyderabad, is confirmed :—

No. 258, *dated the 22nd September* 1876.—Granting Lieutenant W. H. Salmon, Wing Subaltern, 6th Infantry, Hyderabad Contingent, leave of absence to Bombay for thirty days from the 20th September 1876, or date of departure, preparatory to obtaining furlough to Europe on medical certificate.

No. 1051 *of* 1876.—The following admission to the Order of British India is made from the 1st September 1876, under the operation of G. G. O. No. 551 of 1868 :—

To be a Member of the 2nd Class of the Order of British India, with the title of "Bahadoor."

Subadar-Major Shaik Esmall, 21st Regiment, Bombay Native Infantry (Marine Battalion), *vice* Subadar-Major Shaik Junglee, "Bahadoor," pensioned.

The 13th October 1876.

No. 1052 *of* 1876.—Major Edward Lacon Ommanney, Bengal Staff Corps, Deputy Commissioner, 2nd class, Peshawar, is permitted to proceed to Europe on furlough on private affairs for two years, under Rule IX of the Regulations of 1868.

No. 1053 *of* 1876.—With reference to G. O. by the Government of Bombay, No. 408 of 1876, Major A. Schmid, 109th Foot, Assistant Adjutant General of Division, has been granted by the Right Hon'ble the Secretary of State for India leave in Europe on medical certificate for six months from the date of his leaving India, *viz.*, 10th May 1876.

No. 1054 *of* 1876.—The undermentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions in India from the dates they cease to receive regimental pay, which are chargeable to Imperial revenue :—

Garrison Sergeant-Major Alfred Taylor Lilley, late 108th Foot,—two shillings and six pence per diem.

Sergeant Samuel Perrin, late 20th Brigade, Royal Artillery,—two shillings per diem.

Charles Hamilton, late 43rd Foot,—eight pence per diem.

No. 1055 *of* 1876.—The leave to Agra and Ferozepore on medical certificate granted to Conductor Z. Holland, Ordnance Commissariat Department, in G. G. O. No. 596 of 1876, is extended to the 1st November 1876 on the same account.

No. 1056 *of* 1876.—The undermentioned Officers have been permitted to proceed to Europe on furlough on private affairs :—

Captain Arthur Fishe, Bengal Staff Corps, Quartermaster, 8th Regiment of Native Infantry,—for one year under Rules IX and XV of the Regulations of 1868.

Captain Henry Gordon Waterfield, Bengal Staff Corps, Brigade-Major on the Establishment,—for one year, under Rules IX and XV of the Regulations of 1868.

No. 1057 *of* 1876.—Lieutenant-Colonel (Brevet Colonel) Edward Davidson, Royal Engineers, Superintending Engineer, 2nd grade, Public Works Department, North-Western Provinces, is permitted to proceed to Europe on furlough on private affairs for two years, under Rule IX of the Regulations of 1868.

No. 1058 *of* 1876.—Captain Everard Neal Digges LaTouche, General List, Infantry, 2nd Grade Assistant Commissioner, Sibságar, Assam, is allowed furlough to Europe on medical certificate for twelve months, under Rule XIV, Clause 1 of the Regulations of 1868.

No. 1059 *of* 1876.—The undermentioned Officers have reported their return from England :—

Major W. F. Bartleman, late 39th Regiment of Native Infantry,—date of arrival at Bombay, 18th September 1876.

Surgeon-Major C. E. Raddock, Medical Department, in medical charge 32nd (Punjab) Regiment of Native Infantry (Pioneers),—date of arrival at Fort William, 15th September 1876.

Captain R. V. Riddell, Royal Engineers, Deputy Superintendent, 3rd Grade, Topographical Survey of India,—date of arrival at Bombay, 12th September 1876.

Captain D. C. Hennessy, General List, Infantry, Quartermaster, 10th Regiment of Native Infantry,—date of arrival at Bombay, 18th September 1876.

Lieutenant C. A. Coles, Bengal Staff Corps, 1st Wing Subaltern, 36th (The Bareilly) Regiment of Native Infantry,—date of arrival at Bombay, 26th September 1876.

No. 1060 *of* 1876.—The undermentioned Officers have reported their departure on the dates specified :—

Lieutenant-Colonel (Brevet Colonel) F. L. Magniac, Madras Staff Corps, Madras G. O. No. 408 of 1876,—*Nepaul*, 11th August 1876, from Bombay.

Lieutenant-Colonel H. Fraser, Madras Staff Corps, Madras G. O. No. 85 of 1876,—*Malwa*, 24th April 1876, from Bombay.

Major J. G. Bell, Madras Staff Corps, Madras G. O. No. 112 of 1876,—*Siam*, 10th April 1876, from Bombay.

Major O. I. Chalmers, Bengal Staff Corps, G. G. O. No. 915 of 1876,—*Mira*, 27th August 1876, from Calcutta.

Captain M. A. Rowlandson, Madras Staff Corps, G. G. O. No. 838 of 1876,—*Duke of Lancaster*, 24th August 1876, from Calcutta.

Captain A. W. Graham, General List, Infantry, G. G. O. No. 824 of 1876,—*Chyebassa*, 27th August 1876, from Calcutta.

Captain H. H. P. Cowper, General List, Cavalry, G. G. O. No. 989 of 1876,—*Khedive*, 22nd September 1876, from Bombay.

Captain T. F. Stillwell, Bengal Staff Corps, G. G. O. No. 985 of 1876,—*Dunskeig*, 19th September 1876, from Calcutta.

Captain E. S. Neave, Bengal Staff Corps, G. G. O. No. 782 of 1876,—*Branksome Hall*, 19th August 1876, from Bombay.

Lieutenant R. H. Forrest, Bengal Staff Corps, G. G. O. No. 916 of 1876,—*Nepaul*, 11th August 1876, from Bombay.

No. 1061 *of* 1876.—The undermentioned officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Bengal Staff Corps.

Lieutenant Norton Charles Martelli,—11th October 1876.

No. 1062 *of* 1876.—His Excellency the Governor General in Council is pleased to notify that the appointments of Brigade Major at the stations noted in the margin, will cease from the dates on which the incumbents may be transferred to other stations, the staff duties being hereafter conducted by Station Staff officers of the 1st class.

Ferozepore.
Jullundur.

2. The appointment of Fort Adjutant at Chunar will be abolished from the 4th May 1877.

3. His Excellency the Commander-in-Chief is requested to issue any necessary subsidiary orders for carrying out these instructions.

No. 1063 *of* 1876.—With reference to G. G. O. No. 890 of 1870, it is hereby notified that the command allowance of Jhansi and Saugor will be reduced from Rupees 250 to Rupees 200 a month, prospectively from the date when the officers now in actual receipt of the existing rate may cease from any cause to draw it.

No. 1064 *of* 1876.—With reference to G. G. O. No. 747 of 1875, the following addition is to be made at page 11 of the Artillery Equipment Table therein referred to, under the general heading "Miscellaneous" and particular heading "Brass of sizes, copper" :—

Scales, triangle, wood, ghurry, small,—1 per ghurry—1.

No. 1065 *of* 1876.—With reference to the G. G. Orders noted in the margin, the following amended form of Abstract Return of Horses of mounted corps will in future be adopted :—

No. 532 of 1863.
No. 717 of 1874.

(REGIMENT OR BATTERY.)

Annual Abstract Return of Horses attached to the above corps for the year.

STATION AND DATE.

	Arab.	Australian.	Cape.	Northern.	Persian.	Stud-bred.	Other breeds.
Effective 1st April 187 ...							
Receipts during the year ...							
(Detail sources of receipt.) ...							

Abstract showing the different breeds of horses at present serving with the and the average age and length of service.

	AVERAGE AGE.			AVERAGE SERVICE.		
	Years.	Months.	Days.	Years.	Months.	Days.
NUMBER OF EACH BREED ... Arabs						
Walers						
Cape						
Northern						
Persian						
Stud-bred						
Other breeds						

	ARAB.		AUSTRALIAN.		CAPE.		NORTHERN.		PERSIAN.		STUD-BRED.		OTHER BREEDS.	
	Number.	Average service.	Number.	Average service.	Number.	Average service.	Number.	Average service.	Number.	Average service.	Number.	Average service.	Number.	Average service.
		Y. M. D.		Y. M. D.		Y. M. D.		Y. M. D.		Y. M. D.		Y. M. D.		Y. M. D.
Cast ...														
Died ..														
Shot or killed by accident ...														

	Arab.	Australian.	Cape.	Northern.	Persian.	Stud-bred.	Other breeds.
Selected as chargers							
Transferred to (Hapur or Saharanpur) Reserve Depôt							
Transferred to (detail corps or battery)							
Transferred to (detail corps or battery)							
Effective 31st March 187 ...							
Wanting to complete or surplus ...							

Detail of nature of diseases which led to casualties.

	CAST.							DIED.							SHOT OR KILLED BY ACCIDENT.						
	Arab.	Australian.	Cape.	Northern.	Persian.	Stud-bred.	Other breeds.	Arab.	Australian.	Cape.	Northern.	Persian.	Stud-bred.	Other breeds.	Arab.	Australian.	Cape.	Northern.	Persian	Stud-bred.	Other breeds.
TOTAL ...																					

Commanding.

No. 1066 *of* 1876.—The following Resolution by the Financial Department, No. 124, dated the 12th May 1876, is re-published for general information :—

FINANCIAL DEPARTMENT.

Simla, the 12th May 1876.

Read the undermentioned papers regarding a revised scale of pay for officers of the Assay Department in India :—

Financial Resolution by the Government of India, No. 3118, dated 6th September 1875.

Financial despatch from the Government of India, to the Secretary of State, No. 306, dated 6th September 1875.

Financial despatch from the Secretary of State to the Government of India, No. 29, dated 27th January 1876.

RESOLUTION.—With the sanction of the Secretary of State for India, the Governor General in Council is pleased to rule that from the 21st February, the date on which the orders of the Secretary of State were received, the pay of an Assay Master shall be Rs. 1,750, rising by five equal biennial increments to Rs. 2,250, and that the pay of a Deputy Assay Master, who is an officer of the army, shall be as follows :—

Standing on first appointment.	Minimum pay.	Yearly increment.	Maximum pay.
	Rs.	Rs.	Rs.
Under six years ...	600		
Six years ...	650		
Seven years ...	750		
And so on, Rs. 100 being added for each additional year's standing on first appointment.		100	1,300

An Assay Master shall moreover be allowed to appropriate any fees received by him for assays made for private persons, less four per cent. for the use of Government laboratories, chemicals, &c., assigning to the members of the establishment who assist in such private assays such portion of the fees as he thinks fit.

The Governor General in Council is also pleased, with the approval of the Secretary of State for India, to declare that in future, as a general rule, only Commissioned Officers of the Government will be appointed substantively to the Assay Department.

No. 1067 *of* 1876.—In supersession of existing orders, affecting not only the areas of supply by Medical Depôts, but also the dates for the submission of the different classes of Indents, the following rules are now prescribed with effect from the 1st October 1876; and Deputy Surgeons General must insist upon the strictest punctuality being observed by Executive Medical Officers, so that the Depôt establishment may be able to supply their requirements within the period assigned in this order for the completion of each set of Indents.

2. It should be clearly understood that Indents which have not been duly forwarded to the Depôt, and are consequently uncomplied with at the end of the sanctioned period, must stand over until those of the succeeding grant have been disposed of, and thus very great delay in the supply may take place, but for which the Depôt establishment cannot be held responsible.

3. From that date the areas of supply of each Depôt, and dates for submitting the Indents, will be as noted below :

I. The Presidency Depôt will supply the Dacca, Dinapore, and Presidency circles: together with the Transmarine stations which have hitherto indented upon Bengal—

1st January—Indents British troops, half-yearly.
Indents of Pegu and Straits Settlements, annual.
Indents Calcutta Medical College, annual.

1st March—Indents Veterinary, annual.
Indents of Garrison, Station and Lock Hospitals, annual.
Indents Presidency General Hospital, annual.

1st May—Indents Native troops, annual.
Indents, Civil, of Dacca circle, annual.

1st July—Indents British troops, half-yearly.
Indents Survey and Miscellaneous, annual.

1st August—Indents of the remaining Calcutta Medical Institutions, annual.

1st October—Indents, Civil, of the Dinapore circle, annual.

15th November—Indents Mofussil portion of Presidency circle, annual.

II. The Allahabad Depôt will supply the Agra, Allahabad, Lucknow, Meerut, and Saugor circles, and the Gwalior circle, British forces: the Indents being submitted thus—

1st January—Indents British troops, half-yearly.
Indents of Garrison, Station and Lock Hospitals, annual.

1st March—Indents Veterinary, annual.

1st May—Indents Native troops, annual.
Indents, Civil, of Lucknow circle, annual.

1st July—Indents British troops, half-yearly.
Indents, Civil, of Allahabad circle, annual.

15th August—Indents, Civil, of Agra circle, annual.
Indents, Civil, Survey and Miscellaneous, annual.

1st October—Indents, Civil, of Meerut circle, annual.

15th November—Indents, Civil, of Saugor circle, annual.

III. The Meean Meer Depôt will supply the Lahore, Rawal Pindi, and Umballa circles: the Indents being due thus—

1st January—Indents British troops, half-yearly.
Indents of Garrison, Station, Ordnance, and Lock Hospitals.

1st March—Indents Veterinary, annual.

1st May—Indents Native troops, annual.
Indents, Civil, of Trans-Sutledge stations of Umballa circle.

1st July—Indents British troops, half-yearly.
Indents Survey and Miscellaneous.

15th August—Indents, Civil, of Rawal Pindi circle.

1st October—Indents, Civil, of the Cis-Sutledge stations of the Umballa circle.

1st November—Indents, Civil, of the Lahore circle.

No. 1068 *of* 1876.—*Promotions:*—

MILITARY ACCOUNTS DEPARTMENT.

Permanent.

Colonel E. F. Fasken, Military Accountant, 2nd class, 1st grade, to be Military Accountant, 1st class, 2nd grade, and take rank below Colonel Cockburn and above Major Turner.

Lieutenant-Colonel J. P. Martin, Military Accountant, 2nd class, 2nd grade, to be Military Accountant, 2nd class, 1st grade, and to continue to officiate as Military Accountant, 1st class, 2nd grade.

Captain C. J. Durand, Military Accountant, 3rd class, to be Military Accountant, 2nd class, 2nd grade, and to continue to officiate as Military Accountant, 2nd class, 1st grade.

Lieutenant E. J. G. Lewis, Assistant Military Accountant, to be Military Accountant, 3rd class, and to continue to officiate as Military Accountant, 2nd class, 2nd grade.

From 1st July 1876, in succession to Colonel A. E. Osborn, Military Accountant, 1st class, 2nd grade, retired.

Temporary.

Captain G. W. Sawyer, Assistant Military Accountant and Officiating Military Accountant, 3rd class, to officiate as Military Accountant, 2nd class, 2nd grade.

Lieutenant D. A. A. Macpherson, Assistant Military Accountant, on probation, to officiate as Military Accountant, 3rd class.

From the 27th July 1876, during the absence on furlough to Europe of Captain M. A. Rowlandson, or until further orders.

Major W. S. Hunt, Military Accountant, 3rd class, and Officiating Military Accountant, 2nd class, 2nd grade, to officiate as Military Accountant, 2nd class, 1st grade.

Lieutenant F. F. R. Burgess, Assistant Military Accountant, on probation, and Officiating Military Accountant, 3rd class, to officiate as Military Accountant, 2nd class, 2nd grade.

From the 19th September 1876, during the absence on furlough to Europe of Captain H. H. P. Cowper, or until further orders.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th October 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officer and Hospital Apprentice, on the dates specified, were received in the Military Department from 29th September to 7th October 1876:—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
4th Battalion, Rifle Brigade.	Captain the Hon'ble E. C. Vaughan	3rd Oct. 1876	Umballa.		
Subordinate Medical Department.	Hospital Apprentice F. J. Connors	18th Sept. 1876	Jullundur.		

Statement of Deposits on account of Estates from 16th September to 7th October 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					*Rs. a. p.*		
Geo. Edward Dodsworth (*a*)	Lieutenant	Royal Artillery.	14th June 1876.	No Will found	863 6 7	.....	7th December 1876.
Indian Military Service.							
Fleetwood Hesketh Williams (*b*)	Captain ...	General List, Bengal Infantry.	30th June 1876.	Will left ...	267 8 1	.....	Ditto.

(*a*) *Widow.*—Mrs. P. R. Nellie Dodsworth.
Children.—G. P. Dodsworth, E. F. Dodsworth.
Care of Mrs. Edward Dodsworth. Care of General Wilford, 4 Barham Terrace, St. Leonard's on Sea.

(*b*) *Widow.*—Mrs. Ka ler Williams.
Next-of-kin.—Father, Fleetwood Williams, Esq., Bengal Civil Service, Nynee Tal.

ALLEN JOHNSON, *Colonel,*
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 27th September 1876.

No. 400.—The Governor General in Council is pleased to make the following promotions in the Railway Branch of the Public Works Department, with effect from 27th August 1876:—

Mr. M. Rayne, temporary Superintending Engineer 1st Grade, and temporary Chief Engineer, III Class, to be permanent Superintending Engineer 1st Grade, *vice* Lieutenant-Colonel C. J. Mead, S. C., deceased.

Lieutenant-Colonel J. Bonus, R.E., Superintending Engineer 3rd Grade (on furlough), to be permanent Superintending Engineer 2nd Grade, *vice* Mr. Rayne, promoted.

Mr. C. Cheyne, temporary Superintending Engineer 2nd Grade, to be temporary Superintending Engineer 1st Grade, *vice* Mr. Rayne, temporary Chief Engineer, III class.

The 9th October 1876.

No. 411.—The promotion by the Chief Commissioner of Mysore of Engineer Apprentice Mr. Vasudeo Hari Kurvi to Assistant Engineer 3rd Grade, with effect from 5th September 1876, is confirmed.

No. 412.—Lieutenant-Colonel A. R. Bayly, S.C., Executive Engineer 1st Grade, Military Works Branch, is granted leave for six months in India in extension of the one year's furlough on medical certificate granted him in Public Works Department Notification No. 280, dated 17th June 1876.

The 11th October 1876.

No. 413.—Baboo Haran Chunder Bose, Accountant 4th Grade, Bengal, is transferred to the Military Works Branch.

No. 414.—Mr. M. H. Gaynor, Accountant 3rd Grade, Mysore, is transferred to the Punjab.

No. 416.—Colonel C. H. Dickens, C.S.I., R.A., Secretary to the Government of India in the Public Works Department, is granted privilege leave from the afternoon of the 10th October to the 5th November 1876, inclusive.

Major-General W. A. Crommelin, C.B., R.E., Deputy Secretary to the Government of India, Public Works Department, Military Works Branch, is appointed to officiate as Secretary from the afternoon of the 10th October 1876.

The 12th October 1876.

No. 417.—Captain J. Dundas, V. C., R. E., Executive Engineer 2nd Grade, with the temporary rank of 1st Grade, is appointed to officiate as a temporary arrangement as Assistant Secretary to the Government of India, Public Works Department, Military Works Branch, with effect from the 11th October. While so employed Captain Dundas will have the temporary rank of Superintending Engineer 3rd Grade.

No. 418.—Captain G. F. L. Marshall, R. E., Executive Engineer 2nd Grade, is appointed to officiate as Assistant Secretary to the Government of India, in the Civil Works Branch of the Public Works Department, during the absence on furlough of Captain G. T. Skipwith, R. E., or until further orders.

Captain Marshall assumed charge of the office on the forenoon of 9th October 1876, on which date Captain Skipwith availed himself of the subsidiary leave granted him in Public Works Department Notification No. 396, dated 21st September 1876.

No. 419.—Mr. H. J. R. DeSalis, Assistant Examiner, availed himself on the afternoon of the 22nd September 1876 of the leave to Europe on medical certificate for twelve months granted to him in Notification No. 387, dated 13th September 1876.

No. 420.—Mr. W. Henry, Accountant 4th Grade, Military Works Branch, is transferred to the Punjab.

No. 421.—Mr. H. Leonard, probationary Accountant 4th Grade, Punjab Northern State Railway, is confirmed in his appointment.

No. 422.—The following Engineer Apprentices attached to the North-Western Provinces, Irrigation Branch, are promoted to the rank of Assistant Engineer 3rd Grade, with effect from 1st July 1876:—

Mr. H. H. Nelson.
Mr. A. C. Evans.

TELEGRAPH.

The 11th October 1876.

No. 415.—Major J. Eckford, R.E., Officiating Superintendent 1st Grade, is appointed to officiate as Director of Construction, with effect from 1st November 1876, during such time as Major Mallock continues to officiate as Deputy Director General, or until further orders.

W. A. CROMMELIN, *Major-Genl., R. E.,*
Offg. Secy. to the Govt. of India.

The Gazette of India,

EXTRAORDINARY.

Published by Authority.

SIMLA, TUESDAY, OCTOBER 17, 1876.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Simla, the 16th October 1876.

No. 1607.

THE Governor General in Council hereby declares that it is expedient that the Governor General shall visit certain parts of India unaccompanied by his Council. And in the exercise of the powers conferred by the Indian Councils Act, Section 6, the Governor General in Council hereby nominates Major-General the Hon'ble Sir H. W. Norman, K.C.B., to be President of the said Council during the time of such visit; and the powers of the Governor General in assemblies of the said Council during the time of such visit shall be reposed in the said Major-General the Hon'ble Sir H. W. Norman, except that of assenting to, or withholding his assent from, or reserving for the signification of Her Majesty's pleasure, any law or regulation as provided in the 24th and 25th Vic., Cap. 67. And the Governor General is authorized by this order made for that purpose alone to exercise all or any of the powers which may be exercised by the said Governor General in Council in every case in which the said Governor General may think it expedient to exercise the same, except the powers of making laws and regulations.

By order of His Excellency the Governor General of India in Council.

ARTHUR HOWELL,

Offg. Secretary to the Government of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 43. SIMLA, SATURDAY, OCTOBER 21, 1876. Register No. 33.

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

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SUPPLEMENT No. 45.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 16th October 1876.

No. 1607.—The Governor General in Council hereby declares that it is expedient that the Governor General shall visit certain parts of India unaccompanied by his Council. And in the exercise of the powers conferred by the Indian Councils Act, Section 6, the Governor General in Council hereby nominates Major-General the Hon'ble Sir H. W. Norman, K. C. B., to be President of the said Council during the time of such visit; and the powers of the Governor General in assemblies of the said Council during the time of such visit shall be reposed in the said Major-General the Hon'ble Sir H. W. Norman, except that of assenting to, or withholding his assent from, or reserving for the signification of Her Majesty's pleasure, any law or regulation as provided in the 24th and 25th Vic., Cap. 67. And the Governor General is authorized by this order made for that purpose alone to exercise all or any of the powers which may be exercised by the said Governor General in Council in every case in which the said Governor General may think it expedient to exercise the same, except the powers of making laws and regulations.

ESTABLISHMENTS.

The 16th October 1876.

No. 685.—The services of Mr. D. L. M. Mackay of the Bengal Civil Service, Assistant Commissioner in the Central Provinces, have been temporarily placed at the disposal of the Chief Commissioner of British Burma.

The 20th October 1876.

No. 696.—The following extract (para. 1) from a despatch from Her Majesty's Secretary of State for India, No. 97, dated 31st August 1876, is published for general information:

PARA. 1.—The undermentioned gentlemen have been appointed members of the Bengal Civil Service in the following order and to the Divisions of your Government placed against their names:

Mr.	Cursetjee Rustomjee	N. W. P., Punjab and Oudh.
,,	James McCrone Douie	Ditto.
,,	Leslie Alexander Selim Porter	Ditto.
,,	Robert Hildebrand Anderson	Bengal.

Mr. Louis William Dane	... ...	... N. W. P., Punjab and Oudh.
„ Bernard George Geidt	... ...	... Bengal.
„ Duncan Cameron	... ...	... Ditto.
„ James Emile Bridges	... ...	... N. W. P., Punjab and Oudh.
„ Robert Blair McCabe	... ...	... Bengal.
„ Charles William Imrie	... ...	... N. W. P., Punjab and Oudh.
„ Herbert Burleton Jones-Bateman	...	... Ditto.
„ Philip Chicheley Hyde Snow	...	... Ditto.
„ Loftus George Evans	... ...	... Ditto.
„ Frederic St. George de Lautour Tucker		... Ditto.
„ Edward Francis Roche	... ...	... Ditto.
„ Cecil Joseph Salkeld Faulder	...	... Bengal.
„ Charles Denton Steel	... ...	... N. W. P., Punjab and Oudh.
„ Francis Alexander Slack	...	... Bengal.
„ Frederick Alexander Robertson	...	... N. W. P., Punjab and Oudh.
„ Henry Beatson Punnett	... ...	... Ditto.
„ Duncan Ferguson	... ...	... Bengal.
„ Frank St. Clair Grimwood	...	... Ditto.
„ Alfred Macdonald Bulteel Irwin	...	... N. W. P., Punjab and Oudh.
„ Edgar Galbraith	... ...	... Ditto.

No. 704.—*Appointment.*—Mr. L. Neill, C.S., Officiating Assistant Secretary to the Chief Commissioner of the Central Provinces, to officiate as Under Secretary to the Government of India in the Home Department, *vice* Mr. T. J. Chichele Plowden, or until further orders.

EXAMINATIONS.

The 19th October 1876.

No. 135.—Mr. J. Pratt, M. A., of the Bengal Civil Service, having obtained a certificate of High Proficiency in Bengali, has been presented with the authorized donation of Rs. 1,000.

MEDICAL.

The 16th October 1876.

No. 574.—The services of Surgeon R. Harvey, M. B., in joint medical charge at Simla, are temporarily placed at the disposal of the Military Department.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.

CUSTOMS—INLAND.

Simla, the 18th October 1876.

No. 271.—The services of Mr. J. Geoghegan, B. C. S., are replaced at the disposal of the Government of Bengal with effect from the 26th ultimo.

The 20th October 1876.

No. 278.—The Governor General in Council is pleased to make the following additions to Rules 9 and 10 of the Inland Customs Rules, 1876, published under Notification No. 156, dated the 30th June 1876:—

At the end of Rule 9 add the words "or Assistant Commissioner, Sámbhar;"

and

At the end of Rule 10 add "and in cases of through consignments from Sámbhar the Assistant Commissioner shall after delivery of the salt to the Railway authorities give a *rawanna* under his hand and seal to cover the consignment."

FORESTS.

The 17th October 1876.

No. 1109.—Mr. T. G. B. Atkinson, Sub-Assistant Conservator of Forests in the Punjab, is transferred to the Central Provinces, on probation for one year, from the date on which he joins the Forest Department of those Provinces.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 13th October 1876.

No. 2381*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Johannes Brandenburg as Acting Consul for Sweden and Norway at Bombay during the absence of Mr. A. C. Gumpert.

No. 2385*P.*—With reference to Notification No. 1728P., dated 27th July 1876, the recognition by the Government of India of the appointment of Mr. H. Scheppelmann as Acting Consul for the German Empire at Rangoon during the absence of Mr. Barckhausen, has been confirmed by Her Majesty's Government.

GENERAL.

The 13th October 1876.

No. 2228*G.*—Captain R. G. E. Dalrymple, Boundary Settlement Officer, Bhopal, to officiate as Political Assistant 1st Class.

No. 2229*G.*—With reference to Notification in this Department No. 2228G., dated 13th October 1876, Captain R. G. E. Dalrymple, Officiating Political Assistant 1st Class, is posted to Nowgong as Cantonment Magistrate and Treasury Officer with effect from the date of assuming charge.

No. 2231*G.*—*Promotion.*—With reference to Notification in this Department No. 1924G., dated 1st September 1876, Captain W. J. W. Muir to officiate as Political Agent 1st Class, with effect from the date of assuming charge at Moorshedabad, *vice* Major Tweedie.

Posting.—Lieutenant-Colonel J. C. Berkeley, Political Agent 2nd Class, to be posted as Political Agent for Haraotee and Tonk, with effect from the date on which he assumes charge on return from furlough.

No. 2234*G.*—Consequent on the death of Surgeon-Major R. Brown, Political Agent 2nd Class, the Governor General in Council has sanctioned the following promotions and appointment:—

Colonel M. Thomson, Political Agent 3rd Class and Officiating Political Agent 1st Class, to be Political Agent 2nd Class, but to continue to officiate as Political Agent 1st Class.

Captain J. W. Ridgeway, Officiating Political Agent 3rd Class, is confirmed in that grade.

} With effect from 19th August 1876.

Lieutenant-Colonel J. Johnstone, Assistant Commissioner, Assam, at present on furlough, to be Political Assistant 1st Class, with effect from the date on which he joins his appointment at Manipur.

No. 2235*G.*—With reference to Notification in this Department No. 2234G., dated 13th October 1876, Lieutenant-Colonel J. Johnstone, Political Assistant 1st Class, is posted to Manipur, with effect from the date of assuming charge.

T. H. THORNTON,
Offg. Secy. to the Govt. of India.

The 20th October 1876.

No. 2276*G.*—C. Kalyana Sundram Chetti is permitted to resign his appointment as Assistant Commissioner 6th Class, Mysore Commission, with effect from the 1st October 1876.

F. HENVEY,
For Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—MINT AND CURRENCY.

Simla, the 20th October 1876.

No. 3590.—The following Account is published in accordance with the law:—

Account of the profits of the Currency Note circulation and of the charges and expenses incidental thereto, during the years 1875-76, or from April 1875 to March 1876, made up as required by Section 20 of the India Paper Currency Act, 1871.

Dr. Charges and Expenses.	Rs.	A.	P.	Cr. Profits.	Rs.	A.	P.
Salaries of Commissioners and Assistant Commissioners, &c.	51,287	1	5	Interest on Government Securities ...	23,64,998	0	0
Establishment	1,51,107	15	1	Miscellaneous Receipts ...	119	14	5
Temporary Establishment	10,846	9	11	Rent realised for the first floor of the Currency Building, 1 Dalhousie Square	2,400	0	0
Charges for Remittance	5,316	3	3				
Stationery	2,397	7	0				
Printing Charges	2,033	0	4				
Service Telegrams	2,017	0	0				
Purchase of Service Stamps	1,635	8	6				
House, Lighting, Police, and Water Rates	5,800	10	7				
Cost of Note-forms	84,953	14	8				
One-third Freight on Europe Stores ...	...						
Pensions	1,626	0	0				
Cost of Repairs, &c., to Currency Building	3,683	12	3				
Cost of Chests, Bags and Locks ...	4,004	1	10				
Dead Stock (cost of Office furniture, &c.) ...	1,153	10	0				
Contingencies	6,633	10	2				
Travelling Allowance	831	2	2				
	3,35,327	11	2				
Profit of Note circulation for 1875-76 ...	20,32,190	3	3				
Rupees ...	23,67,517	14	5	Rupees ...	23,67,517	14	5

E. E.

(Sd.) R. TAYLOR,
Offg. Comptroller General.

The 12th October 1876.

No. 3591.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency:—*

Date.	Circles of Issue.	Currency Notes in circulation.	Silver Coin Reserve.	Reserve in Government Securities.	Total Reserve.
		Rs.	Rs.	Rs.	Rs.
1876, 30th Sept.	Calcutta	5,04,96,505	1,20,76,307	2,54,39,528	3,75,15,835
,,	Madras	1,02,22,030	59,88,490	60,00,000	1,19,88,490
,,	Bombay	3,20,16,210	2,07,44,535	1,56,00,000	3,63,44,535
,,	Allahabad	83,19,525	1,03,86,825	31,00,000	1,34,86,825
,,	Lahore	69,87,990	41,53,900	33,00,000	74,53,900
,,	Calicut	24,62,930	22,46,065	7,00,000	29,46,065
,,	Coconada	15,44,625	10,45,550	5,00,000	15,45,530
,,	Nagpore	18,31,890	12,71,435	8,00,000	20,71,435
,,	Kurrachee	17,40,475	6,08,670	12,00,000	18,08,670
,,	Akola	18,68,960	20,59,075	3,00,000	23,59,075
,,	TOTAL ..	11,75,20,360	6,05,80,832	5,69,39,528	11,75,20,360

PAY AND ALLOWANCES.

The 20th October 1876.

No. 3511.—With reference to the Notification by the Government of India in the Financial Department, No. 2295, dated 25th April 1867, laying down a revised scale of consolidated pay for Uncovenanted Medical Officers when in medical charge of civil stations, the Hon'ble the President in Council is pleased to rule that service by an Uncovenanted Medical Officer in the permanent medical charge of the chief civil station of a district, or in other equivalent permanent medical charge, if rendered under that Notification, that is, from and after 25th April 1867, shall not, by any subsequent breaks, be forfeited in the reckoning of qualifying service towards the periodical increments of pay according to the scale prescribed in that Notification, unless a break be caused by removal for misconduct, in which case all antecedent service towards the periodical increments will be forfeited.

This rule applies also to Honorary Surgeons and other members of "Apothecary" class employed in independent medical charge of civil stations who, under the ruling in paragraph 28 of the General Order by the Government of India in the Military Department, No. 550, dated 5th June 1868, are entitled to receive pay in accordance with the scale laid down in the Notification No. 2295, dated 25th April 1867.

TRAVELLING ALLOWANCES, &c.

The 20th October 1876.

No. 3493.—The Hon'ble the President in Council is pleased to rule that the travelling allowance of a non-gazetted officer for joining a gazetted office to which he is appointed, shall be that which he would draw if he were a gazetted officer.

SEPARATE REVENUE—POST OFFICE.

The 20th October 1876.

No. 3554.—Mr. H. E. M. James, Bombay Civil Service, resumed charge of the office of Post Master General, Bombay, before noon, on the 2nd October 1876.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 16th October 1876.

No. 1069 *of* 1876.—Surgeon-Major George Hickie Daly, M.D., Medical Department, has been permitted to retire from the service on a pension of £292 per annum, with effect from the 6th August 1875.

The 17th October 1876.

No. 1070 *of* 1876.—The Hon'ble the President in Council is pleased to make the following appointments on His Honor's Personal Staff, with effect from the 16th instant:—

To be Military Secretary.

Major C. E. Bates, Bengal Staff Corps.

To be Aide-de-Camp.

Lieutenant C. W. Muir, Bengal Staff Corps, 2nd Squadron Subaltern, 6th Bengal Cavalry.

The 18th October 1876.

No. 1071 *of* 1876.—The services of the undermentioned officers are placed temporarily at the disposal of the Hon'ble the Lieutenant-Governor of Bengal for appointment on His Honor's Personal Staff during the approaching Imperial Assemblage at Delhi:—

Lieutenant P. A. Buckland, Bengal Staff Corps, Officiating 2nd Wing Subaltern, 39th (The Allygurh) Regiment of Native Infantry, from the 1st November 1876.

Lieutenant W. H. Frith, Royal Artillery, 2nd Subaltern, Peshawar Mountain Battery, Punjab Frontier Force, from the 10th December 1876.

No. 1072 *of* 1876.—The following extract from List No. 15, dated 22nd September 1876, received from the India Office, is published for general information:—

Permitted to return to duty.

Lieutenant G. H. C. Dyce, s.c.
Surgeon-Major A. K. Reed.
Surgeon R. Power.
Surgeon-Major A. P. Holmes.
Apothecary R. W. Beale.
Surgeon R. Reid.
Surgeon-Major J. W. Johnston.
Captain D. Adamson, s.c.
Lieutenant-Colonel R. Barter, s.c.

Major S. J. Browne, s.c.
Surgeon-Major J. A. C. Hutchinson.
Surgeon G. Massy.
Major H. Collett, s.c.
Sub-Conductor T. Jameson.
Major R. G. Birch, Cavalry.
Lieutenant-Colonel A. D. Vanrenen, s.c.

Granted extensions of leave.

Major J. Stewart, R.A. ... 1 month, private affairs.
Captain C. McD. Skene, General List, Infantry ... 3 months, ,, ,,
Lieutenant-Colonel R. Barter, s.c. ... ... 2 weeks, ,, ,,
Lieutenant-Colonel J. Johnstone, Infantry ... 2 months, sick certificate.
Captain C. Young, General List, Infantry ... 6 ,, private affairs.

Retirements.

Surgeon-Major D. Young, 6th September 1876.
Conductor C. Glover, 8th September 1876.

No. 1073 *of* 1876.—With reference to G. G. O. No. 399 of the 6th April 1876, it is notified that from the date of departure of Colonel A. B. Johnson, Deputy Secretary and Officiating Secretary, to join His Excellency the Viceroy on tour, Captain A. C. W. Crookshank, 3rd Assistant Secretary, will officiate, until further orders, as Secretary in the Military Department at the Presidency.

No. 1074 *of* 1876.—Lieutenant C. M. Keighley, Bengal Staff Corps, who was appointed on probation as Sub-Assistant Commissary General, 3rd class, by G. G. O. No. 973 of 1875, having passed the prescribed departmental tests, is permanently attached to the Army Commissariat Department.

No. 1075 *of* 1876.—Surgeon Thomas Elwood Lindesay Bate, Medical Department, has been allowed furlough to Europe on medical certificate for two years under the Regulations of 1875, with effect from the 15th September 1876, the date of his departure from Bombay per Steamer *Sumatra*.

No. 1076 *of* 1876.—Fourth class, or locally entertained, Native Doctor Shaik Ameer Shaik Hajee, Malwa Bheel Corps, is granted a pension of Rs. 7 per mensem, payable in the North-Western Provinces circle.

No. 1077 *of* 1876.—The services of Surgeon F. C. Ghose, Medical Department, now officiating in medical charge, 3rd Punjab Infantry, Punjab Frontier Force, were at the disposal of the Government of Bengal from the 22nd April 1874 to the 20th May 1874.

The 19th October 1876.

No. 1078 *of* 1876.—Second class Hospital Assistant Futteh Mohmed is dismissed the service.
G.G.O. No. 865 of 1866.

No. 1079 *of* 1876.—The undermentioned officer having completed twenty years' service, including six years in the Staff Corps, is promoted to the rank of Major from the date specified under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Captain (Brevet Major) James Sconce,—11th October 1876.

No. 1080 *of* 1876.—The undermentioned widows are admitted to the Order of Merit pensions as specified:—

NAMES.	Rank, Name, and Corps of deceased.	Date of admission.	Class of Order of Merit.	Circle of payment.
Pragee ...	Subadar Sewnath Pandy, 1st Oudh Irregular Infantry.	2nd May 1876	2nd Class, as Jemadar, Rs. 11-5-4 per mensem for three years.	N.-W. P.
Muckannah	Bahadoor Sing, late Sowar 7th Bengal Cavalry.	29th March 1876.	3rd Class, Rs. 2-10-8 per mensem for three years.	Ditto.

No. 1081 *of* 1876.—The undermentioned officers have reported their return from England:—

Major G. A. A. Baker, Bengal Staff Corps, 2nd in Command and Squadron Officer, 6th Bengal Cavalry,—date of arrival at Bombay, 5th October 1876.

Surgeon A. H. Williams, M.B., Medical Department,—date of arrival at Bombay, 5th October 1876.

No. 1082 *of* 1876.—The undermentioned officers have reported their departure on the dates specified:—

Major W. D. Palmer, Bengal Staff Corps, G. G. O. No. 981 of 1876,—*Bokhara*, 20th September 1876, from Calcutta.

Captain (Brevet Major) W. Tweedie, Bengal Staff Corps, G. G. O. No. 893 of 1876,—*Sumatra*, 15th September 1876, from Bombay.

No. 1083 *of* 1876.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the death of Colonel (Major-General on the Indian Gradation List) H. T. Vincent, Bombay Staff Corps, on the 11th July 1876, the name of—

Colonel W. C. R. Macdonald, Madras Staff Corps, is placed on the list of Major-Generals; and that of—

Major C. J. Hughes, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels on the Indian Gradation List.

No. 1084 *of* 1876.—The following promotion is made, subject to Her Majesty's approval:—

Brevet.

Rank, Name and Corps.	To what rank promoted.	From what date.	In succession to
Captain Arthur William Capel, Bengal Cavalry.	Major ..	12th July 1876.	Colonel (Major-General on the Indian Gradation List) H. T. Vincent, Bombay Staff Corps, deceased.

The 20th October 1876.

No. 1085 *of* 1876.—The Hon'ble the President in Council is pleased to authorize the issue of two dummy targets and the supply of two discs for each separate range where Bland's butts are ordered for British troops in the three presidencies in India, in order to permit of the altered system of signalling at target practice, described in Horse Guards' general order No. 55 of 1876, and its Appendix.

2. The blue and white flags now in use will be returned into store on the provision of the discs, &c.

3. Ranges and appliances as per annexed list for permanent Convalescent Hill Depôts are also sanctioned, in order to permit of all the men of the British service being annually exercised to the extent directed in the appendix to the above quoted Horse Guards' general order in the use of their arms. No other expense in the instruction of the men at these depôts is to be caused, except when parties of recruits have to be there instructed; in this case, the travelling allowances of Instructors of regiments to a hill depôt and back may be ordered by General Officers Commanding.

4. The supply of practice ammunition to trumpeters, drummers and buglers, &c., is sanctioned for the British and Native armies.

5. His Excellency the Commander-in-Chief will be so good as to issue all subsidiary orders necessary to give effect to this order, and to the Horse Guards' general order in question.

6. This order is applicable to the three presidencies.

List of targets and appliances to be supplied for the use of the troops, for musketry instruction purposes, to Convalescent Depôts.

Articles.	Proportion.	Remarks.
Flags ... { Red, 6 feet square	1	
„ 3 feet by 4 feet	4	
Poles, Lance, 10 feet long	5	
Discs with poles	2	
Stadiometer, complete, with one 20 yards length of chain, a cross staff and tripod, with stand for the stadiometer to rest upon, new pattern	1	
Tripod rests with rings	6	
Bags, sand, one bushel	6	
Brushes, paint, large	2	
„ „ small sash	2	Already provided for.
Whiting	50 lbs. annually.	
Paint, dry, lamp black	3 lbs. annually.	
Glue, to make size	9 lbs. annually.	
Paint, mixed, anticorrosive (for targets)	2 lbs. annually per target.	
„ dry, black, for painting Bull's eyes on barrack walls	4 oz. annually.	Already provided for.
„ „ white, ditto ditto ditto ...	6 oz. annually.	
Buckets, paint	2	
Wrenches (for screwing up targets)	2	
Tent, upper fly, new pattern, Privates' (complete with poles, &c)., condemned	1	
Files, for documents	6	
Targets ... { For Dalhousie	8	This range is to be also used by the Kuldunnah regiment, and it is to be divided into long and short ranges.
„ Landour	8	
„ Murree	14	
„ Darjeeling	8	
„ Naini Tâl	8	
„ Pachmarhi	8	
„ Kasauli	8	

NOTE.—Bland's butts as per figure 7, page 256, Musketry Regulations, are to be always constructed at these bill ranges.

No. 1086 *of* 1876.—With reference to G.G.O. No. 969 of 1868, it is hereby notified that the pay and allowances of a Paymaster after 20 years' service as such, if holding the rank of Captain when appointed, is Rupees 850-8-0 made up as follows, and not Rupees 880-15-0 as given in the above order:—

Pay.	Indian allowances exclusive of horse allowance.	Total per mensem.
Rs. A.	Rs. A.	Rs. A.
273 15	576 9	850 8

No retrenchments will be made in cases where the higher allowances have been passed, but they will cease from the date of this order.

In accordance with the above, the following correction will be made in the Pay Code for India, Volume I, "British Troops:"

Article 344, Clause *l*, page 82.

Substitute "Rs. 850-8-0" for Rs. "880-15-0" as the pay and Indian allowances after 20 years' service as Paymaster.

No. 1087 *of* 1876.—The following promotion is made in the undermentioned Corps:—

2nd (Queen's Own) Regiment of Native (Light) Infantry.

Subadar Nehaul Sing to be Subadar Major, *vice* Daveedeen Awusty, "Sirdar Bahadoor," deceased.

No. 1088 *of* 1876.—The Hon'ble the President in Council is pleased to sanction the publication, as applicable to India, of the following extracts of the Royal Warrant of the 29th November 1875, prescribing the scale of personal baggage and stores to be conveyed at the public expense on all ordinary movements by sea, in supersession of the scales published in G. G. Orders No. 471 of 1865 and No. 809 of 1868.

2. For officers and troops proceeding beyond sea on active service, special scales of baggage and equipment will be determined at the time according to the nature of the service.

Royal Warrant dated 29th November 1875.

Art. 1. The weight of personal baggage to be ordinarily conveyed at the public expense by * * * sea * * * shall be regulated by the following scales:—

OFFICERS.

STAFF AND DEPARTMENTAL.

Rank or relative Army Rank.

	Cwt.
General	40
Lieutenant-General	36
Major-General	36
Brigadier-General	30
Colonel	30
Lieutenant-Colonel	20
Major	18
Captain	12
Lieutenant	12
Sub-Lieutenant	12

REGIMENTAL.

Rank or relative Army Rank.

	Cwt.
Colonel	25
Lieutenant-Colonel	18
Major	15
Captain	10
Lieutenant	9
Sub-Lieutenant	9

Art. 2. Officers of our Royal Engineers, and Medical Officers, shall be permitted to carry 2 cwt., and Superintending Schoolmasters 1 cwt., in addition to the weight allowed by Art. 1.

Art. 3. All mounted officers when proceeding by water shall be entitled to an additional allowance for horse equipment of—

2 cwt. for one horse, and 1 cwt. for each additional horse, for which forage at the public expense is provided.

Art. 4. When proceeding by sea, if their passage is provided at the public expense, the families of officers shall be allowed to embark with them the following additional weight of baggage:—

	Cwt.
Each officer's wife, together with his children under 14 years of age	6
Each son exceeding 14 and under 16 years of age	½
Each unmarried daughter exceeding 14 years of age	½

Art. 6. The weight of baggage prescribed by the scale laid down in Art. 1, for which officers shall be allowed the cost of carriage when travelling upon the public service, shall be inclusive of the quantity carried free * * *.

Art. 8. At foreign stations the quantity of baggage, not exceeding that prescribed by Arts. 1 and 2, which officers proceeding on temporary duty may take with them, shall be regulated by the general or other officer commanding, in accordance with the requirements of the service at the station.

Art. 9. Officers while on leave from one station when ordered to rejoin at another, shall, if they have left their heavy baggage at one station, be allowed the cost of its transport to the station at which they are ordered to rejoin; but no compensation shall be granted for damage to, or loss of, baggage so conveyed.

NON-COMMISSIONED OFFICERS AND MEN.

Art. 10. The weight of personal baggage to be conveyed for non-commissioned officers and men of our army and its departments under the conditions contained in Art. 1, shall be as follows:—

* *Class I.*	
Staff and Departmental	2 cwt. each, and 1 cwt. additional if married.
Regimental, or attached to Regiments ...	2 cwt each, married or unmarried.
Classes II and III.	
Staff and Departmental	1 cwt. each, and 1 cwt. additional if married.
Regimental	½ cwt each, and 1 cwt. additional if married.
* * * * *	
Schoolmasters and Schoolmistresses ...	1 cwt. each additional for books.

STORES.

Art. 12. The weight of stores to be conveyed for the different corps in Our service shall be as follows:—

FOR A REGIMENT OF CAVALRY AND INFANTRY.

	Cwt.	
Quartermaster (including signalling stores and artificers' tools)	...	Actual weight.
Paymaster	2	for books.
Orderly-room	5	or 8, if attestations are conveyed.
Hospital	8	
Armourer	18	when necessarily conveyed.
Shoe-maker	2	
Band	2	
Recreation-room ...	12	
Officers' mess	5	
Sergeants' mess	50	
School	15	
	4	

* For detailed list of each class see paragraph 4 of this Order.

Special to Cavalry.

	Cwt.
Riding-master	1
Saddler, Farrier, and Saddletree-maker	1 each.
Arm-chests	12 each troop, and 1½ cwt. additional for every 10 men over 60 per troop.

Special to Infantry.

	Cwt.
Arm-chests	18 each company, and 1½ cwt. additional for every 10 men over 60 per company.

ROYAL ARTILLERY.

	Cwt.
Quartermaster ...	Actual weight.
	2 for books.
Paymaster	5 or 8, if attestations are conveyed.
Riding-master ...	1
Orderly-room ...	8 for each brigade.
Armourer	2 for head-quarters.
Shoe-maker	2
Hospital	5 for each battery, when necessarily conveyed.
Arm-chests	Same as for Cavalry and Infantry.
Officers' mess	9 for each battery.
Sergeants' mess ...	3

ROYAL ENGINEERS AND ARMY SERVICE CORPS.—FOR EACH TROOP OR COMPANY.

	Cwt.
Quartermaster; *viz.*, spare necessaries, deserters' kits, &c. ...	Actual weight.
Hospital	Actual weight when necessarily conveyed.
For arm-chests, accoutrement-chests, stationery-chest, &c. ...	18 and 1½ cwt. additional for every 10 men over 60 per troop or company.

SECRETARY OF STATE'S INSTRUCTIONS ON THE FOREGOING WARRANT.

General.

1. The quantity of baggage allowed for officers includes the following estimated weight of furniture:—

Staff.

	Cwt.
Colonel and Lieutenant-Colonel ...	10
Major	8
Junior Ranks	5

Regimental.

	Cwt.
Colonel	10
Lieutenant-Colonel and Major ...	8
Junior Ranks	5

2. In those cases in which particular reasons may render the conveyance of an officer's furniture unnecessary, the weight of baggage for which he will be allowed conveyance will be reduced accordingly.

3. Upon embarkation, each cwt. of baggage must be packed so as not to exceed a measurement of 5 cubic feet; and the attention of officers and others is particularly requested to the necessity for strictly complying with this rule.

4. Charges for the conveyance of baggage will, in all cases, be supported by receipted vouchers in which will be shown * * * under each of the headings detailed in the foregoing Warrant * * * its weight and measurement when conveyed by water; otherwise the charges cannot be admitted.

5. The scale of baggage herewith published represents the maximum quantity of baggage which can be conveyed with troops at the public expense. It is to be clearly understood that when individual officers and men, or when bodies of troops move, if their legitimate military equipment, —*i. e.*, personal equipment and furniture,—does not aggregate the full weight or measurement allowed, the balance cannot be absorbed by the conveyance, at the public expense, of articles forming no part of the equipment necessary for the service.

3. When an officer proceeds by a vessel of the Peninsular and Oriental or other Company, in which the amount of baggage to be taken without extra charge is less than the scale now sanctioned, he must defray the cost of the extra quantity, and submit a bill for the amount supported by the requisite vouchers.

4. The ranks under classes I, II and III in paragraph 10 of the Warrant are as follow:—

CLASS I.

Regimental.

Regimental or Brigade Sergeant-Major.
Ditto ditto Quartermaster Sergeant.
Sergeant Instructor in Fencing and Gymnastics.
Farrier-Major.
Brigade Sergeant, Assistant Instructor of Gunnery.
Sergeant Instructor of Musketry.
Trained Bandmaster.
Do. Schoolmaster.
Do. Schoolmistress.

Staff and Departmental.

Sergeant-Major.
Quartermaster Sergeant.
Barrack Sergeant.
Chief Instructor of Gymnastics.

CLASSES II AND III.

Regimental.

Troop Sergeant-Major.
Battery ditto
Do. Quartermaster Sergeant.
Company Sergeant-Major.
Saddler Sergeant.
Paymaster Sergeant.
Orderly-room Sergeant.
Armourer ditto,—Regimental.
Trumpet-Major.
Drum ditto.
Pipe ditto.
Fife ditto.
Bugle ditto.
Colour Sergeant.
Sergeant.
Farrier.
Sergeant Pioneer.
Battery Armourer Sergeant.
Farrier and Carriage Smith.

Staff and Departmental.

Armourer Sergeant.
Sergeant.

5. For all other ranks and their families the scale of cubic measurement and weight, as laid down in Standing Order by the Commander-in-Chief in India, No. 292 of 1873, and in the Transport Regulations, will remain in force.

6. This order is applicable to the three Presidencies.

No. 1089 *of* 1876.—With reference to G.G.O. No. 884 of 1876, Lieutenant C. G. Mansel, Squadron Subaltern, Corps of Guides (Queen's Own), Punjab Frontier Force, is permitted to continue with the 4th Punjab Cavalry as officiating 2nd Squadron Subaltern during the absence on furlough to Europe of Lieutenant R. H. Forrest or until further orders.

No. 1090 *of* 1876.—The Hon'ble the President in Council is pleased to authorize the supply, at

the expense of the State, from the Depôt at Deolalee, of the knapsacks referred to in the general order by His Excellency the Commander-in-Chief, No. 292 of 1873, at the rate of one per man, prior to their embarkation, to invalids and time-expired men proceeding to England by Her Majesty's Indian troopships from such regiments of the British army in India as are equipped with valises.

2. The knapsacks will be treated as articles of necessaries for the voyage only, and on arrival of the men in England will be given up for re-issue to drafts coming out to India, who will in like manner return them into store at the Deolalee Depôt for re-issue as required.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 14th October 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officer and Soldier on the dates specified, were received in the Military Department from 8th to 14th October 1876:—

Corps.	RANK AND NAMES.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Bengal Staff Corps	Lieutenant H. B. Prichard ...	5th Oct. 1876	Jhansi.		
European Invalid Battalion.	Corporal C. Neale ...	27th Sept. 1876	Chunar ...	Testate ...	Estate made over to widow.

Statement of Deposits on account of Estates from 8th to 14th October 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
Indian Military Service.					*Rs. a. p.*		
George Francis Blowers (*a*)	Captain ...	Bombay Staff Corps.	31st May 1876.	Intestate.	911 1 0		

(*a*) *Children.*—Violet Harrie Caroline and Rose Harriet Georgina. Newly Lodge, Falsgrave, Scarborough, England.
Father.—William Blowers, Esq., Coniston House, Mortimer Road, Kilburn, London.
Estate transferred to Secretary to Government of Bombay, Military Department.

ALLEN JOHNSON, *Colonel,*
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 16th October 1876.

No. 423.—Mr. G. Ward, Probationary Accountant, 2nd Grade, Military Works Branch, is permitted to resign his appointment with effect from 30th September 1876.

The 19th October 1876.

No. 427.—Mr. W. C. Furnivall, C. E., Under Secretary to the Government of India, Public Works Department, Railway Branch, is deputed on special duty.

While so employed Mr. Furnivall will have the temporary rank of Chief Engineer 3rd Class.

Major J. P. Steel, R. E., temporary Executive Engineer 1st Grade, on special duty with the Government of India, is appointed to officiate as Under Secretary to the Government of India in the Public Works Department, Railway Branch, during the absence of Mr. Furnivall, or until further orders.

No. 428.—Mr. R. N. Burn, Deputy Examiner (temporary rank) attached to the Rajpootana State Railway, is granted privilege leave for six weeks, with effect from such date as he may avail himself of it.

The 20th October 1876.

No. 429.—Captain W. A. J. Wallace, R. E., Deputy Consulting Engineer for Guaranteed Railways, Calcutta, is appointed to special duty in connexion with arrangements for the traffic on the Railways caused by the Imperial Assemblage. While so employed he will officiate as Under Secretary to the Government of India in the Public Works Department. Captain Wallace's head-quarters will be at Delhi, and all communications on the above subject should be addressed to him there.

No. 430.—Lieutenant D. A. Scott, R. E., will continue to officiate as Deputy Consulting Engineer to the Government of India, Calcutta, during the absence of Captain Wallace on special duty.

TELEGRAPH.

The 16th October 1876.

No. 424.—Mr. W. Williamson, Assistant Superintendent 1st Grade, is appointed to officiate as Superintendent 3rd Grade, with effect from 15th September 1876, during the absence on privilege leave of Mr. J. M. Lane, Superintendent 2nd Grade, or until further orders.

The 20th October 1876.

No. 431.—The following officiating appointments are made in the Telegraph Department with effect from 11th September 1876, during the absence of Mr. G. O'Donnell, Superintendent 1st Grade, on furlough, or until further orders:—

Mr. W. R. Brooke, Superintendent 2nd Grade, to officiate as Superintendent 1st Grade.

Mr. R. F. Dallas, Superintendent 3rd Grade, to officiate as Superintendent 2nd Grade.

W. A CROMMELIN, *Major-Genl., R. E.,*
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 44. SIMLA, SATURDAY, OCTOBER 28, 1876. Register No. 33.

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

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SUPPLEMENT No. 46.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 23rd October 1876.

No. 19.—The following Statute is published for general information:—

THE MERCHANT SHIPPING ACT, 1876.

ARRANGEMENT OF CLAUSES.

Preliminary.

CLAUSES.
1. Short title.
2. Construction of Act.
3. Commencement of Act.

Unseaworthy Ships.

4. Sending unseaworthy ship to sea a misdemeanour.
5. Obligation of shipowner to crew with respect to use of reasonable efforts to secure seaworthiness.
6. Power to detain unsafe ships and procedure for such detention.
7. Constitution of court of survey for appeals.
8. Power and procedure of court of survey.
9. Rules for procedure of court of survey, &c.
10. Liability of Board of Trade and shipowner for costs and damages.
11. Power to require from complainant security for costs.
12. Supplemental provisions as to detention of ship.

Foreign Ships, Overloading.

13. Application to foreign ships of provisions as to detention.

Appeal on Refusal of certain Certificates to Ships.

14. Appeal on refusal of certain certificates under Merchant Shipping and Passengers Acts.

Scientific Referees.

15. Reference in difficult cases to scientific persons.

Passenger Steamers and Emigrant Ships.

16. Exemption of certain steamers from passenger certificates.
17. Colonial certificates for passenger steamers.
18. Provision against double survey in case of passenger steamers and emigrant ships.
19. Provision as to survey of foreign passenger steamer or emigrant ship.

CLAUSE.

20. Power to modify Passengers Acts as to food, space, and accommodation in emigrant ships.
21. Provision of signals of distress, inextinguishable lights, and life buoys in passenger steamers and emigrant ships.

Grain Cargoes.

22. Stowage of cargo of grain, &c.

Deck Cargoes.

23. Space occupied by deck cargo to be liable to dues.
24. Penalty for carrying deckloads of timber in winter.

Deck and Load Lines.

25. Marking of deck-lines.
26. Marking of load-line on foreign-going British ships.
27. Marking of load-line in case of coasting vessels.
28. Penalty for offences in relation to marks on ships.

Investigations into Shipping Casualties.

29. Appointment, duties, and powers of wreck commissioners for investigating shipping casualties.
30. Assessors and rules of procedure on formal investigations into shipping casualties.
31. Power for wreck commissioner to institute examination with respect to ships in distress under 17 & 18 Vict., c. 104, s. 448.
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33. Place of investigation.

Miscellaneous.

34. Enforcing detention of ship.
35. Service of order on master, &c.
36. Ship's managing owner or manager to be registered.
37. Power for Her Majesty by Order in Council to apply certain provisions of Merchant Shipping Acts to foreign ships.
38. Provision as to Order in Council.
39. Fees, salaries, and costs.
40. Legal proceedings in case of offences.
41. Application of Act to Scotland.
42. Application of Act to Ireland.
43. Application of Act to Isle of Man.
44. Saving for colonial inland waters.

Repeal.

45. Repeal of Acts.

SCHEDULE.

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39 & 40 VIC., CHAPTER 80.

An Act to amend the Merchant Shipping Acts.

[15th August 1876.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as the Merchant Shipping Act, 1876.

Construction of Act.

2. This Act shall be construed as one with the Merchant Shipping Act, 1854, and the Acts amending the same; and the said Acts and this Act may be cited collectively as the Merchant Shipping Acts, 1854 to 1876.

Commencement of Act.

3. This Act shall come into operation on the first day of October 1876 (which day is in this Act referred to as the commencement of this Act); nevertheless any Orders in Council and general rules under this Act may be made at any time after the passing of this Act, but shall not come into operation before the commencement of this Act.

Unseaworthy Ships.

Sending unseaworthy ship to sea a misdemeanour.

4. Every person who sends or attempts to send, or is party to sending or attempting to send a British ship to sea in such unseaworthy state that the life of any person is likely to be thereby endangered, shall be guilty of a misdemeanour, unless he proves that he used all reasonable means to insure her being sent to sea in a seaworthy state, or that her going to sea in such unseaworthy state was, under the circumstances, reasonable and justifiable, and for the purpose of giving such proof he may give evidence in the same manner as any other witness.

Every master of a British ship who knowingly takes the same to sea in such unseaworthy state that the life of any person is likely to be thereby endangered shall be guilty of a misdemeanour, unless he proves that her going to sea in such unseaworthy state was, under the circumstances, reasonable and justifiable, and for the purpose of giving such proof he may give evidence in the same manner as any other witness.

A prosecution under this section shall not be instituted except by or with the consent of the Board of Trade, or of the Governor of the British possession in which such prosecution takes place.

A misdemeanour under this section shall not be punishable upon summary conviction.

Obligation of shipowner to crew with respect to use of reasonable efforts to secure seaworthiness.

5. In every contract of service, express or implied, between the owner of a ship and the master or any seaman thereof, and in every instrument of apprenticeship whereby any person is bound to serve as an apprentice on board any ship, there shall be implied, notwithstanding any agreement to the contrary, an obligation on the owner of the ship, that the owner of the ship, and the master, and every agent charged with the loading of the ship, or the preparing thereof for sea, or the sending thereof to sea, shall use all reasonable means to insure the seaworthiness of the ship for the voyage at the time when the voyage commences, and to keep her in a seaworthy condition for the voyage during the same: Provided, that nothing in this section shall subject the owner of a ship to any liability by reason of the ship being sent to sea in an unseaworthy state where, owing to special circumstances, the so sending thereof to sea is reasonable and justifiable.

Power to detain unsafe ships, and procedure for such detention.

6. Where a British ship, being in any port of the United Kingdom, is by reason of the defective condition of her hull, equipments, or machinery, or by reason of overloading or improper loading, unfit to proceed to sea without serious danger to human life, having regard to the nature of the service for which she is intended, any such ship (hereinafter referred to as "unsafe") may be provisionally detained for the purpose of being surveyed, and either finally detained or released, as follows:

(1.) The Board of Trade, if they have reason to believe on complaint, or otherwise, that a British ship is unsafe, may provisionally order the detention of the ship for the purpose of being surveyed.

(2.) When a ship has been provisionally detained there shall be forthwith served on the master of the ship a written statement of the grounds of her detention, and the Board of Trade may, if they think fit, appoint some competent person or persons to survey the ship and report thereon to the Board.

(3.) The Board of Trade on receiving the report may either order the ship to be released or, if in their opinion the ship is unsafe, may order her to be finally detained, either absolutely, or until the performance of such conditions with respect to the execution of repairs or alterations, or the unloading or reloading of cargo, as the Board think necessary for the protection of human life, and may from time to time vary or add to any such order.

(4.) Before the order for final detention is made a copy of the report shall be served upon the master of the ship, and within seven days after such service the owner or master of the ship may appeal in the prescribed manner to the court of survey (hereinafter mentioned) for the port or district where the ship is detained.

(5.) Where a ship has been provisionally detained, the owner or master of the ship, at any time before the person appointed under this section to survey the ship makes such survey, may require that he shall be accompanied by such person as the owner or master may select out of the list of assessors for the court of survey (nominated as hereinafter mentioned) and in such case if the surveyor and assessor agree, the Board of Trade shall cause the ship to be detained or released accordingly, but if they differ, the Board of Trade may act as if the requisition had not been made, and the owner and master shall have the like appeal touching the report of the surveyor as is before provided by this section.

(6.) Where a ship has been provisionally detained, the Board of Trade may at any time, if they think it expedient, refer the matter to the court of survey for the port or district where the ship is detained.

(7.) The Board of Trade may at any time, if satisfied that a ship detained under this Act is not unsafe, order her to be released either upon or without any conditions.

(8.) For the better execution of this section, the Board of Trade, with the consent of the Treasury, may from time to time appoint a sufficient number of fit officers, and may remove any of them.

(9.) Any officer so appointed (in this Act referred to as a detaining officer) shall have the same power as the Board of Trade have under this section of provisionally ordering the detention of a ship for the purpose of being surveyed, and of appointing a person or persons to survey her; and if he thinks that a ship so detained by him is not unsafe may order her to be released.

(10.) A detaining officer shall forthwith report to the Board of Trade any order made by him for the detention or release of a ship.

Constitution of court of survey for appeals.

7. A court of survey for a port or district shall consist of a judge sitting with two assessors.

The judge shall be such person as may be summoned for the case in accordance with the rules made under this Act out of a list (from time to time approved for the port or district by one of Her Majesty's Principal Secretaries of State, in this Act referred to as a Secretary of State) of wreck commissioners appointed under this Act, stipendiary or metropolitan police magistrates, judges of county courts, and other fit persons; but in any special case in which the Board of Trade think it expedient to appoint a wreck commissioner, the judge shall be such wreck commissioner.

The assessors shall be persons of nautical engineering or other special skill and experience; one of them shall be appointed by the Board of Trade, either generally or in each case, and the other shall be summoned in accordance with the rules under this Act by the registrar of the court, out of a list of persons periodically nominated for the purpose by the local marine board of the port, or, if there is no such board, by a body of local shipowners or merchants approved for the purpose by a Secretary of State, or, if there is no such list, shall be appointed by the judge; if a Secretary of State thinks fit at any time, on the recommendation of the government of any British possession or any foreign state, to add any person or persons to any such list, such person or persons shall until otherwise directed by the Secretary of State, be added to such list, and if there is no such list shall form such list.

The county court registrar or such other fit person as a Secretary of State may from time to time appoint shall be the registrar of the court, and shall, on receiving notice of an appeal or a reference from the Board of Trade, immediately summon the court in the prescribed manner to meet forthwith.

The name of the registrar and his office, together with the rules made under this Act relating to the court of survey, shall be published in the prescribed manner.

Power and procedure of court of survey.

8. With respect to the court of survey the following provisions shall have effect:

(1.) The case shall be heard in open court;

(2.) The judge and each assessor may survey the ship, and shall have for the purposes of this Act all the powers of an inspector appointed by the Board of Trade under the Merchant Shipping Act, 1854;

(3.) The judge may appoint any competent person or persons to survey the ship and report thereon to the Court;

(4.) The judge shall have the same power as the Board of Trade have to order the ship to be released or finally detained, but unless one of the assessors concurs in an order for the detention of the ship, the ship shall be released;

(5.) The owner and master of the ship and any person appointed by the owner or master, and also any person appointed by the Board of Trade, may attend at any inspection or survey made in pursuance of this section;

(6) The judge shall send to the Board of Trade the prescribed report, and each assessor shall either sign the report or report to the Board of Trade the reasons for his dissent.

Rules for procedure of court of survey, &c.

9. The Lord Chancellor of Great Britain may from time to time (with the consent of the Treasury so far as relates to fees) make, and when made revoke, alter, and add to general rules to carry into effect the provisions of this Act with respect to a court of survey, and in particular with respect to the summoning of and procedure before the court, the requiring on an appeal security for costs and damages, the amount and application of fees, and the publication of the rules.

All such rules while in force shall have effect as if enacted in this Act, and the expression "prescribed" in the provisions of this Act relating to the detention of ships or court of survey means prescribed by such rules.

Liability of Board of Trade and shipowner for costs and damages.

10. If it appears that there was not reasonable and probable cause, by reason of the condition of the ship or the act or default of the owner, for the provisional detention of the ship, the Board of Trade shall be liable to pay to the owner of the ship his costs of and incidental to the detention and survey of the ship, and also compensation for any loss or damage sustained by him by reason of the detention or survey.

If a ship is finally detained under this Act, or if it appears that a ship provisionally detained was, at the time of such detention, unsafe within the meaning of this Act, the owner of the ship shall be liable to pay to the Board of Trade their costs of and incidental to the detention and survey of the ship, and those costs shall, without prejudice to any other remedy, be recoverable as salvage is recoverable.

For the purposes of this Act the costs of and incidental to any proceeding before a court of survey, and a reasonable amount in respect of the remuneration of the surveyor or officer of the Board of Trade, shall be deemed to be part of the costs of the detention and survey of the ship, and any dispute as to the amount of costs under this Act may be referred to one of the masters or registrars of the Supreme Court of Judicature, who, on request made to him for that purpose by the Board of Trade, shall ascertain and certify the proper amount of such costs.

An action for any costs or compensation payable by the Board of Trade under this section may be brought against the Secretary thereof by his official title as if he were a corporation sole; and if the cause of action arises in Ireland, it shall be lawful for any of the superior courts of common Law in Ireland in which such action may be commenced to order that the summons or writ may be served on the Crown and Treasury Solicitor for Ireland, in such manner and on such terms as to extension of time and otherwise as to the court shall seem fit, and that such service shall be deemed good and sufficient service of such summons or writ upon the Secretary of the Board of Trade.

Power to require from complainant security for costs.

11. Where a complaint is made to the Board of Trade or a detaining officer that a British ship is unsafe, the Board or officer may, if they or he think fit, require the complainant to give security to the satisfaction of the Board for the costs and compensation which he may become liable to pay as hereinafter mentioned.

Provided that where the complaint is made by one-fourth, being not less than three, of the seamen belonging to the ship, and is not in the opinion of the Board or officer frivolous or vexatious, such security shall not be required, and the Board or officer shall, if the complaint is made in sufficient time before the sailing of the ship, take proper steps for ascertaining whether the ship ought to be detained under this Act.

Where a ship is detained in consequence of any complaint, and the circumstances are such that the Board of Trade are liable under this Act to pay to the owner of the ship any costs or compensation, the complainant shall be liable to pay to the Board of Trade all such costs and compensation as the Board incur or are liable to pay in respect of the detention and survey of the ship.

Supplemental provisions as to detention of ship.

12. (1). A detaining officer shall have for the purpose of his duties under this Act the same powers as an inspector appointed by the Board of Trade under the Merchant Shipping Act, 1854.

(2.) An order for the detention of a ship, provisional or final, and an order varying the same, shall be served as soon as may be on the master of the ship.

(3.) When a ship has been detained under this Act she shall not be released by reason of her British register being subsequently closed.

(4.) For the purposes of a survey of a ship under this Act any person authorized to make the same may go on board the ship and inspect the same and every part thereof, and the machinery, equipments, and cargo, and may require the unloading or removal of any cargo, ballast, or tackle.

(5.) The provisions of the Merchant Shipping Act, 1854, with respect to persons who wilfully impede an inspector, or disobey a requisition or order of an inspector, shall apply as if those provisions were herein enacted, with the substitution for the inspector of any judge, assessor, officer, or surveyor who under this Act has the same powers as an inspector or has authority to survey a ship.

Foreign Ships, Overloading.

Application to foreign ships of provisions as to detention.

13. Where a foreign ship has taken on board all or any part of her cargo at a port in the United Kingdom, and is whilst at that port unsafe by reason of overloading or improper loading, the provisions of this Act with respect to the detention of ships shall apply to that foreign ship as if she were a British ship, with the following modifications:

(1.) A copy of the order for the provisional detention of the ship shall be forthwith served on the consular officer for the State to which the ship belongs at or nearest to the place where the ship is detained:

(2.) Where a ship has been provisionally detained, the consular officer, on the request of the owner or master of the ship, may require that the person appointed by the Board of Trade to survey the ship shall be accompanied by such person as the consular officer may select, and in such case, if the surveyor and such person agree, the Board of Trade shall cause the ship to be detained or released accordingly, but if they differ, the Board of Trade may act as if the requisition had not been made, and the owner and master shall have the appeal to the court of survey touching the report of the surveyor which is before provided by this Act; and

(3.) Where the owner or master of the ship appeals to the court of survey, the consular officer, on the request of such owner or master, may appoint any competent person who shall be assessor in such case, in lieu of the assessor who, if the ship were a British ship, would be appointed otherwise than by the Board of Trade.

In this section the expression "consular officer" means any consul-general, vice-consul, consular agent, or other officer recognized by a Secretary of State as a consular officer of a foreign State.

Appeal on refusal of certain certificates to ships.

Appeal on refusal of certain certificates under Merchant Shipping and Passengers Acts.

14. Whereas by section three hundred and nine of the Merchant Shipping Act, 1854, and enactments amending the same, the owner of a passenger steamer as defined in that Act is required to cause the same to be surveyed by a shipwright surveyor and an engineer surveyor, and those surveyors are required to give declarations of certain particulars with respect to the sufficiency or conformity with the Act of the ship and equipments, and to the limits beyond which the ship is not fit to ply, and to the number of passengers which the ship is fit to carry, and of other particulars in the said section mentioned, and the Board of Trade, under section three hundred and twelve of the same Act, issue a certificate upon such declarations, and the passenger steamer cannot lawfully proceed to sea without obtaining such certificate;

And whereas under sections eleven and fifty of the Passengers Act, 1855, and the enactments amending the same, a passenger ship within the meaning of those sections (in this Act referred to as an emigrant ship) cannot lawfully proceed to sea without a certificate of clearance from an emigration officer, or other officer in those sections mentioned, showing that all the requirements of the said sections and enactments have been complied with, and that the ship is in the officer's opinion seaworthy, and that the passengers and crew are in a fit state to proceed to sea, and otherwise as therein mentioned;

And whereas by section thirty of the Merchant Shipping Act Amendment Act, 1862, provision is made for preventing a ship from proceeding to sea in certain cases without a certificate from a surveyor or person appointed by the Board of Trade to the effect that the ship is properly provided with lights, and with the means of making fog signals;

And whereas it is expedient to give in the said cases such appeal as hereinafter mentioned: Be it therefore enacted that—

If a shipowner feels aggrieved,

(1) by a declaration of a shipwright surveyor or an engineer surveyor respecting a passenger steamer under the above-recited enactments, or by the refusal of a surveyor to give the said declaration; or

(2) by the refusal of a certificate of clearance for an emigrant ship under the above-recited enactments; or

(3) by the refusal of a certificate as to lights or fog signals under the above-recited enactment,

the owner may appeal in the prescribed manner to the court of survey for the port or district where the ship for the time being is.

On such appeal the judge of the court of survey shall report to the Board of Trade on the question raised by the appeal, and the Board of Trade, when satisfied that the requirements of the report and the other provisions of the said enactments have been complied with, may,—

(1) in the case of a passenger steamer give their certificate under section three hundred and twelve of the Merchant Shipping Act, 1854; and

(2) in the case of an emigrant ship give, or direct the emigration or other officer to give, a certificate of clearance under the abovementioned enactments, and

(3) in the case of a refusal of a certificate as to lights or fog signals, give or direct a surveyor or other person appointed by them to give a certificate under section thirty of the Merchant Shipping Act Amendment Act, 1862.

Subject to any order made by the judge of the court of survey, the costs of and incidental to an appeal under this section shall follow the event.

Subject as aforesaid, the provisions of this Act with respect to the court of survey and appeals thereto, so far as consistent with the tenor thereof, shall apply to the court of survey when acting under this section, and to appeals under this section.

Where the survey of a ship is made for the purpose of a declaration or certificate under the above-recited enactments, the person appointed to make the survey shall, if so required by the owner, be accompanied on the survey by some person appointed by the owner, and in such case, if the said two persons agree, there shall be no appeal to the court of survey in pursuance of this section.

Scientific Referees.

Reference in difficult cases to scientific persons.

15. If the Board of Trade are of opinion that an appeal under this Act involves a question of construction or design, or of scientific difficulty or important principle, they may refer the matter to such one or more out of a list of scientific referees from time to time approved by a Secretary of State, as may appear to possess the special qualifications necessary for the particular case, and may be selected by agreement between the Board of Trade and the appellant, or in default of any such agreement by a Secretary of State, and thereupon

the appeal shall be determined by the referee or referees, instead of by the court of survey.

The Board of Trade, if the appellant in any appeal so require and give security to the satisfaction of the Board to pay the costs of and incidental to the reference, shall refer that appeal to a referee or referees so selected as aforesaid.

The referee or referees shall have the same powers as a judge of the court of survey.

Passenger Steamers and Emigrant Ships.

Exemption of certain steamers from passenger certificates.

16. Any steamship may carry passengers not exceeding twelve in number, although she has not been surveyed by the Board of Trade as a passenger steamer, and does not carry a Board of Trade certificate as provided by the Merchant Shipping Act, 1854, with respect to passenger steamers.

Colonial certificates for passenger steamers.

17. Where the legislature of any British possession provides for the survey of and grant of certificates for passenger steamers, and the Board of Trade report to Her Majesty that they are satisfied that the certificates are to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, it shall be lawful for Her Majesty by Order in Council—

(1) to declare that the said certificates shall be of the same force as if they had been granted under the said Acts; and

(2) to declare that all or any of the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts shall, either without modification or with such modifications as to Her Majesty may seem necessary, apply to the certificates referred to in the Order; and

(3) to impose such conditions and to make such regulations with respect to the said certificates, and to the use, delivery, and cancellation thereof, as to Her Majesty may seem fit, and to impose penalties not exceeding fifty pounds for the breach of such conditions and regulations.

Provision against double survey in case of passenger steamers and emigrant ships.

18. In every case where a passenger certificate has been granted to any steamer by the Board of Trade under the provisions of the Merchant Shipping Act, 1854, and remains still in force, it shall not be requisite for the purposes of the employment of such steamer under the Passengers Acts that she shall be again surveyed in her hull and machinery in order to qualify her for service under the Passengers Act, 1855, and the Acts amending the same; but for the purposes of employment under those Acts such Board of Trade certificate shall be deemed to satisfy the requirements of the Passengers Acts with respect to such survey, and any further survey of the hull and machinery shall be dispensed with, and so long as a steamship is an emigrant ship that is a passenger ship within the meaning of the Passengers Act, 1855, and the Acts amending the same, and the provisions contained in the said Passengers Acts as to the survey of her hull, machinery, and equipments have been complied with, she shall not be subject to the provisions of the Merchant Shipping Act, 1854, with respect to the survey of and certificate for passenger steamers, or to the enactments amending the same.

Provision as to survey of foreign passenger steamer or emigrant ship.

19. Where a foreign ship is a passenger steamer subject to the Merchant Shipping Act, 1854, and the Acts amending the same, or an emigrant ship subject to the Passengers Act, 1855, and the Acts amending the same, and the Board of Trade are satisfied, by the production of a foreign certificate of survey attested by a British consular officer at the port of survey, that such ship has been officially surveyed at a foreign port, and are satisfied that the requirements of the said Acts, or any of them, are proved by such survey to have been substantially complied with, the Board may, if they think fit, dispense with any further survey of the ship in respect of the requirements so complied with, and give or direct one of their officers to give a certificate, which shall have the same effect as if given upon survey under the said Acts or any of them: Provided that Her Majesty may by Order in Council direct that this section shall not apply in the case of an official survey at any foreign port at which it appears to Her Majesty that corresponding provisions are not extended to British ships.

Power to modify Passengers Acts as to food, space, and accommodation in emigrant ships.

20. It shall be lawful for the Board of Trade, if satisfied that the food, space, accommodation, or any other particular or thing provided in an emigrant ship for any class of passengers is superior to the food, space, accommodation, or other particular or thing required by the Passengers Act, 1855, and the Acts amending the same, to exempt such ship from any of the requirements of those Acts with respect to food, space, or accommodation, or other particular or thing, in such manner and upon such conditions as the Board of Trade may think fit.

Provision of signals of distress, inextinguishable lights, and life buoys in passenger steamers and emigrant ships.

21. Every sea-going passenger steamer and every emigrant ship shall be provided to the satisfaction of the Board of Trade—

(1) with means for making the signals of distress at night specified in the First Schedule to "The Merchant Shipping Act, 1873," or in any rules substituted therefor, including means of making flames on the ship which are inextinguishable in water, or such other means of making signals of distress as the Board of Trade may previously approve; and

(2) with a proper supply of lights inextinguishable in water and fitted for attachment to life buoys.

If any such steamer or ship goes to sea from any port of the United Kingdom without being so provided as required by this section, for each default in any of the above requisites the owner shall, if he appears to be in fault, incur a penalty not exceeding one hundred pounds, and the master shall, if he appears to be in fault, incur a penalty not exceeding fifty pounds.

Grain Cargoes.

Stowage of cargo of grain, &c.

22. No cargo of which more than one-third consists of any kind of grain, corn, rice, paddy, pulse, seeds, nuts, or nut kernels, hereinafter referred to as "grain cargo," shall be carried on board any British ship, unless such grain cargo be contained in bags, sacks, or barrels, or secured from shifting by boards, bulkheads, or otherwise.

If the managing owner or master of any British ship, or any agent of such owner who is charged with the loading of the ship or the sending her to sea, knowingly allows any grain cargo or part of a grain cargo to be shipped therein for carriage contrary to the provisions of this section, he shall for every such offence incur a penalty not exceeding three hundred pounds, to be recovered upon summary conviction.

Deck Cargoes.

Space occupied by deck cargo to be liable to dues.

23. If any ship, British or foreign, other than home trade ships as defined by the Merchant Shipping Act, 1854, carries as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, timber, stores, or other goods, all dues payable on the ship's tonnage shall be payable as if there were added to the ship's registered tonnage the tonnage of the space occupied by such goods at the time at which such dues become payable.

The space so occupied shall be deemed to be the space limited by the area occupied by the goods and by straight lines inclosing a rectangular space sufficient to include the goods.

The tonnage of such space shall be ascertained by an officer of the Board of Trade or of Customs, in manner directed by sub-section four of section twenty-one of the Merchant Shipping Act, 1854, and when so ascertained shall be entered by him in the ship's official log book, and also in a memorandum which he shall deliver to the master, and the master shall, when the said dues are demanded, produce such memorandum in like manner as if it were the certificate of registry, or, in the case of a foreign ship, the document equivalent to a certificate of registry, and in default shall be liable to the same penalty as if he had failed to produce the said certificate or document.

Penalty for carrying deckloads of timber in winter.

24. After the first day of November one thousand eight hundred and seventy-six, if a ship, British or foreign, arrives between the last day of October and the sixteenth day of April in any year at any port in the United Kingdom from any port out of the United Kingdom, carrying as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, any wood goods coming within the following descriptions; that is to say,

(*a*) any square, round, waney, or other timber, or any pitch pine, mahogany, oak, teak, or other heavy wood goods whatever; or

(*b*) any more than five spare spars or store spars, whether or not made, dressed, and finally prepared for use; or

(*c*) any deals, battens, or other light wood goods of any description to a height exceeding three feet above the deck;

the master of the ship, and also the owner, if he is privy to the offence, shall be liable to a penalty not exceeding five pound for every hundred cubic feet of wood goods carried in contravention of this section, and such penalty may be recovered by action or on indictment or to an amount not exceeding one hundred pounds (whatever may be the maximum penalty recoverable) on summary conviction:

Provided that a master or owner shall not be liable to any penalty under this section—

(1) in respect of any wood goods which the master has considered it necessary to place or keep on deck during the voyage on account of the springing of any leak, or of any other damage to the ship received or apprehended; or

(2) if he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the last day of October as allowed a sufficient interval according to the ordinary duration of the voyage for the ship to arrive before that day at the said port in the United Kingdom, but was prevented from so arriving by stress of weather or circumstances beyond his control; or

(3) if he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the sixteenth day of April as allowed a reasonable interval according to the ordinary duration of the voyage for the ship to arrive after that day at the said port in the United Kingdom, and by reason of an exceptionally favourable voyage arrived before that day:

Provided further, that nothing in this section shall affect any ship not bound to any port in the United Kingdom which comes into any port of the United Kingdom under stress of weather, or for repairs, or for any other purpose than the delivery of her cargo.

Deck and Load Lines.

Marking of deck-lines.

25. Every British ship (except ships under eighty tons register employed solely in the coasting trade, ships employed solely in fishing, and pleasure yachts) shall be permanently and conspicuously marked with lines of not less than twelve inches in length and one inch in breadth, painted longitudinally on each side amidships, or as near thereto as is practicable, and indicating the position of each deck which is above water.

The upper edge of each of these lines shall be level with the upper side of the deck plank next the waterway at the place of marking.

The lines shall be white or yellow on a dark ground, or black on a light ground.

Marking of load-line on foreign-going British ships.

26. With respect to the marking of a load-line on British ships the following provisions shall have effect:

(1). The owner of every British ship (except ships under eighty tons register employed solely in the coasting trade, ships employed solely in fishing, and pleasure yachts) shall, before entering his ship outwards from any port in the United Kingdom upon any voyage for which he is required so to enter her, or, if that is not practicable, as soon after as may be, mark upon each of her sides amidships, or as near thereto as is practicable, in white or yellow on a dark ground, or in black on a light ground, a circular disc twelve inches in diameter, with a horizontal line eighteen inches in length drawn through its centre:

(2). The centre of this disc shall indicate the maximum load-line in salt water to which the owner intends to load the ship for that voyage:

(3). He shall also, upon so entering her, insert in the form of entry delivered to the collector or other principal officer of Customs a statement in writing of the distance in feet and inches between the centre of this disc and the upper edge of each of the lines indicating the position of the ship's decks which is above that centre:

(4). If default is made in delivering this statement in the case of any ship, any officer of Customs may refuse to enter the ship outwards:

(5). The master of the ship shall enter a copy of this statement in the agreement with the crew before it is signed by any member of the crew, and no superintendent of any mercantile marine office shall proceed with the engagement of the crew until this entry is made:

(6). The master of the ship shall also enter a copy of this statement in the official log book:

(7). When a ship has been marked as by this section required, she shall be kept so marked until her next return to a port of discharge in the United Kingdom.

Marking of load-line in case of coasting vessels.

27. With respect to the marking of a load-line on British ships employed in the coasting trade, the following provisions shall have effect:—

(1). The owner of every British ship employed in the coasting trade on the coasts of the United Kingdom (except ships under eighty tons register employed solely in that trade) shall, before proceeding to sea from any port, mark upon each of her sides amidships, or as near thereto as is practicable, in white or yellow on a dark ground, or in black on a light ground, a circular disc twelve inches in diameter, with a horizontal line eighteen inches in length drawn through its centre:

(2). The centre of this disc shall indicate the maximum load-line in salt water to which the owner intends to load the ship, until notice is given of an alteration:

(3). He shall also once in every twelve months, immediately before the ship proceeds to sea, send or deliver to the collector or other principal officer of Customs of the port of registry of the ship a statement in writing of the distance in feet and inches between the centre of the disc and the upper edge of each of the lines indicating the position of the ship's decks which is above that centre:

(4). The owner, before the ship proceeds to sea after any renewal or alteration of the disc, shall send or deliver to the collector or other principal officer of Customs of the port of registry of the ship notice in writing of such renewal or alteration, together with such statement in writing as before mentioned of the distance between the centre of the disc and the upper edge of each of the deck-lines:

(5). If default is made in sending or delivering any notice or statement required by this section to be sent or delivered, the owner shall be liable to a penalty not exceeding one hundred pounds:

(6). When a ship has been marked as by this section required, she shall be kept so marked until notice is given of an alteration.

Penalty for offences in relation to marks on ships.

28. Any owner or master of a British ship who neglects to cause his ship to be marked as by this Act required, or to keep her so marked, or who allows the ship to be so loaded as to submerge in salt water the centre of the disc, and any person who conceals, removes, alters, defaces, or obliterates, or suffers any person under his control to conceal, remove, alter, deface, or obliterate, any of the said marks, except in the event of the particulars thereby denoted being lawfully altered, or except for the purpose of escaping capture by an enemy, shall for each offence incur a penalty not exceeding one hundred pounds.

If any of the marks required by this Act is in any respect inaccurate, so as to be likely to mislead, the owner of the ship shall incur a penalty not exceeding one hundred pounds.

Investigations into Shipping Casualties.

Appointment, duties, and powers of wreck commissioners for investigating shipping casualties.

29. For the purpose of rendering investigations into shipping casualties more speedy and effectual it shall be lawful for the Lord High Chancellor of Great Britain to appoint from time to time some fit person or persons to be a wreck commissioner or wreck commissioners for the United Kingdom, so that there shall not be more than three such commissioners at any one time, and to remove any such wreck commissioner; and in case it shall become necessary to appoint a wreck commissioner in Ireland, the Lord Chancellor of Ireland shall have the appointment and the power of removal of such wreck commissioner.

It shall be the duty of a wreck commissioner, at the request of the Board of Trade, to hold any formal investigation into a loss, abandonment, damage, or casualty (in this Act called a shipping casualty) under the eighth part of the Merchant Shipping Act, 1854, and for that purpose he shall have the same jurisdiction and powers as are thereby conferred on two justices, and all the provisions of the Merchant Shipping Acts, 1854 to 1876, with respect to investigations conducted under the eighth part of the Merchant Shipping Act, 1854, shall apply to investigations held by a wreck commissioner.

Assessors and rules of procedure on formal investigations into shipping casualties.

30. The wreck commissioner, justices, or other authority holding a formal investigation into a shipping casualty shall hold the same with the assistance of an assessor or assessors of nautical engineering or other special skill or knowledge, to be appointed by the commissioner, justices, or authority, out of a list of persons for the time being approved for the purpose by a Secretary of State.

The commissioner, justices, or authority, when of opinion that the investigation is likely to involve the cancellation or suspension of the certificate of a master or mate, shall, where practicable, appoint a person having experience in the merchant service to be one of the assessors.

Each assessor shall either sign the report made on the investigation, or report to the Board of Trade his reasons for his dissent therefrom.

The Lord High Chancellor of Great Britain may from time to time, with the consent of the Treasury so far as relates to fees, make, and when made revoke, alter, and add to general rules

for carrying into effect the enactments relating to formal investigations into shipping casualties, and in particular with respect to the summoning of assessors, the procedure, the parties, the persons allowed to appear, the notice to such parties and persons or to persons affected, and the amount and application of fees.

All such rules, while in force, shall have effect as if enacted in this Act.

Every formal investigation into a shipping casualty shall be conducted in such manner that if a charge is made against any person that person shall have an opportunity of making a defence.

Power for wreck commissioner to institute examination with respect to ships in distress under 17 & 18 Vict., c. 104, s. 448.

31. A wreck commissioner may, at the request of the Board of Trade, by himself, or by some deputy approved by the Board of Trade, institute the same examination as a receiver of wreck under section four hundred and forty-eight of the Merchant Shipping Act, 1854, and shall for that purpose have the powers by that section conferred on a receiver of wreck.

Power to hold inquiries or formal investigations as to stranded and missing ships.

32. In the following cases—

(1) whenever any ship on or near the coasts of the United Kingdom or any British ship elsewhere has been stranded or damaged, and any witness is found at any place in the United Kingdom, or

(2) whenever a British ship has been lost or is supposed to have been lost, and any evidence can be obtained in the United Kingdom as to the circumstances under which she proceeded to sea or was last heard of,

the Board of Trade (without prejudice to any other powers) may, if they think fit, cause an inquiry to be made or formal investigation to be held, and all the provisions of the Merchant Shipping Acts, 1854 to 1876, shall apply to any such inquiry or investigation as if it had been made or held under the eighth part of the Merchant Shipping Act, 1854.

Place of investigation.

33. A formal investigation into a shipping casualty may be held at any place appointed in that behalf by the Board of Trade, and all enactments relating to the authority holding the investigation shall, for the purpose of the investigation, have effect as if the place so appointed were a place appointed for the exercise of the ordinary jurisdiction of that authority.

Miscellaneous.

Enforcing detention of ships.

34. Where under the Merchant Shipping Acts, 1854 to 1876, or any of them, a ship is authorised or ordered to be detained, any commissioned officer on full pay in the naval or military service of Her Majesty, or any officer of the Board of Trade or Customs, or any British consular officer may detain the ship, and if the ship after such detention or after service on the master of any notice of or order for such detention proceeds to sea before it is released by competent authority, the master of the ship, and also the owner, and any person who sends the ship to sea, if such owner or person be party or privy to the offence, shall forfeit and pay to Her Majesty a penalty not exceeding one hundred pounds.

Where a ship so proceeding to sea takes to sea when on board thereof in the execution of his duty any officer authorised to detain the ship, or any surveyor or officer of the Board of Trade or Customs, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the officer or surveyor being so taken to sea, and also a penalty not exceeding one hundred pounds, or, if the offence is not prosecuted in a summary manner, not exceeding ten pounds for every day until the officer or surveyor returns, or until such time as would enable him after leaving the ship to return to the port from which he is taken, and such expenses may be recovered in like manner as the penalty.

Service of order on master, &c.

35. Where any order, notice, statement, or document requires, for the purpose of any provision of this Act, to be served on the master of a ship, the same shall be served, where there is no master, and the ship is in the United Kingdom, on the managing owner of the ship, or if there is no managing owner, on some agent of the owner residing in the United Kingdom, or where no such agent is known or can be found, by affixing a copy thereof to the mast of the ship.

Any such order, notice, statement, or document may be served by delivering a copy thereof personally to the person to be served, or by leaving the same at his last place of abode, or in the case of a master by leaving it for him on board the ship with the person being or appearing to be in command or charge of such ship.

Any person who obstructs the service of any order, notice, statement, or document on the master of a ship shall incur a penalty not exceeding ten pounds, and if the owner or master of the ship is party or privy to such obstruction he shall be guilty of a misdemeanor.

Ship's managing owner or manager to be registered.

36. The name and address of the managing owner for the time being of every British ship registered at any port or place in the United Kingdom shall be registered at the custom house of the ship's port of registry.

Where there is not a managing owner there shall be so registered the name of the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner; and any person whose name is so registered shall, for the purposes of the Merchant Shipping Acts, 1854 to 1876, be under the same obligations, and subject to the same liabilities, as if he were the managing owner.

If default is made in complying with this section the owner shall be liable, or if there be more owners than one, each owner shall be liable in proportion to his interest in the ship, to a penalty not exceeding in the whole one hundred pounds each time the ship leaves any port in the United Kingdom.

Power for Her Majesty by Order in Council to apply certain provisions of Merchant Shipping Acts to foreign ships.

37. Whenever it has been made to appear to Her Majesty that the Government of any Foreign State is desirous that any of the provisions of the Merchant Shipping Acts, 1854 to 1876, or of any Act hereafter to be passed amending the same, shall apply

to the ships of such State, Her Majesty may by Order in Council declare that such of the said provisions as are in such Order specified shall (subject to the limitations, if any, contained in the Order) apply, and thereupon, so long as the Order remains in force, such provisions shall apply (subject to the said limitations) to the ships of such State, and to the owners, masters, seamen, and apprentices of such ships, when not locally within the jurisdiction of such State, in the same manner in all respects as if such ships were British ships.

Provision as to Order in Council.

38. Where Her Majesty has power under the Merchant Shipping Act, 1854, or any Act passed or hereafter to be passed amending the same, to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council to revoke, alter or add to any Order so made.

Every such Order in Council shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within one month after it is made, if Parliament be then sitting, or if not, within one month after the then next meeting of Parliament.

Upon the publication of any such Order in the *London Gazette*, the Order shall, after the date of such publication, or any later date mentioned in the Order, take effect as if it were enacted by Parliament.

Fees, salaries, and costs.

39. On and after the first day of January one thousand eight hundred and seventy-seven all fees payable in respect of the survey or measurement of ships under the Merchant Shipping Acts, 1854 to 1876, or in respect of any services performed by any person employed under the authority of the Passengers Act, 1855, shall continue to be paid to the superintendent of a mercantile marine office at such times and in such manner as the Board of Trade from time to time direct, but shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury from time to time direct, and shall be carried to and form part of the Consolidated Fund of the United Kingdom.

On and after the same day the salaries of all surveyors appointed under the Merchant Shipping Acts, 1854 to 1876, and so much of the expenses connected with the survey and measurement of ships under those Acts, and of the salaries and expenses of persons employed under the Passengers Act, 1855, as has heretofore been paid out of the Mercantile Marine Fund, shall be paid out of moneys provided by Parliament, and the Treasury shall have the like control over such salaries and expenses as has heretofore been vested in the Board of Trade.

There may be paid out of moneys provided by Parliament, to any wreck commissioner, judge of a court of survey, assessor, registrar of a court of survey, detaining officer, scientific referee, and other officer or person appointed under this Act, such salary or remuneration (if any) as the Treasury from time to time direct.

There may be paid out of moneys provided by Parliament all costs and compensation payable by the Board of Trade in pursuance of this Act.

Legal proceedings in case of offences.

40. For the purpose of punishment, jurisdiction, and legal proceedings an offence under this Act shall be deemed to be an offence under the Merchant Shipping Act, 1854.

Application of Act to Scotland.

41. In the application of this Act to Scotland,—

the provision with respect to a prosecution not being instituted except by or with the consent of the Board of Trade shall not apply.

"Judge of a county court" shall be deemed to include a sheriff and sheriff substitute, and

"Registrar of a county court" shall be deemed to include sheriff clerk, and

"A master of the Supreme Court of Judicature" shall mean the Queen's and Lord Treasurer's Remembrancer.

Application of Act to Ireland.

42. In the application of this Act to Ireland,—

"Judge of a county court" shall be deemed to include "chairman of a county" and "the recorder of any borough;"

"Registrar of a county court" shall be deemed to include the clerk of the peace or registrar or other person discharging the duties of registrar of the court, of the chairman of a county, or the recorder of a borough;

"Stipendiary magistrate" shall be deemed to include any of the justices of the peace in Dublin metropolis and any resident magistrate; and

"A master of the Supreme Court of Judicature" shall mean one of the masters of the Superior Courts of Common Law in Ireland.

Application of Act to Isle of Man.

43. In the application of this Act to the Isle of Man,—

"Judge of a county court" shall mean the water bailiff;

"Stipendiary magistrate" shall mean a high bailiff;

"Registrar of a county court" shall mean a clerk to a deemster or a clerk to justices of the peace;

"A master of the Supreme Court of Judicature" shall mean the clerk of the rolls.

Saving for colonial inland waters.

44. Nothing in this Act shall apply to any vessel employed exclusively in trading or going from place to place in any river or inland water of which the whole or part is in any British possession, and the provisions of this Act relating to deck cargo shall not apply to deck cargo carried by a ship while engaged in the coasting trade of any British possession.

Repeal.

Repeal of Acts.

45. On and from the commencement of this Act the Acts specified in the first part of the schedule hereto, and on and from the first day of January one thousand eight hundred and seventy-seven the Acts specified in the second part of the schedule hereto, shall be repealed to the extent in the third column of that schedule mentioned. Provided that any officer appointed in pursuance of any such enactment shall be deemed to have been appointed under this Act, and any Order in Council made in pursuance of any such enactment shall be deemed to have been made under this Act, and this repeal shall not affect—

(1) anything done or suffered under any enactment hereby repealed; nor

(2) any right, power, duty, obligation, or liability acquired, imposed, accrued, or incurred under any enactment hereby repealed; nor

(3) any penalty or punishment incurred in respect of any offence against any enactment hereby repealed; nor

(4) any legal proceeding in respect of any such right, power, duty, obligation, liability, penalty, or punishment, and any such legal proceeding may be carried on as if this Act had not passed.

SCHEDULE.

PART I.

ENACTMENTS REPEALED FROM COMMENCEMENT OF ACT.

Session and Chapter.	Title.	Extent of repeal.
17 & 18 Vict., c. 104.	The Merchant Shipping Act, 1854.	Sub-section (4) of section three hundred and one; so much of section three hundred and eighteen as requires the owner of a ship to transmit the declarations therein mentioned; section four hundred and thirty-four; and section four hundred and thirty-seven from "and in case he so requires" inclusive to the end of section; and section four hundred and forty-nine.
24 & 25 Vict., c. 110.	The Merchant Shipping Act, 1871.	Section eleven.
36 & 37 Vict., c. 85.	The Merchant Shipping Act, 1873.	Sections eleven, twelve, thirteen, and fourteen.
38 & 39 Vict., c. 88.	The Merchant Shipping Act, 1875.	The whole Act.

PART II.

ENACTMENTS REPEALED FROM 1ST JANUARY 1877.

Session and Chapter.	Title.	Extent of repeal.
17 & 18 Vict., c. 104.	The Merchant Shipping Act, 1854.	Sub-section (2) of section four hundred and eighteen.
35 & 36 Vict., c. 73.	The Merchant Shipping Act, 1872.	Section fourteen.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 24th October 1876.

No. 707.—The services of Mr. E. S. **Symes**, of the Bengal Civil Service, attached to the North-Western Provinces, are placed at the disposal of the Chief Commissioner of British Burmah as a temporary arrangement.

Mr. Symes reported his arrival in Rangoon on the forenoon of the 7th ultimo.

The 27th October 1876.

No. 710.—The Honorable Sir William **Muir**, K. C. S. I., has resigned his seat as an ordinary Member of the Council of the Governor General of India with effect from the 6th proximo, or any subsequent date on which he may leave Bombay for England.

MEDICAL.

The 25th October 1876.

No. 595.—The services of Surgeon **J. E. C.** Ferris are replaced at the disposal of the Military Department.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 27th October 1876.

No. 842.—The following promotions are made in the Great Trigonometrical Survey of India with effect from the 10th March 1876, the date on which Colonel T. G. Montgomerie, R. E., Deputy Superintendent of the 1st grade, retired on pension:—

Captain H. R. Thuillier, R. E., Officiating Deputy Superintendent, 1st grade, is confirmed in that grade.

Captain T. T. Carter, R. E., Deputy Superintendent, 3rd grade, is appointed a Deputy Superintendent of the 2nd grade.

Major A. Pullan, Officiating Deputy Superintendent, 3rd grade, is confirmed in that grade.

Captain A. W. Baird, R. E., Officiating Assistant Superintendent, 1st grade, is confirmed in that grade.

Lieutenant H. J. Harman, R. E., Officiating Assistant Superintendent, 2nd grade, is confirmed in that grade.

FORESTS.

The 21st October 1876.

No. 1124.—Privilege leave for one month from the 15th September to the 14th October 1876 was granted to Mr. H. C. Hill, Assistant Conservator of Forests of the 2nd grade, attached to the Forest Survey Branch.

No. 1126.—Mr. E. F. Litchfield who, in Notification No. 893, dated the 8th ultimo, was appointed to officiate as a Sub-Assistant Conservator of Forests, having joined the Survey Branch of the Forest Department on the 16th instant, his appointment to the Department will have effect from that date, instead of from the 8th September 1876.

COMMERCE AND TRADE.

The 27th October 1876.

No. 16 *of* 1876.—The following Notice is published for general information:—

NOTICE TO MARINERS.

East India Archipelago—Sumatra.

Malacca Strait—North Entrance.

ROCK NEAR WEST END OF PULO BRASSE.

The following has been published by the Hydrographer to the British Admiralty:—

Information has been received from Mr. Robert Thomson, master of the steam ship *Fleurs Castle*, of the existence of a rock near the west end of Pulo Brasse.

This rock (*Fleurs rock*) lies about 1½ miles from the west point of Pulo Brasse, and nearly in line with two small rocks above water off the north point of Pulo Brasse; it is of small extent, and has a probable depth of 6 feet. The water in the vicinity of the rock is discoloured, and breaks when there is any wind.

Position (approximately), latitude 5°44′ north, longitude 95°7′ east.

[*The Bearing is Magnetic. Variation* 1°40′ *Easterly in* 1876.]

MARINE SURVEY DEPT.,
CALCUTTA,
13*th October* 1876.

A. DUNDAS TAYLOR,
Commander, late I. N.,
Superintendent, Marine Survey of India.

By Order,

T. C. HOPE,
Offg. Secretary to the Government of India.

This Notice affects the following Admiralty Charts:—

Bengal bay, sheet 2, No. 70 *b*; Acheen head to Diamond point, No. 219; Acheen head to Tyingkokh bay, No. 2760: also, Supplement to China Sea Directory, Vol. I; Sailing Directions for Malacca Strait, page 10.

If this Notice is received on board ship, the substance of it should be inserted on the Charts affected by it; and introduced into the Sailing Directions to which it relates.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Simla, the 27th October 1876.

No. 91*M.*—*Promotions.*—The following promotions are made in the Bhopal Battalion with effect from the 21st September 1876:—

Jemadar Diaram Ditchet to be Subadar, *vice* Subadar Moonna Sing transferred to Pension Establishment.

Havildar Rughober Persad Tewarry to be Jemadar, *vice* Diaram Ditchet.

No. 93 *M.*—The following Brigade Orders, dated 8th September 1876, issued by the Commandant, Central India Horse, are confirmed:—

Lieutenant A. Masters, 2nd Regiment, Central India Horse, performed the duties of Adjutant in addition to his other duties from 20th to 27th March 1876.

Lieutenant E. D. H. Daly, 2nd Squadron Subaltern, 2nd Regiment, Central India Horse, performed the duties of 1st Squadron Subaltern in addition to his other duties from 1st May to 25th July 1876.

POLITICAL.

The 27th October 1876.

No. 2554*P.*—With reference to Notification No. 1441P., dated 15th June 1876, the recognition by the Government of India of the appointment of Mr. Jung as Consul for Germany at Cochin has been confirmed by Her Majesty's Government.

No. 2556*P.*—With reference to Notification No. 1571P., dated 3rd July 1876, the recognition by the Government of India of the appointment of Mr. J. Salmon as Acting Vice-Consular Agent for France at Aden has been confirmed by Her Majesty's Government.

No. 2558*P.*—With reference to Notification No. 1573P., dated 3rd July 1876, the recognition by the Government of India of the appointment of Mr. George Groux as Acting Consul for Belgium at Bombay, during the absence of Mr. Flugge, has been confirmed by Her Majesty's Government.

No. 2560*P.*—With reference to Notification No. 1551P., dated 30th June 1876, the recognition by the Government of India of the appointment of Mr. V. Bienenfeld as Acting Vice-Consul for Italy at Aden has been confirmed by Her Majesty's Government.

GENERAL.

The 27th October 1876.

No. 2322*G.*—*Appointment.*—Captain F. H. Jackson, Officiating Assistant Agent to the Governor General at Baroda, to be Assistant Agent to the Governor General at Baroda substantive *pro tempore*, with effect from 11th May 1876, *vice* Captain Reeves on furlough.

Captain W. Scott, Officiating Assistant Agent to the Governor General in Okhamandel, to be Assistant Agent to the Governor General in Okhamandel substantive *pro tempore*, with effect from 11th May 1876, *vice* Captain Jackson.

No. 2323*G.*—The services of Lieutenant G. E. Money, Officiating 3rd Squadron Officer, 1st Regiment, Central India Horse, are placed temporarily at the disposal of the Military Department.

No. 2325*G.*—*Appointment.*—D. Narsing Rao to be Assistant Commissioner, 6th class, in the Mysore Commission, with effect from the date of assuming charge, *vice* C. Kalyana Sundram Chetti, resigned.

F. HENVEY,
For Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Simla, the 27th October 1876.

No. 3721.—Mr. F. deH. Larpent, Assistant to the Comptroller General, is appointed to officiate as Assistant Accountant General, Madras, during the absence on furlough of Mr. E. Rule, or until further orders.

No. 3722.—*Bills drawn upon India by the Secretary of State*, 1876-77.

	£	Rs.	Average rate.	Loss compared with outturn at an exchange of 2s. the rupee.
Estimated for the whole year.	13,660,000	15,99,20,000	1s. 8·5d.	2,26,20,000
In the month of October.	1,168,253	1,38,80,000	1s. 8·2d.	21,97,470
First seven months ..	7,425,685	8,95,37,944	1s. 7·9d.	1,52,81,094
Remains to make estimate good.	6,234,315	7,03,82,056	1s. 9·26d.	80,38,906

Estimated expenditure in excess of the cost at 2s. the rupee in raising £7,425,685 @ 1s. 8·5d. ... Rs. 1,26,76,938

Actual expenditure in excess of the cost at 2s. the rupee in raising £ @ 1s. 7·9d. ... ,, 1,52,81,094

Expenditure in excess of estimate ... Rs. 26,04,156

LEAVE AND ALLOWANCES.

The 27th October 1876.

No. 3660.—With the sanction of Her Majesty's Secretary of State for India in Council, the President in Council directs that the following be substituted for Rule 6 under Section 27 of the Civil Leave Code:—

6. If the Local Government is satisfied that the default of an officer is due to circumstances beyond his control, it may exempt him from loss of appointment under this section, but not from loss of allowances during the period of his absence without leave. If the officer is an Uncovenanted Civil Servant, the Local Government may authorize the payment to him of as much as it thinks fit of any allowances during subsidiary leave under Section 18 (*b*) to which he would have been entitled if he had not remained absent after the end of his leave.

MINT AND CURRENCY.

The 27th October 1876.

No. 3709.—*Silver bullion and coin received and coined in the Mints at Calcutta and Bombay during the calendar year* 1876.

	Received from Government.	Received from Merchants.	Coined and examined.
In the month of September.	Rs.	Rs.	Rs.
Calcutta	7,608	2,27,958	15,32,567
Bombay	201	18,27,944	21,99,469
TOTAL ..	7,809	20,55,902	37,32,037
First nine months.			
Calcutta	1,54,960	92,52,028	69,93,997
Bombay	11,470	2,25,41,286	2,36,68,686
TOTAL ..	1,66,430	3,17,93,259	2,99,52,683

Imports and Exports of Gold and Silver during the calendar year 1876.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net Exports.	Imports.	Exports.	Net Exports.	Imports.	Exports.	Net Exports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of September ..	5,62,891	23,79,274	18,16,383	39,71,302	47,15,927	7,44,725 Net Imports	45,33,593	70,95,201	25,61,608 Net Exports
First nine months ..	91,96,981	1,25,68,556	33,68,575	4,50,32,967	2,04,11,122	2,46,21,845	5,42,31,948	3,29,79,678	2,12,52,270 Net Imports

SEPARATE REVENUE.—POST OFFICE.

The 27th October 1876.

No. 3710.—By Notification No. 1070, dated 16th June 1876, the Governor General in Council was pleased to specify certain revised postage duties and to make certain orders and directions with reference to the admission of British India into the General Postal Union.

It being now desired to make certain alterations in the postage duties, orders and directions notified on the 16th of June, as well as to give directions respecting the postage duties which shall be chargeable on correspondence with certain other countries not mentioned in that Notification, the Governor General in Council is pleased, in exercise of the powers conferred on him by the Indian Post Office Act, 1866, to sanction the postage duties as well as the rules and conditions entered in Section III (Foreign Post) of the Indian Postal Guide of October 1876 which is published below for reference.

INDIAN POSTAL GUIDE.

SECTION III.

FOREIGN POST.

Rates of Postage and Conditions of Transmission by Foreign Post.

Definition of term "Foreign Post."

(1.)—The term "Foreign Post" includes the posts under the control of the Government of India named below:—

India and the Straits ... { British India Steam Navigation Company *vid* British Burmah. / Opium Steamers direct to and from Calcutta.

India, China and the United States of America *vid* Hong-Kong ... Opium Steamers *vid* the Straits. India and Ceylon ... ... British India Steam Navigation Company. Coasting Steamers between Calcutta and Bombay.

It also includes the land post between India and Ceylon. Also all mails sent by private ships or vessels, whether from one Indian Post Office to another, or to and from places abroad. Also all mails sent by Her Majesty's British packets (Peninsular and Oriental Company) or by Colonial packets, or by the French mail packets, whether from one Indian Post Office to another, or to and from places abroad.

Foreign Correspondence by private Ship.

(2.)—Mails can be sent by any private vessel leaving a port in India, but only such classes of mails are forwarded as can be received under the postal regulations of the country of destination. Banghy parcels cannot be sent to any foreign country by private ship.

Letters, &c., intended for despatch by private vessel should be marked as such by the sender, the name of the vessel being given if transmission by a particular vessel is desired. Letters, &c., not so marked will be forwarded by private vessel only, if there be no regular mail communication with the country of destination.

Letters, &c., intended for despatch by private vessel must be *fully pre-paid* by stamps at the ordinary Indian Inland rates, and they will be liable on delivery in any foreign country to such postage as may be chargeable under the regulations of that country. This rule does not, however, apply to correspondence sent by private ship to Hong-Kong or the Straits, for which see those entries in the Foreign Post Schedule.

Route by which forwarded.

(3.)—The route by which an article is intended to be sent should be marked on the upper left-hand corner of the address side. An article marked for a particular route, but not fulfilling the conditions of that route (*e. g.*, in respect of compulsory pre-payment of postage), will be treated as if not marked for any particular route. Articles not marked for any particular route will, as a general rule, be sent by the route which stands first in the Schedule, except where there is a quicker despatch by some other route, or where the first route may require the compulsory pre-payment of a higher rate of postage than that which has been pre-paid, or where the amount of postage paid may leave no doubt as to the route intended.

Correspondence from or to Aden.

(4.)—Correspondence passing direct between Aden and places abroad is governed by the same conditions as correspondence between India and such places, except in respect of *letters conveyed by French packet*, which, in some instances, are charged at a higher rate when sent from Aden. In all such instances, the rate "from Aden" is given separately in the Schedule.

Correspondence from Aden to India or any Indian Post Office is charged at the rates shown in the Schedule for correspondence from India to Aden. Correspondence from Aden to Zanzibar *by British packet* is subject to the rates applicable to Inland correspondence, but pre-payment is compulsory.

Letters for Erzeroum and the interior of Armenia, Jedda, Mecca and West Arabia, Persia, Turkey, Asia Minor, Kashmir, Ladakh, Cabul, &c.

(5.)—It is recommended that letters for Erzeroum and other parts of the interior of Armenia be addressed to the care of some agent at Samsoun or Trebizond, and that letters for Kiermanshah and Hamadan in Persia be sent by the Indian Inland Post to the Indian Post Office at Bagdad, addressed to the care of some agent there.

Letters for Jedda, Mecca, or other places in West Arabia, should be pre-paid as far as Suez at the rate of postage prescribed for letters to Suez. From Suez they are forwarded to destination by Turkish Post or such opportunity as may offer.

Letters for Teheran, Ispahan, Shiraz, Julfa, or other places in Persia, *if fully pre-paid with ordinary Indian Inland postage*, will be sent to the Indian Post Office at Bushire, and thence forwarded by land post to destination, subject to such additional charge as may there be leviable.

Letters for such places in Turkey and Asia Minor or Syria, as have no British, Austrian or French Post Offices (see list of British, Austrian and French Offices in *Turkey* given in the Schedule), should be addressed to the care of an agent at the nearest port at which a British, Austrian or French Office has been established.

Letters and other articles for Kashmir are forwarded during the summer months (15th April to 1st November) through the Indian Post Office at *Murree*, and thence by Kashmir Post to *Srinagar*, where an Indian Post Office is maintained temporarily. During the summer, letters, &c., sent by this route are subject to the ordinary Indian Inland rates of postage and to the ordinary rules as respects pre-payment; but additional postage equal to half Indian postage is levied on delivery on behalf of the Kashmir Government. During the winter months, letters for Kashmir, *if fully pre-paid with ordinary Indian Inland postage*, are forwarded to the Indian Frontier Post Office at Sialkot, and thence by Kashmir Post to Jummoo. This route is closed during the summer, when the Murree route is open.

Letters and other articles for Leh (Ladakh) are forwarded during the summer months (15th April to 1st November) through the Indian Post Office at Murree, and thence by the Kashmir Post to Leh, where an Indian Branch Post Office has been established. During the winter months, letters for Leh are forwarded through the Indian Post Office at Sialkot, and thence by Kashmir Post to Leh. By either route, letters, &c., must be fully pre-paid with ordinary Indian Inland postage, and will in addition be taxed on delivery by the Kashmir Government with postage equal to half Indian postage.

Letters for Cabul, *if fully pre-paid* with ordinary Indian Inland postage, are forwarded to the Indian Frontier Post Office at Peshawar, and there made over to the Postal Agent appointed by the Ameer of Cabul for delivery under local conditions and rates of charge. Mails are forwarded by the Agent towards Cabul about three times a week.

Letters for Russia.

(6.)—Letters, &c., for Russia should have the name of the town added in either English, French or German, and they should bear as a part of their address the name of the Province or Government in which they are situated. In addressing all letters, &c., for Russia, the name of the place of destination, as well as the Government in which such place is situated, must be correctly given; and further, the address must be plainly written. If these conditions be not complied with, the Russian Post Office declines to undertake the delivery of the correspondence.

Registration to places abroad.

(7.)—Letters may be registered to those places abroad to which registration is available (*vide* Foreign Post Schedule), provided that the postage is fully pre-paid, as well as the full amount of the registration fee shown in the Schedule. In some cases the charge on a registered letter is double of the ordinary postage, no separate fee being levied. Registered letters to such places must be fully pre-paid at double the ordinary rates. Letters for places mentioned in clause (5) cannot be registered, except in the cases of those addressed to Srinagar and Leh, where Indian Post Offices have been established.

It is to be understood that registration to places abroad applies only to letters or packets pre-paid at letter rates, except in respect of the United Kingdom and other countries belonging to the General Postal Union (marked I in Col. 2 of Schedule), to which newspapers, books and patterns may also be registered.

Transmission of dangerous or offensive substances prohibited.

(8.)—The prohibition against the transmission of dangerous or offensive substances contained in paragraph 20 of Section II applies also to Foreign Post articles.

Money, Jewels, &c., and articles liable to Customs Duty.

(9.)—No letter or packet containing gold or silver money, jewels or precious articles, or any article liable to customs duty, may be sent through the post.

Printed Papers and Legal and Commercial Documents.

(10.)—The following conditions, &c., being those of the General Postal Union, apply generally to all countries, with the special exceptions mentioned in the Schedule opposite particular countries.

Attention is drawn to the limit of weight, *viz.*, 2 lbs. fixed for a packet of printed papers or legal and commercial documents. See Schedule and exception opposite the United Kingdom.

Under the head of "Printed Papers" are included newspapers, stitched or bound books, pamphlets, music, visiting cards, catalogues, prospectuses, announcements and notices of various kinds, whether printed, engraved or lithographed, and photographs. Under the head of "Legal and Commercial Documents" are included acts or deeds of all kinds drawn up by public functionaries, invoices, policies of insurance, copies or extracts of deeds under private seal, written upon stamped or unstamped paper, scores or sheets of manuscript music, *and in general all manuscript papers and documents which have not the character of an actual and personal correspondence.*

NOTE.—The definition given above is held to include such written articles intended for publication in newspapers as are not of the nature of a personal letter as well as descriptions or sketches of places which are sent for publication.

Articles posted as "Printed Papers" or as "Legal and Commercial Documents" must be placed under bands or simply folded, so as to admit of the contents being easily examined, and, excepting as follows, "Printed Papers" must contain no manuscript writing, figureor mark whatever :—

(*a.*)—Proofs of printing or of music may bear corrections made with a pen, relating exclusively to the text or to the execution of the work. Manuscript may be annexed to such proofs.

(*b.*)—Circulars, notices, &c., may bear the signature of the sender, with his trade or profession, and may also show the place of origin and the date.

(*c.*)—A book may contain a manuscript dedication or a complimentary inscription from the author.

(*d.*)—Passages in the text to which it is desired to call attention may be marked with a simple stroke.

(*e.*)—Prices may be added in manuscript or otherwise on printed or lithographed stock and share lists, prices current and market reports.

(*f.*)—No other manuscript additions may be made; nor are typographical additions allowed if they tend to take from the packet its general character.

Articles posted as "Printed Papers" or "Legal and Commercial Documents" which do not fulfil the foregoing conditions, or are not fully pre-paid, will be treated as unpaid letters, with the sole exception of newspapers and printed papers, such as circulars, notices, &c., which will, in such cases, not be forwarded.

Patterns of Merchandise.

(11.)—The following conditions, &c., being those of the General Postal Union, apply generally to all countries, with the special exceptions mentioned in the Schedule opposite particular countries.

Attention is drawn to the limit of weight, *viz.*, 8 ounces, fixed for a packet of patterns. *See Schedule* and exception opposite the United Kingdom.

Patterns of merchandise are chargeable with the reduced postage under the following conditions :—

(*a.*)—They must be placed in bags, or in boxes, or envelopes removeable so as to admit of an easy examination of their contents.

N. B.—Samples of seeds, drugs, and such like articles, which cannot be sent in open covers, may, if addressed to the United Kingdom, the United States of America, Holland and its possessions, Belgium, Denmark, Greece, Portugal and its possessions and Switzerland, be sent in bags entirely closed, provided such closed bags are transparent, so as to enable the officers of the Post Office readily to satisfy themselves as to the nature of the contents.

(*b.*)—They must not have any saleable value, or bear any manuscript writing other than the name or the trade or profession of the sender, the address of the person for whom the packet is intended, a manufacturer's or trade mark, numbers and prices.

Patterns of merchandise may not be introduced into a letter, or into a packet of any other kind, unless they form an integral part of a particular work.

Patterns not packed in accordance with these conditions, or not fully pre-paid, will be treated as unpaid letters, except those which are valuable. The latter will not be forwarded, nor any of which the conveyance would be attended with risk or danger.

Unpaid correspondence addressed to places abroad.

(12.)—For unpaid or insufficiently paid Printed Papers (including Newspapers), Legal and Commercial Documents, and Patterns,—see the concluding remarks under clauses (10) and (11).

Unpaid or insufficiently paid letters (or articles to be treated as such under the rules above referred to) cannot be forwarded by routes marked C (compulsory) in the Schedule, and if there be no other route will be returned to the sender through the Dead Letter Office. In such case the sender has no claim to a refund of the postage originally paid, but, in the case of recent alterations of postage rates and conditions, the Postmaster General may exercise discretion in authorizing such refunds in special cases. Where pre-payment is optional, unpaid or insufficiently paid letters will be forwarded, the postage paid being taken into account if addressed to a Union Country, or forwarded through a Union Country; but, if addressed or forwarded otherwise than above, they will be treated as if wholly unpaid.

The charges made on such articles when delivered in Non-Union Countries depend upon local regulations: but in the case of Union Countries the charge on unpaid letters delivered is the same as for pre-paid letters despatched, together with an additional Union rate. In the United Kingdom the additional Union rate is 3*d.* per ½ oz.

Correspondence re-directed to places abroad.

(13.)—Letters, &c., re-directed in India to places abroad will be sent forward charged with the foreign (Non-Union) postage (if any) due at the time of re-direction, no extra claim being raised for the re-transmission so far as the Indian Post Office is concerned. The postage levied in the country of destination will be governed by the regulations of that country. Letters, &c., re-directed to the United Kingdom or countries served through it will, if originally received from such countries, be forwarded by the route by which they came: and in other cases by the route *viâ* Brindisi.

This rule does not apply to articles re-directed by Overland Parcel Post.

Correspondence received from places abroad.

(14.)—Although post cards are not among the classes of correspondence, for the transmission of which by post from India provision has been made, those received from countries of the Union (marked I in Schedule) will be delivered in India as paid letters.

By routes marked I.

Letters received from *any country of the Union* (marked I in Schedule) as unpaid or insufficiently paid will be charged on delivery at the unpaid Union rate of 7½ annas (8½ annas if received *viâ* Brindisi from or through the United Kingdom, and 8 annas if received *viâ* Brindisi from or through the French Office, Modane,) per ½ oz The value of any stamps (as marked by the country of origin) which may be affixed to an insufficiently paid letter will be deducted from the amount thus chargeable, fractions of an anna in the remainder being raised to one anna.

The above rule does not apply to letters received from Indian Offices, *viz.*, Aden (or in Aden from India) and Zanzibar, which, if insufficiently paid, are charged with the deficiency, and if unpaid, with the rate shown in the Schedule. Letters received in Aden from Zanzibar by British packet are subject to the ordinary Indian Inland rates and conditions.

Unpaid or insufficiently paid newspapers, &c., are in a few instances exceptionally received from certain places, and are charged at the rates shown in the Schedule for similar articles sent to such places, without reference to any stamps which may already be upon them.

By routes marked II.

Letters received from any *Foreign (Non-Union) Country through a Union Country* (routes marked II in Schedule), as unpaid or insufficiently paid, will be charged with the amount of Foreign postage claimed by the Union Office serving as the medium, together with the unpaid Union rate of 7½ annas (8½ annas, if received *viâ* Brindisi through the United Kingdom and 8 annas if received *viâ* Brindisi from or through the French Office, Modane,) per ½ oz.

Any articles other than letters which may be exceptionally received from such places either unpaid or insufficiently paid, will be charged with the amount of Foreign (Non-Union) postage claimed by the Union Country serving as the medium, together with the rate chargeable on a similar article posted in India for the Union Country serving as the medium.

By routes marked III.

Letters received from *various offices in Asia* (routes marked III in Schedule) are, if unpaid, charged at the rates shown in the Schedule, those insufficiently paid being treated as if wholly unpaid. Unpaid or insufficiently paid newspapers are, in a few instances, received, and in such cases are charged at the rates shown in the Schedule for similar articles sent from India.

By routes marked IV.

Letters received from *Hong-Kong by private vessels* (route marked IV in Schedule) are all received as unpaid, and are charged at the rate of 4 annas per ½ oz. each. Newspapers and packets similarly received are chargeable with ordinary Indian Inland postage at pre-paid rates according to weight in tolas.

Letters and other articles received from *the Straits by private vessel* (also marked IV in Schedule) are all received fully pre-paid and delivered without charge.

Letters and other articles received from *any other place* (except Hong-Kong and Straits) *by private vessels* are charged with ordinary Indian Inland postage at pre-paid rates, according to weight in tolas, together with (in the case of letters) one anna each, being the sum paid to the Commander of the vessel.

By routes marked V.

Letters, newspapers and packets are all received fully pre-paid (and are delivered without charge) from the places and by the routes marked V in the Schedule, *viz.* :—

Australia by British packet.
East Africa (*i. e.*, Cape, Delagoa Bay, Mozambique and Natal) by British packet through Aden.
Ceylon by French or Indian packet or Land Post.
Hong-Kong by French packet.
Mauritius and Seychelles by French packet, or partly by French and partly by British packet.
Netherlands India by British, French or Indian packet.
Straits Settlements by French packet.

Unpaid or insufficiently paid letters exceptionally received from Australia or other places in the same category are charged at the rates shewn in the Schedule for similar articles sent from India.

Re-direction of articles received from places abroad.

(15.)—Articles received from places abroad and re-directed after arrival in India to another place in India, will not be charged with any additional postage on account of such re-direction.

Articles re-directed from a Union Country to India will be charged in India with the amount (if any) which would have been due on delivery in the country where the re-direction took place; but if the article has only passed through the Inland service of the country where it was re-directed, there will be charged, in addition to the amount (if any) due as above, ordinary Indian Inland postage at unpaid rates. The exemption from re-direction charge does not apply to Overland parcels received by Parcel Post.

Other subjects connected with Foreign Post.

(16.)—The following references are given to other subjects connected with the Foreign Post, which are treated of elsewhere :—

Address of letters to places abroad ...	See instructions on the fly-leaf at commencement of this volume.
Address on letters, &c., for passengers on board	See clause 19 of fly-leaf.
Overland Parcel Post ...	See rules immediately following the Schedule.
Special rates for letters of soldiers and seamen.	See rules coming after the above.
Official correspondence with places abroad.	See section headed "Official Correspondence" (last paragraph).

SCHEDULE OF RATES

Containing the Rates of Postage chargeable in India upon Letters, Newspapers, &c, addressed to places abroad, and forwarded by Mail Packets or other organized Posts.

For further explanations, &c., see the remarks preceding this Schedule.

COUNTRIES, &c.		Each letter. — Pre-payment optional, except to places marked (c) denoting compulsory pre-payment: (a) denotes additional postage on delivery; (none) means that no registration is available.		Printed papers, legal and commercial documents and patterns. — Pre-payment compulsory.		REMARKS. — The registration fee, as well as the postage, must, in all cases of registration, be pre-paid in full by stamps; the maximum size of any article is 2 feet in length by one foot in breadth or depth. Where no special conditions as to weight are given, the maximum weight of any packet of papers or documents is 2 lbs. and of patterns 8 ozs.
I, denotes a Union Country, II a Foreign Country served through a Union Country, and III, IV, &c., countries or routes not coming under the above description. See remarks preceding the Schedule about the treatment of correspondence received from places abroad.						
Where the means of conveyance from India is not specified, it is always *by British Packet, i. e.*, P. and O. Co.						
Where the description of the route contains no mention of a particular Indian Office, the mails are sent *viâ* Bombay, or from Aden in the case of correspondence posted at Aden.						
The name immediately following the word "through" is that of the country or office to which the mails are consigned by the Indian Post Office.						
"*Viâ* C. M." means that the route is *viâ* Calcutta or Madras, according to the locality where posted.						
		Per ½ oz.	Registration fee.	Each newspaper.	Each packet of newspapers, printed papers, &c.	
ACCRA (*British*). See *Africa, West Coast, British*, under head A of *Countries served through England.*		Ans.	Ans.	Ans.	Ans.	
ADEN (*Indian Post Office*)—	I	4	4	1	1½	
ADELAIDE (SOUTH AUSTRALIA). See *South Australia* under *Australian Colonies.*						
ADRIANOPLE (TURKEY IN EUROPE). See *Turkey.*						
AFRICA—*Spanish possessions* on Northern Coast of—See *Spain.*						
AFRICA, West Coast, *British possessions.* See *Africa, West Coast, British*, under head A of *Countries served through England.*						
AFRICA, West Coast, *French possessions.* See *Senegal* under *French Colonies.*						
AFRICA, West Coast, other than *British* or *French possessions.* See head A of *Countries served through England.*						
ALEPPO (SYRIA). See remarks preceding this Schedule, clause (5).						
ALEXANDRETTA (TURKEY IN ASIA, South Coast). See *Turkey.*						
ALEXANDRIA. See *Egypt.*						
ALGERIA (NORTH AFRICA, *French*). See *France.*						
AMOY. See *China.*						
ANTIGUA. See *West Indies, British*, under head B of *Countries served through England.*						
ANTIVARI. (ALBANIA, TURKEY IN EUROPE). See *Turkey.*						
ARGENTINE CONFEDERATION (SOUTH AMERICA). See head B of *Countries served through England.*						
ARMENIA (*except places named*). See remarks preceding this Schedule, clause (5).						
ASCENSION (SOUTH ATLANTIC, *British*). See head A of *Countries served through England.*						
ASIA MINOR (*except places named*). See remarks preceding this Schedule, clause (5).						
AUSTRALIAN COLONIES. (*British*)—*viz.*—						
New Zealand, South Australia, Tasmania and Western Australia—						
Via Bombay (or from Aden) and Melbourne	V	*c* 6	4	...	*2	* Per 4 ozs. For New South Wales and the Fiji Islands the limit of weight is 3 lbs.
New South Wales, Fiji Islands, Queensland and Victoria—						
Via Bombay (or from Aden) and Melbourne	V	*c* 6	4	...	*2	* Per 4 ozs.
Via Bombay (or from Aden) and Singapore	V	*c* 6	4	...	*2	

For further explanations, &c., see the remarks preceding this Schedule.

For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter.		Each newspaper.	Each packet of newspapers, printed papers, &c.	REMARKS.
		Per ½ oz.	Registration fee.	Per 4 ozs.	Per 2 ozs.	
AUSTRIA (including Hungary)—		Ans.	Ans.	Ans.	Ans.	
Via Brindisi through *Italy* ...	I	5	4	1	1½	
AUSTRIAN OFFICES IN TURKEY. See *Turkey.*						
AZORES (NORTH ATLANTIC, *Portuguese*). See *Portugal.*						
BAGDAD (TURKEY IN ASIA)—Indian Post Office, at ordinary inland rates, *via* Bombay or Karachi.						
BAHAMAS. See *West Indies, British*, under head B of *Countries served through England.*						
BALEARIC ISLANDS (MEDITERRANEAN, *Spanish*). See *Spain.*						
BANKOK (SIAM). Same rates as for *Phillippine Islands.*						
BARBADOES. See *West Indies, British*, under head B of *Countries served through England.*						
BATAVIA (JAVA, *Dutch*). See *Netherlands India.*						
BELGIUM—						
Via Brindisi through *Germany* ...	I	5	4	1	1½	
Via Brindisi through *Italy* ...	I	5	4	1	1½	
BERMUDA (NORTH ATLANTIC.) See head A of *Countries served through England.*						
BEYROUT (SYRIA). See *Turkey.*						
BOLIVIA (SOUTH AMERICA). See head C of *Countries served through England.*						
BOMBAY (from Aden)	I	4	4	1	1½	
BORNEO (*Chiefly Dutch*). See *Labuan.*						
BOURGAS OR BURGHAS (TURKEY IN EUROPE, Coast of Black Sea). See *Turkey.*						
BRAZIL (SOUTH AMERICA). See head D of *Countries served through England.*						
BRISBANE (QUEENSLAND). See *Queensland* under *Australian Colonies.*						
BRITAIN. See *United Kingdom.*						
BRITISH COLUMBIA (NORTH AMERICA). See *Canada* under head E of *Countries served through England.*						
BRITISH OFFICES IN TURKEY. See *Turkey.*						
BUCHAREST. See *Roumania.*						
BUNDER ABBAS (PERSIAN GULF). BUSHIRE (PERSIAN GULF) BUSSORAH OR BUSREH (TURKISH ARABIA).		Indian Post Offices, at ordinary inland rates, *via* Bombay or Karachi.				
CABUL. See remarks preceding this Schedule, clause (5).						
CAIFA OR KAIFA (SYRIA). See *Turkey.*						
CAIRO. See *Egypt.*						
CALIFORNIA (NORTH AMERICA). See *United States of America.*						
CANADA (NORTH AMERICA, *British*). See head E of *Countries served through England.*						

For further explanations, &c., see the remarks preceding this Schedule.

For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
CANARY ISLANDS (NORTH ATLANTIC, *Spanish*)—same as for Spain, and also the following—						
Via Brindisi through *United Kingdom* ...	I	*c* 6	4	2	2½	
Via Brindisi through *Italy* ...	I	5	4	1	1½	
CANDIA (CRETE, Turkey). See *Turkey*.						
CANEA (CRETE, Turkey.) See *Turkey*.						
CANTON. See *China*.						
CAPE DE VERD ISLANDS (NORTH ATLANTIC, *Portuguese*). See head A of *Countries served through England*.						
CAPE OF GOOD HOPE (SOUTH AFRICA, *British*)—For route through England, see head A *of Countries served through England*.						
Via Bombay to Aden or from Aden, and thence by *Zanzibar Line*	V	*c* 8	4	...	*2	* Per 4 ozs.
CARIACOU. See *West Indies, British*, under head B of *Countries served through England*.						
CASHMERE, OR KASHMIR. See remarks preceding this Schedule, clause (5).						
CAVALLA, OR KAVALA (TURKEY IN EUROPE, South Coast). See *Turkey*.						
CEYLON (*British*)—						
Via Calcutta, Madras or Bombay or from Aden *by British Packet*	III	4	4	...	*2	* Per 4 ozs.
Via C. M. *by French Packet* ...	V	*c* 4	4	...	*2	* Per 4 ozs.
From Aden *by French Packet* ...	V	*c* 5	4	...	*2	* Per 4 ozs.
By Land Post	V	*c* 2	4	2	...	
By Indian Packet	V	*c* 2	4	...	*2	* Per 4 ozs.
CHILI (SOUTH AMERICA). See head C of *Countries served through England*.						
CHINA—						
Hong-Kong—						
Via Bombay or from Aden *by British Packet*	III	4	4	...	*2	* Per 4 ozs.
Via Calcutta *by Indian Packet* (Opium Steamer)	III	4	4	...	*2	* Per 4 ozs.
Via C. M. or from Aden *by French Packet* through *Agent on board*	V	*c* 5	4	...	*2	* Per 4 ozs.
By Private Vessel	IV	can only be sent unpaid.		Indian inland rate only.		
Shanghai—						
Via Bombay or from Aden *by British Packet* through *Hong-Kong* ..	III	4	4	...	*2	* Per 4 ozs.
Via C. M. or from Aden *by French Packet* through *Agent on board*	II	9½	*	...	1¾	* No fee, but double postage.
Amoy, Canton, Foochow, Macao and Swatow—						
Via Bombay or from Aden *by British Packet* through *Hong-Kong* ...	III	4	4	...	*2	* Per 4 ozs.
Via Calcutta *by Indian Packet* (Opium Steamer) through *Hong-Kong* ...	III	4	4	...	*2	* Per 4 ozs.
Via C. M. or from Aden *by French Packet* through *Agent on board*	II	*c* 9½	*	...	1¾	* No fee, but double postage.

For further explanations, &c., see the remarks preceding this Schedule.

For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
Other places through *Hong-Kong*. Same routes, rates and conditions as for Amoy, &c., except that correspondence cannot be sent for them *by French Packet*, and that registered letters, as well as books and patterns can be sent to Hankow and Ningpo only.						
CHIO OR TCHESME (TURKEY IN ASIA, West Coast). See *Turkey*.						
COMORO ISLES. See *Mayotte and dependencies* under *French Colonies*.						
CONSTANTINOPLE. See *Turkey*.						
CORSICA (*French*). See *France*.						
COSTA RICA (CENTRAL AMERICA). See head B of *Countries served through England*.						
COUNTRIES (NON-UNION) served through *England*—						
AFRICA (West Coast, *British*), BERMUDA, CAPE OF GOOD HOPE, FALKLAND ISLANDS, NATAL AND ST. HELENA—						
Via Brindisi	II	10½	6	3	3½	
Via Southampton	II	9½	6	2	2½	
AFRICA (West Coast, other than *British* or *French possessions*) and ASCENSION—						
Via Brindisi	II	*c* 10½	*None*	3	3½	
Via Southampton	II	*c* 9½	*None*	2	2½	
CAPE DE VERDS and **LIBERIA**—						
Via Brindisi	II	10½	4	3	3½	
Via Southampton	II	9½	4	2	2½	
HAWAII—						
Via Brindisi	II	*c* 10½	*None*	3½	4	
Via Southampton	II	*c* 9½	*None*	2½	3	
ARGENTINE CONFEDERATION, COSTA RICA-GUATEMALA, HONDURAS (*Foreign*), MEXICO, NICARAGUA, PARAGUAY, UNITED STATES OF COLOMBIA, URUGUAY, VENEZUELA and WEST INDIES (*Foreign* except *British* and *French*)—						
Via Brindisi	II	*c* 15½	*None*	3	3½	
Via Southampton	II	*c* 14½	*None*	2	2½	
CURACOA and **GUIANA** (*Dutch*)—						
Via Brindisi	II	15½	4	3	3½	
Via Southampton	II	14½	4	2	2½	
GUIANA (*British*), **HONDURAS** (*British*), and **WEST INDIES** (*British*)—						
Via Brindisi	II	15½	6	3	3½	
Via Southampton	II	14½	6	2	2½	
ST. CROIX and **ST. THOMAS**—						
Via Brindisi	II	15½	*None*	3	3½	
Via Southampton	II	14½	*None*	2	2½	

For further explanations, &c., see the remarks preceding this Schedule.
For full heading—See first page of Schedule.

	COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
			Ans.	Ans.	Ans.	Ans.	
C	BOLIVIA, CHILI, ECUADOR, PERU and SALVADOR—						
	Via Brindisi	II	*c* 20½	*None*	3½	4	
	Via Southampton	II	*c* 19½	*None*	2½	3	
D	BRAZIL—						
	Via Brindisi	II	12¾	4	3	3½	
	Via Southampton	II	11¾	4	2	2½	
E	CANADA—(DOMINION OF)—and NEWFOUNDLAND—						
	Via Brindisi	II	7½	6	3	3½	
	Via Southampton	II	6½	6	2	2½	
	CUBA (WEST INDIES, *Spanish*). See *West Indies, Foreign*, under head B of *Countries served through England.*						
	CURACOA (WEST INDIES, *Dutch*). See head B of *Countries served through England.*						
	DAMASCUS (SYRIA). See remarks preceding this Schedule, clause (5).						
	DARDANELLES (TURKEY). See *Turkey.*						
	DEDE-AGATSCH. See *Turkey.*						
	DELAGOA BAY—						
	Via Bombay to Aden or from Aden, and thence by *Zanzibar Line*	V	*c a* 8	*None*	...	*a** 2	* Per 4 ozs.
	DEMERARA (BRITISH GUIANA, SOUTH AMERICA). See *Guiana, British*, under head B of *Countries served through England.*						
	DENMARK—						
	Via Brindisi through *Germany* ...	I	5	4	1	1½	
	DOMINICA. See *West Indies, British*, under head B of *Countries served through England.*						
	DURAZZO ALBANIA (TURKEY IN EUROPE). See *Turkey.*						
	DUTCH EAST INDIES. See *Netherlands India.*						
	ECUADOR (SOUTH AMERICA). See head C of *Countries served through England.*						
	EGYPT. * See *foot-note.*						
	Through British Offices at *Suez* or *Alexandria*	I	5	4	1	1½	
	Additional route from Aden only—						
	By French Packet through *Agent on board*	I	5	4	1	1½	
	ENGLAND. See *United Kingdom.*						
	ERZEROUM. See remarks preceding this Schedule, clause (5).						
	FALKLAND ISLANDS (SOUTH ATLANTIC, *British*). See head A of *Countries served through England.*						
	FAROE ISLANDS—						
	Via Brindisi through *Germany* ...	I	5	4	1	1½	

* Letters addressed to Upper Egypt beyond Assiout cannot be registered or sent unpaid.

For further explanations, &c., see the remarks preceding this Schedule.
For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
FIJI ISLANDS. See *Australian Colonies.*						
FINLAND—Grand Duchy of—See *Russia.*						
FOOCHOW. See *China.*						
FRANCE—						
Via Brindisi through *French Office, Modane*	I	5½	4	1½	2	
Via Brindisi through *Italy*	I	5	4	1	1½	
Additional route from Aden only—						
By French Packet through *Agent on board*	I	5	4	1	1½	
FRENCH COLONIES, *viz.*:—						
In America.						
FRENCH GUIANA, GUADELOUPE and dependencies.						
MARTINIQUE, MIQUILON AND ST. PIERRE—						
Via Brindisi through *United Kingdom* ...	I	*c* 6	4	2	2½	
Via Brindisi through *Italy* ...	I	5	4	1	1½	
In Asia and Oceania.						
MARQUISES ISLANDS, NEW CALEDONIA and dependencies, SAIGON, TAHITI, and the ARCHIPELAGO under French Protectorate.—						
Via C. M. or from Aden by French Packet through *Agent on board*	I	5	4	1	1½	
In East Africa.						
MAYOTTE and dependencies (including GREAT COMORO, MAJURGA and NOSEBE).—						
Via Bombay through *Aden*, and thence by *Zanzibar Line*	I	5	4	1	1½	
REUNION AND ST. MARIE (MADAGASCAR)—						
Via Bombay and Aden, and thence by French Packet through *Agent on board*	I	5	4	1	1½	
In West Africa.						
SENEGAL and dependencies—						
Via Brindisi through *United Kingdom* ...	I	*c* 6	4	2	2½	
Via Brindisi through *Italy*	I	5	4	1	1½	
FRENCH GUIANA. See *French Colonies.*						
FRENCH OFFICES IN TURKEY. See *Turkey.*						
GALLE. See *Ceylon.*						
GALLIPOLI (DARDANELLES). See *Turkey.*						
GAMBIA (AFRICA, West Coast). See *Africa, West Coast, British*, under head A of *Countries served through England.*						
GERMANY—						
Via Brindisi	I	5	4	1	1½	
GIBRALTAR (*British*)—	I	4	4	1	1½	
GOLD COAST (AFRICA, West Coast). See *Africa, West Coast, British*, under head A of *Countries served through England.*						
GREAT BRITAIN. See *United Kingdom.*						
GREAT COMORO. See *Mayotte and dependencies under French Colonies.*						
GREECE—						
Through British Post Office, *Alexandria*...	I	5	4	1	1½	
Additional route from Aden only—						
By French Packet through *Agent on board*	I	5	4	1	1½	

For further explanations, &c., see the remarks preceding this Schedule.
For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
GRENADA. See *West Indies, British*, under head B of *Countries served through England.*						
GUADALOUPE and dependencies (WEST INDIES, *French*). See *French Colonies.*						
GUADUR (MEKRAN COAST).						
Indian Post Office, at ordinary inland rates, *Via* Bombay or Karachi.						
GUATEMALA (CENTRAL AMERICA). See head B of *Countries served through England.*						
GUIANA. See *Guiana, British*, and *Guiana, Dutch*, under head B of *Countries served through England.*						
GUIANA (FRENCH). See *French Guiana* under *French Colonies.*						
HAMADAN (PERSIA). See *remarks preceding this Schedule, clause* (5).						
HAWAII. See head A of *Countries served through England.*						
HAYTI, OR ST. DOMINGO. See *West Indies, Foreign*, under head B of *Countries served through England.*						
HELIGOLAND (EUROPE, *British*). See *Germany.*						
HIOGO. See *Japan.*						
HOBART TOWN (TASMANIA). See *Tasmania* under *Australian Colonies.*						
HOLLAND. See *Netherlands.*						
HONDURAS (CENTRAL AMERICA). See *Honduras, British*, and *Honduras, Foreign*, under head B of *Countries served through England.*						
HONG-KONG (*British*). See *China.*						
HUNGARY. See *Austria.*						
ICELAND—						
Via Brindisi through *Germany* ...	I	5	4	1	1½	
INEBOLI (TURKEY IN ASIA, Coast of Black Sea). See *Turkey.*						
IONIAN ISLANDS. See *Greece.*						
ITALY—						
Via Brindisi	I	5	4	1	1½	
JAFFA (SYRIA). See *Turkey.*						
JAMAICA. See *West Indies, British*, under head B of *Countries served through England.*						
JANINA (ALBANIA, TURKEY IN EUROPE). See *Turkey.*						
JAPAN. *See *foot-note.*						
Yokohama—						
Via Bombay through *Hong-Kong by British Packet*	III	4	4	...	*2	* Per 4 ozs.
Via C. M. or from Aden *by French Packet* through *Agent on board* ..	II	9½	*	...	1¾	* No fee, but double postage.
Other parts—						
Via Bombay through *Hong-Kong* ...	III	4	4	...	*2	* Per 4 ozs.

* Letters can be registered only to Hiogo, Nagasaki and Yokohama. Correspondence for Nagasaki and Hiogo is liable to an additional charge on delivery.

For further explanations, &c., see the remarks preceding this Schedule.
For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
JAVA (*Dutch*). See *Netherlands India.*						
JEDDA. See remarks preceding this Schedule, clause (5).						
JERUSALEM (SYRIA). See *Turkey.*						
JULFA (PERSIA). See remarks preceding this Schedule, clause (5).						
KIERMAN SHAH (PERSIA). See remarks preceding this Schedule, clause (5).						
KUSTENDJIE (TURKEY IN EUROPE, Coast of Black Sea). See *Turkey.*						
LABUAN (NEAR BORNEO, *British*)—						
Via Bombay or from Aden *by British Packet* through *Singapore*	III	c a 4	*None*	...	a* 2	* Per 4 ozs.
Via C. M. and Moulmein *by Indian Packet* through *Singapore*	III					
Via Calcutta *by Indian Packet* (Opium Steamer) through *Singapore* ...	III					
LADAKH. See remarks preceding this Schedule, clause (5).						
LAGOS (TURKEY IN EUROPE, South Coast). See *Turkey.*						
LAGOS (AFRICA, West Coast, *British*). See *Africa, West Coast, British*, under head A of *Countries served through England.*						
LARNAKA (CYPRUS, MEDITERRANEAN). See *Turkey.*						
LATAKIA (SYRIA). See *Turkey.*						
LEH (LADAKH). See remarks preceding this Schedule, clause (5).						
LIBERIA. See head A of *Countries served through England.*						
LINGA (PERSIAN GULF)—						
Indian Post Office, at ordinary inland rates, *Via* Bombay or Karachi.						
LUXEMBURG—						
Via Brindisi through *Germany* ...	I	5	4	1	1½	
MACAO. See *China.*						
MADEIRA (NORTH ATLANTIC, *Portuguese*).						
Same as for Portugal; and also the following—						
Via Brindisi through the *United Kingdom*	I	c 6	4	2	2½	
Via Brindisi through *Italy*	I	5	4	1	1½	
MAHE (SEYCHELLES). See *Seychelles.*						
MAJORCA (BALEARIC ISLANDS, *Spanish*). See *Spain.*						
MAYOTTA. See *Mayotte and dependencies* under *French Colonies.*						
MALACCA (*British*). See *Straits Settlements.*						
MALTA (*British*)	I	4	4	1	1½	

For further explanations, &c., see the remarks preceding this Schedule.
For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 oz.	Each Packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
MANDALAY (AVA).						
Indian Post Office, at ordinary inland rates, *via* Rangoon.						
MANILLA. See *Phillippine Islands.*						
MARQUISES ISLANDS. See *French Colonies.*						
MARTINIQUE (WEST INDIES, *French*). See *French Colonies.*						
MAURITIUS (INDIAN OCEAN, *British*)—						
Via C. M. or from Aden *by French Packet* ..	V	*c* 5	4	...	* 2	* Per 4 ozs.
Via Bombay to Aden and thence *by French Packet*	V	*c* 8	4	...	* 2½	* Per 4 ozs.
MAYOTTE and dependencies. See *French Colonies.*						
MECCA. See remarks preceding this Schedule, clause (5).						
MELBOURNE (VICTORIA). See *Victoria* under *Australian Colonies.*						
MERSINA (TURKEY IN ASIA, South Coast). See *Turkey.*						
MEXICO (NORTH AMERICA). See head B of *Countries served through England.*						
MINORCA (BALEARIC ISLANDS, *Spanish*). See *Spain.*						
MIQUILON. See *French Colonies.*						
MITYLENE (ÆGEAN SEA, TURKEY). See *Turkey.*						
MOLDAVIA. See *Roumania.*						
MONTENEGRO—						
Via Brindisi through *Italy*	I	5	4	1	1½	
MONTSERRAT. See *West Indies, British,* under head B of *Countries served through England.*						
MOROCCO—Postal Establishments of Spain on the Western Coast of—. See *Spain.*						
MOZAMBIQUE—						
Via Bombay to Aden or from Aden, and thence by *Zanzibar Line*	V	*c a* 8	*None*	...	*a** 2	* Per 4 ozs.
MUSCAT (ARABIA)—						
Indian Post Office, at ordinary inland rates, *via* Bombay or Karachi.						
NAGASAKI. See *Japan.*						
NASOVA (FIJI ISLANDS). See *Fiji Islands* under *Australian Colonies.*						
NATAL (AFRICA, East Coast, *British*)—						
For route through England, see head A of *Countries served through England.*						
Via Bombay to Aden or from Aden, and thence by *Zanzibar Line*	V	*c* 8	4	...	*2	* Per 4 ozs.
NETHERLANDS—						
Via Brindisi through *Germany* ...	I	5	4	1	1½	

For further explanations, &c., see the remarks preceding this Schedule.
For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each Packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
NETHERLANDS INDIA, OR DUTCH EAST INDIES—						
Via Bombay or from Aden *by British Packet* through *Singapore* ...	V					
Via C. M. and Rangoon or Moulmein *by Indian Packet* through *Singapore* ...	V	*c a* 4	*None*	...	*a** 2	* Per 4 ozs.
Via Calcutta *by Indian Packet* (Opium Steamer) through *Singapore* ...	V					
Via C. M. *by French Packet* through *Batavia*	V	*c* 4	4	...	* 2	* Per 4 ozs.
From Aden *by French Packet* through *Batavia*	V	*c* 5	4	...	* 2	* Per 4 ozs.
NEVIS. See *West Indies, British,* under head B of *Countries served through England.*						
NEW BRUNSWICK (BRITISH NORTH AMERICA). See *Canada* under head E of *Countries served through England.*						
NEW CALEDONIA and dependencies. See *French Colonies.*						
NEWFOUNDLAND (BRITISH NORTH AMERICA). See head E of *Countries served through England.*						
NEW GRANADA. See *United States of Colombia* under head B of *Countries served through England.*						
NEW SOUTH WALES. See *Australian Colonies.*						
NEW ZEALAND. See *Australian Colonies.*						
NICARAGUA (CENTRAL AMERICA). See head B of *Countries served through England.*						
NORWAY—						
Via Brindisi through *Germany* ...	I	5	4	1	1½	
NOSSIBE. See *Mayotte and dependencies* under *French Colonies.*						
NOVA SCOTIA (BRITISH NORTH AMERICA). See *Canada* under head E of *Countries served through England.*						
ORDOU. See *Turkey.*						
PARAGUAY (SOUTH AMERICA). See head B of *Countries served through England.*						
PENANG (*British*). See *Straits Settlements.*						
PERIM. See *Aden.*						
PERSIA. See remarks preceding this Schedule, clause (5).						
PERTH (WESTERN AUSTRALIA). See *Western Australia* under *Australian Colonies.*						
PERU (SOUTH AMERICA). See head C of *Countries served through England.*						
PHILLIPPINE ISLANDS (*Spanish*)—						
Via Bombay or from Aden *by British Packet* through *Singapore* ...	III					
Via C. M. and Moulmein *by Indian Packet* through *Singapore*	III	*c a* 4	*None*	...	*a** 2	* Per 4 ozs.
Via Calcutta *by Indian Packet* (Opium Steamer) through *Singapore* ..	III					

For further explanations, &c., see the remarks preceding this Schedule.

For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each Packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
PHILIPPOPEL (TURKEY IN EUROPE). See *Turkey*.						
PIATRA (TURKEY IN EUROPE). See *Turkey*.						
PORT ELIZABETH (AFRICA, EAST COAST, *British*). See *Natal*.						
PORTO RICO (WEST INDIES, *Spanish*). See *West Indies, Foreign*, under head B of *Countries served through England*.						
PORT SAID. See *Egypt*.						
PORTUGAL—						
Via Brindisi through French Office, *Modane*	I	*c* 5½	4	1½	2	
Via Brindisi through *Italy* ...	I	5	4	1	1½	
Via Gibraltar	I	5	4	1	1½	
Additional route from Aden only— By French Packet through *Agent on board*	I	5	4	1	1½	
PREVESA (ALBANIA, TURKEY IN EUROPE). See *Turkey*.						
PRINCE EDWARD ISLAND (BRITISH NORTH AMERICA). See *Canada* under head E of *Countries served through England*.						
QUEENSLAND (AUSTRALIA). See *Australian Colonies*.						
RETIMO (CRETE, TURKEY). See *Turkey*.						
REUNION OR BOURBON (INDIAN OCEAN, *French*)— See *French Colonies*.						
RHODES (SPORADES, TURKEY). See *Turkey*.						
RODOSTO. See *Turkey*.						
ROUMANIA (MOLDAVIA AND WALLACHIA)—						
Via Brindisi through *Italy*	I	5	4	1	1½	
RUSSIA—						
Via Brindisi through *Germany* ...	I	5	4	1	1½	See remarks in clause (6) preceding this Schedule.
RUTSCHUK (TURKEY IN EUROPE). See *Turkey*.						
SAIGON (COCHIN CHINA, *French*). See *French Colonies*.						
ST. CHRISTOPHER'S, OR ST. KITT'S. See *West Indies, British*, under head B of *Countries served through England*.						
ST. CROIX (WEST INDIES). See head B of *Countries served through England*.						
ST. DOMINGO OR HAYTI. See *West Indies, Foreign*, under head B of *Countries served through England*.						
ST. EUSTATIUS (WEST INDIES, *Dutch*). See *West Indies, Foreign*, under head B of *Countries served through England*.						
St. HELENA (SOUTH ATLANTIC, *British*). See head A of *Countries served through England*.						
ST. KITT'S, OR ST. CHRISTOPHER'S. See *West Indies, British*, under head B of *Countries served through England*.						
ST. LUCIA. See *West Indies, British*, under head B of *Countries served through England*.						

For further explanations, &c., see the remarks preceding this Schedule.

For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each Packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
ST. MARIE (MADAGASCAR). See *French Colonies*.						
ST. MARTIN'S (WEST INDIES, *Dutch*). See *West Indies, Foreign*, under head B of *Countries served through England*.						
ST. PIERRE. See *French Colonies*.						
ST. THOMAS (WEST INDIES). See head B of *Countries served through England*.						
ST. VINCENT. See *West Indies, British*, under head B of *Countries served through England*.						
ST. VINCENT (CAPE DE VERD). See *Cape de Verd Islands*, under head A of *Countries served through England*.						
SALONICA (TURKEY IN EUROPE, South Coast). See *Turkey*.						
SALVADOR OR SAN SALVADOR (CENTRAL AMERICA). See head C of *Countries served through England*.						
SAMSOUN (TURKEY IN ASIA, Coast of Black Sea). See *Turkey*.						
SANDWICH ISLANDS (NORTH PACIFIC). See *Hawaii* under head A of *Countries served through England*.						
SANTI-QUARANTA. See *Turkey*.						
SARDINIA. See *Italy*.						
SENEGAL and dependencies. See *French Colonies*.						
SERES (TURKEY IN EUROPE). See *Turkey*.						
SERVIA—						
Via Brindisi through *Italy*	I	5	4	1	1½	
SEYCHELLES (INDIAN OCEAN, *British*)—						
Via C. M. *by French Packet* ...	V	*c* 5	4	...	* 2	* Per 4 ozs.
From Aden *by French Packet* ...	V	*c* 4	4	...	* 2	* Per 4 ozs.
Via Bombay to Aden and thence *by French Packet*	V	*c* 8	4	...	* 2¾	* Per 4 ozs.
SHANGHAI—See *China*.						
SHIRAZ (PERSIA). See remarks preceding this Schedule, clause (5).						
SICILY. See *Italy*.						
SIERRA LEONE. See *Africa, West Coast, British*, under head A of *Countries served through England*.						
SINGAPORE (*British*). See *Straits Settlements*.						
SMYRNA (TURKEY IN ASIA, West Coast). See *Turkey*.						
SOFIA (TURKEY IN EUROPE). See *Turkey*.						
SOUTH AUSTRALIA. See *Australian Colonies*.						
SPAIN—						
Via Brindisi through French Office, *Modane*	I	*c* 5½	4	1½	2	
Via Brindisi through *Italy*	I	5	4	1	1½	
Via Gibraltar	I	5	4	1	1½	

For further explanations, &c., see the remarks preceding this Schedule.

For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each Packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
Additional route from Aden only—						
By French Packet through *Agent on board*	I	5	4	1	1½	
SEINUGGUR, OR SRINAGAR (*Cashmere or Kashmir*). See remarks preceding this Schedule, clause (5).						
STRAITS SETTLEMENTS (*British*)—						
Via Bombay or from Aden *by British Packet* through *Singapore* or *Penang* ...	III	4	4	...	* 2	* Per 4 ozs.
Via C. M. and Moulmein *by Indian Packet* through *Singapore* or *Penang* ...	III					
Via Calcutta *by Indian Packet* (Opium Steamer) through *Singapore* ...	III					
Via C. M. *by French Packet* through *Singapore*	V	*c* 4	4	...	* 2	* Per 4 ozs.
From Aden *by French Packet* through *Singapore*	V	*c* 5	4	...	* 2	* Per 4 ozs.
By Private Vessel	IV	*c* 4	4	...	* 2	* Per 4 ozs.
SUEZ. See *Egypt*.						
SULINA (TURKEY IN EUROPE). See *Turkey*.						
SWATOW. See *China*.						
SWEDEN—						
Via Brindisi though *Germany* ...	I	5	4	1	1½	
SWITZERLAND—						
Via Brindisi through *Italy*	I	5	4	1	1½	
SYDNEY (NEW SOUTH WALES). See *New South Wales* under *Australian Colonies*.						
TAHITI. See *French Colonies*.						
TANGIER (AFRICA)—						
Via Brindisi through French Office, *Modane*	II	7	8	..	2	
Additional route from Aden only—						
By French Packet through *Agent on board*	II	7	8	...	2	
TASMANIA, OR VANDIEMEN'S LAND. See *Australian Colonies*.						
TCHERNAVODA (TURKEY IN EUROPE). See *Turkey*.						
TEHERAN (PERSIA). See remarks preceding this Schedule, clause (5).						
TENEDOS (ÆGEAN SEA, TURKEY). See *Turkey*.						
TOBAGO. See *West Indies, British*, under head B of *Countries served through England*.						
TORTOLA. See *West Indies, British*, under head B of *Countries served through England*.						
TREBIZOND (TURKEY IN ASIA, Coast of Black Sea). See *Turkey*.						
TRINIDAD. See *West Indies, British*, under head B of *Countries served through England*.						
TRIPOLI (SYRIA). See *Turkey*.						
TULTSCHA (TURKEY IN EUROPE). See *Turkey*.						
TUNIS (AFRICA, NORTH COAST). See *Tangier*.						

For further explanations, &c., see the remarks preceding this Schedule.

For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
		Ans.	Ans.	Ans.	Ans.	
TURKEY—						
British Offices at Beyrout, Constantinople, and Smyrna.						
Austrian Offices at Adrianople, Antivari, Beyrout, Bourgas, Caifa, Candia, Canea, Cavalla, Chio (Tchesme), Constantinople, Dardanelles, Dede-Agatsch, Durazzo, Gallipoli, Ineboli, Jaffa, Janina, Jerusalem, Kustendjie, Lagos, Larnaka, Mitylene, Philippopel, Piatra, Prevesa, Retimo, Rhodes, Rutschuck, Salonica, Samsoun, Santi-Quaranta, Seres, Smyrna, Sofia Sulina, Tchernavoda, Tenedos, Trebizond, Tultscha, Valona, Varna, Volo and Widdin.						
French Offices at Alexandretta, Beyrout, Dardanelles, Ineboli, Jaffa, Kustendjie, Lagos, Latakia, Mersina, Ordou, Rhodes, Rodosto, Salonica, Samsoun, Smyrna, Sulina, Trebizond, Tripoli in Syria, Tultscha and Varna.						
To any of the above through British Post Office, *Alexandria*	I	5	4	1	1½	
To any other places in Turkey. See clause (5) of remarks preceding this Schedule.						
TURK'S ISLAND. See *West Indies, British*, under head B of *Countries served through England*.						
UNITED KINGDOM—						
Via Brindisi	I	6	4	2	2½	Maximum weight of packets of printed papers and patterns for the United Kingdom is 5 lbs.
Via Southampton	I	5	4	1	1½	
The rules about Overland Parcels to the United Kingdom, &c., are given immediately after this Schedule.						
UNITED STATES OF AMERICA—						
Via Brindisi through *United Kingdom* ..	I	*c* 6	4	2	2½	
Via Brindisi through *Italy* ...	I	5	4	1	1½	
Via Bombay and Hong-Kong ...	I	5	4	1	1½	
Via Calcutta and Hong-Kong *by Indian Packet* (Opium Steamer) ...	I	5	4	1	1½	
UNITED STATES OF COLOMBIA, OR NEW GRANADA. See head B of *Countries served through England*.						
URUGUAY. See head B of *Countries served through England*.						
VALONA (ALBANIA, TURKEY IN EUROPE). See *Turkey*.						
(VANCOUVER'S ISLAND) BRITISH NORTH AMERICA). See *Canada* under head E of *Countries served through England*.						
VARNA (TURKEY IN EUROPE, Coast of Black Sea). See *Turkey*.						
VENEZUELA (SOUTH AMERICA). See head B of *Countries served through England*.						

For further explanations, &c., see the remarks preceding this Schedule.
For full heading—See first page of Schedule.

COUNTRIES, &c.		Each letter. Per ½ oz.	Each letter. Registration fee	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
VICTORIA (AUSTRALIA). See *Australian Colonies.*		Ans.	Ans.	Ans.	Ans.	
VOLO (TURKEY IN EUROPE). See *Turkey.*						
WALLACHIA. See *Roumania.*						
WELLINGTON (NEW ZEALAND). See *New Zealand* under *Australian Colonies.*						
WESTERN AUSTRALIA. See *Australian Colonies.*						
WEST INDIES, *British* and *Foreign.* See head B of *Countries served through England.*						
WIDDIN (TURKEY IN EUROPE). See *Turkey.*						
YOKOHAMA. See *Japan.*						
ZANZIBAR—						
Via Bombay to Aden, and thence by *Zanzibar Line*	I	*c* 4	4	1	1½	See remarks in clause (4) preceding this Schedule.
From Aden	I	*c* ordinary		inland	rates.	

OVERLAND PARCEL POST.

(1).—Parcels are received at any Post Office in India under the conditions and rates of charge mentioned below, for transmission to the following countries, *viz* :—

Countries.	Rate of charge per lb. or fraction thereof. Prepayment compulsory.	Remarks respecting special conditions, &c., applicable to particular countries.
	Ans.	
United Kingdom	8	The prepayment carries the parcel as far as London, any additional charge which may become due on account of British custom duty or carriage beyond London being realised from the addressee. Parcels must not exceed £50 in value. Any parcel which on examination of the declaration at Bombay may be found to exceed this value will, instead of being forwarded by the Overland Parcel Post, be transferred to the Bombay Agency of the P. & O. S. N. Company for transmission independently of the Post Office, and subject to such regulations and charges on delivery as may be applicable thereto under the Company's regulations. (NOTE.—The Company's present charge is an *ad valorem* rate of 2 per cent., which does not include Marine or other Insurance.) The attention of the public is invited to the fact that the British Post Office has no connection with the Overland Parcel Post: all arrangements out of India are made by the Peninsular and Oriental Steam Navigation Company, and enquiries proceeding from the United Kingdom should be addressed to that Company's Office, 122, Leadenhall Street, London, E. C. The rules governing the despatch of parcels from the United Kingdom to India are, however, published in the British Postal Guide and exhibited in every British Post Office. Persons in India ordering goods to be sent out by Parcel Post may refer the sender to the above means of information about the transmission of parcels.
Ceylon ...	8	The prepayment carries the parcel to destination. Should any custom duty become due, the amount will be charged on delivery. Parcels must not contain any jewellery.
Germany ... Austria—Hungary	8	The prepayment carries the parcel to destination; should any custom duty become due, the amount will be charged on delivery. See also Rule 9, respecting compensation for damage or loss.
Denmark ...	8	The prepayment carries the parcel to the limit of German conveyance, a separate charge being made on delivery for conveyance beyond the German frontier, as well as for custom duty, should any become due. See also Rule 9, respecting compensation for damage or loss.

Countries.	Rate of charge per lb. or fraction thereof. Prepayment compulsory.	Remarks respecting special conditions, &c., applicable to particular countries.
	Ans.	
Sweden ... Norway ... Switzerland ...	8	The prepayment carries the parcel to the limit of German conveyance, a separate charge being made on delivery for conveyance beyond the German frontier, as well as for custom duty, should any become due. *From Rule* 3 *it will be seen that there must be also a second or duplicate declaration of contents and value.* See also Rule 9, respecting compensation for damage or loss.
France ... The Netherlands (Holland) ... Belgium ...	8	The prepayment carries the parcel to the limit of German conveyance, a separate charge being made on delivery for conveyance beyond the German frontier, as well as for custom duty, should any become due. *From Rule* 3 *it will be seen that there must be also a second or duplicate declaration of contents and value, and that the second or duplicate declaration should contain a statement of the weight (lbs. & ozs. or tolas) of the contents, and should, if possible, be written in the French language.* See also Rule 9, respecting compensation for damage or loss.

(2).—Every parcel should be securely packed in a closed cover or case, and should bear the name and address of the person in the United Kingdom or foreign country for whom it is intended. Parcels containing valuables should be sealed.

N. B.—The public are specially warned against the use of flimsy covers for articles transmitted by the Parcel Post. Heavy articles are sometimes sent with only paper covering insecurely tied with string: friction in transit detaches this cover, and damage and loss ensue. A covering of stout cloth or wax-cloth sewn at the edges is recommended; but if the contents are liable to suffer from pressure, boxes of wood or tin should be used.

(3).—Every parcel should be accompanied by a separate paper headed with the address of the parcel and containing a *declaration of its contents and value* under the signature of the sender. Below the signature the address of the sender should be given.

For the parcels addressed to—

The United Kingdom ... Ceylon ... ... Germany ... ... Austria-Hungary ... Denmark	Only one declaration as above described is required.
Sweden ... .. Norway ... ... Switzerland	A second or duplicate declaration is also required.
France ... ... The Netherlands (Holland)... Belgium	A second or duplicate declaration is also required: and the sender is requested to enter in the declaration a statement of the weight (lbs. and ozs. or tolas) of the contents, and to write the second or duplicate declaration, if possible, *in the French language.* Should he be unable to do so, the Bombay Post Office will attach to the second or duplicate English declaration a French rendering thereof, but the sender is warned of the delay which may result from this.

It is not deemed necessary to require exact adherence to any particular form of declaration, but the following specimen form may be useful to the senders of parcels:

Specimen form of declaration.

Address of parcel:
Thomas B. Smith,
144, *Piccadilly,*
London.

Contents.	Value. £	s.	d.
1 Piece Puttoo cloth	2	0	0
1 Rampore chudder	2	10	0
TOTAL ...	4	10	0

I declare the above to be a true statement of the contents and value.

(Signed) A. R. ROBINSON,
Amritsar.

N. B.—Declarations for parcels intended for France, the Netherlands, or Belgium should, in addition to the above, contain a statement of the weight (lbs. and ozs. or tolas) of the contents. This may conveniently be done by adding the words "weight—lbs.—ozs." underneath the total value, and the words "and weight" at the end of the sentence containing the declaration.

(4).—The parcel so addressed, and the separate paper or papers above referred to, should then be enclosed in a *substantial outer cover*. This outer cover should be superscribed and addressed as follows:

Overland Parcel Post.	Postage stamp to be affixed.
To	
THE POST MASTER,	
BOMBAY.	

The outer cover must contain one parcel only. If more than one parcel be sent by the same sender, such parcels should be enclosed in a separate outer cover to the address of the Post Master of Bombay.

(5).—The parcel so made up must be *fully prepaid by means of postage stamps at the rate of* 8 *annas* per lb. (40 tolas) or fraction of a lb, care being taken that the stamps adhere firmly to the cover.

(6).—The parcel so made up must not exceed 50 lbs. (25 seers) in weight, or 2 feet in length by 1 foot in breadth or depth. It will be received at any Post Office at the hours fixed for the receipt of ordinary banghy parcels, the usual receipt being given to the sender without reference to the mode of packing prescribed in the case of inland parcels for which receipts are claimed.

(7).—On arrival at Bombay the Postmaster will take off the outer covering, and forward the inside parcel and the accompanying declaration or declarations to the country of inside address.

(8).—It is forbidden to send in these parcels opium, or any liquid, or any substance or material of a dangerous, damaging or offensive kind.

(9).—In the case of parcels for or from Germany or Austria-Hungary, and the foreign countries served through Germany, compensation will be given by the responsible Post Office to the sender for loss or damage sustained in transit (cases of *sea risk* or of *vis major* or of the *own negligence of the sender* in respect of packing or otherwise excepted). Such compensation will in no case exceed 1½ rupee for each lb. weight or fraction thereof in respect of parcels forwarded from India, and 3 marks or 1½ florins for each 500 grammes or fraction thereof in respect of parcels from Germany or Austria-Hungary. Should the sender desire it, the compensation will be paid to the addressee instead of to himself.

SPECIAL RATES FOR FOREIGN LETTERS OF SOLDIERS AND SEAMEN.

Classes entitled and rates of charge.

(1).—Subject to the subjoined Regulations, Non-Commissioned Officers, Band Masters, Army School Masters (not being Superintending or 1st Class School Masters), Army School Mistresses, Private Soldiers, or Seamen belonging to Her Majesty's ships, can send and receive letters by British Packet for a postage of 9 pie; but if any such letters are sent wholly or partly by the post of a foreign country, they are subject, in addition, to the foreign postage, whatever that may be. Thus the postage by British Packet to the undermentioned countries (including the British Packet charge of 9 pie) is as follows:

To or from the United Kingdom, Canada, the Cape, or other British Colonies or Possessions connected with the United Kingdom, by British Packet.	*viâ* Southampton, 9 pie. *viâ* Brindisi, 1 anna 9 pie.
To or from Malta, Gibraltar, Aden, Ceylon, Straits, China, Japan or Australia by British Packet	9 pie.
To or from Mauritius *via* Bombay by British Packet to Aden and thence by French Packet.	6 annas.

Conditions entitling to special rates.

(2).—The conditions entitling to special rates are as follows:

(*a*).—The person claiming the privilege must at the time be actually employed in the Naval or Military service of Her Majesty, and must not be either a Commissioned Officer or a Warrant Officer, or a Superintending or 1st Class School Master.

(*b*).—The postage must be prepaid, except in respect of letters addressed to the United Kingdom, or other places to which the prepayment of letter postage on ordinary letters is optional. Unpaid letters received in India are charged, on delivery, 1 anna 6 pie, together with any foreign postage which may be due.

(*c*).—The letter must not weigh more than half an ounce.

(*d*).—It must relate entirely to the private concerns of the soldier, seaman, &c.

(*e*).—Any cover sent by a soldier or seaman under privilege must contain the name of the writer and his class or description in the Vessel, Regiment, Corps, or Detachment to which he belongs, and must also bear the signature of the Officer having the Command of the Vessel, Regiment, Corps, or Detachment to which the writer belongs, as well as the name in full of such Vessel, Regiment, Corps, or Detachment: and any cover addressed to a soldier or seaman under privilege must contain in the address the name in full of the Vessel, Regiment, Corps, or Detachment to which the addressee belongs.

N.B.—Covers sent by or addressed to soldiers or seamen not belonging to a particular *Vessel, Regiment, Corps,* or *Detachment*, or not bearing the specification of such, are obviously precluded from the privilege. For instance, persons described merely as belonging to "Adjutant General's Office," or "Head-Quarters Staff," or "Regimental Office, Royal Artillery," or as "Shipping Agent," or "Bazaar Sergeant," &c., &c., without specification of a particular *Vessel, Regiment, Corps,* or *Detachment,* cannot be recognized as privileged. Nor can the privilege be recognized in respect of covers superscribed under such signatures as those of Quarter Master General or Adjutant General, or under any signature other than that of the *Officer having the Command of the Vessel, Regiment, Corps,* or *Detachment* to which the writer belongs.

The foregoing particulars should be given in one of the following forms:

For Seamen.

C. D., Captain, (or other Comdg. Officer) H. M. S.

Viâ

(Direction of letter to be entered here.)

From A. B., Seaman, H. M. S.

or

Viâ

To

B., Seaman, H. M. S.

(Here direction of letter to be finished.)

For Soldiers.

C. D., Colonel, (or other Comdg. Officer) Regiment

Viâ

(Direction of letter to be entered here.)

From A. B., Sergeant (or Corporal, Private, &c.), Regiment

or

Viâ

To

A. B., Private (or Sergeant, Corporal), &c., Regiment

(Here direction of letter to be finished.)

If the letter exceed half an ounce, how treated.

(3).—If the letter exceed half an ounce, or if any of the foregoing Regulations be not complied with, it will be forwarded, charged with the same postage as an ordinary letter.

Letters addressed to care of Agent, or sent by or addressed to Soldiers or Seamen in Civil employ, not entitled to privilege.

(4).—Soldiers' or seamen's letters received in India from abroad, if addressed to the care of an agent or any other person, are liable to the ordinary rate of postage, the privilege of receiving letters at reduced rates being confined to such letters as are addressed directly to them.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 25th October 1876.

No. 1091 *of* 1876.—Honorary Surgeon-Major Robert Frederick Thompson, Subordinate Medical Department, is permitted to retire from the service on a pension of £150 per annum.

No. 1092 *of* 1876.—The undermentioned out-pensioners of the Royal Hospital at Chelsea, are permitted to draw their pensions in India from the dates they cease to receive regimental pay :—

Thomas Hoskin, late 89th Foot,—eight pence per diem, chargeable to Imperial revenue.

Sergeant John Winter, late 2nd Battalion, 22nd Foot (18th Brigade Depôt),—one shilling and nine pence per diem.

Staff Sergeant Joseph Harry Hills, late 20th Brigade, Royal Artillery,—two shillings per diem, chargeable to Imperial revenue.

Gunner William McPherson, late D. Battery, C. Brigade, Royal Horse Artillery,—one shilling per diem.

The 26th October 1876.

No. 1093 *of* 1876.—The undermentioned officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant George Alfred Money, 1st Battalion, 8th Foot, officiating 1st Squadron Subaltern, 5th Bengal Cavalry,—17th September 1875.

No. 1094 *of* 1876.—Native Medical Pupil Shaik Hossain Bux, No. 732, is dismissed the service.

Admitted by G. G. O. No. 1022 of 1874.

No. 1095 *of* 1876.—Lieutenant-Colonel (Brevet Colonel) Henry William Gulliver, Royal Engineers, Chief Engineer, 2nd class, and Joint Secretary to Government, Punjab, Irrigation Branch, Public Works Department, is permitted to proceed to Europe on furlough on private affairs for two years under Rule IX of the Regulations of 1868.

No. 1096 *of* 1876.—The following extracts from the *London Gazette* of the 18th and 25th August 1876, pages 4596 and 4732, are published for general information :—

WAR OFFICE,

Pall Mall, the 18th August 1876.

London Gazette, dated 18*th August* 1876, *page* 4596.

BREVET.

Captain the Hon'ble Robert William Napier, Bengal Infantry, to be Major. Dated 19th August 1876.

London Gazette, dated 25*th August* 1876, *page* 4732.

The undermentioned officers to be granted a step of honorary rank on retirement :—

To be Major-Generals, dated 26th August 1876.

Brevet Colonel William Boyd Irwin, Bengal Staff Corps.

Brevet Colonel William John Ward, Bengal Staff Corps.

Brevet Colonel Charles Maxton Shakespear, Madras Staff Corps.

Brevet Colonel Thomas Henry Stoddard, Madras Staff Corps.

Brevet Colonel Edmond Tudor Boddam, Madras Staff Corps.

Brevet Colonel Arthur Jacob Macan Rainey, Madras Staff Corps.

Brevet Colonel John Shaw Kemball, Bombay Staff Corps.

Brevet Colonel Evelyn Waddington, Bombay Staff Corps.

To be Colonels, dated 26th August 1876.

Lieutenant-Colonel Samuel Crawfurd Montgomerie, Madras Staff Corps.

Lieutenant-Colonel Edward Newnham Marsh, Bombay Staff Corps.

No. 1097 *of* 1876.—The undermentioned officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval :—

Captain Francis Gellie.
Captain (Brevet Lieutenant-Colonel) Charles Metcalfe MacGregor, C.S.I. } 20th October 1876.

No. 1098 *of* 1876.—The following corrections are to be made in the Pay Code for India, Volume I, "British Troops : —"

Article 9, fourth line. Add the words "service counting from the date of his first permanent commission."
G. G. O. No. 560 of 1876.

Article 892, third line. After the word "furlough" add, in parenthesis, the words "reckoning from date of first permanent commission."
G. G. O. No. 560 of 1876.

Article 997, third line. After the word "first" enter the word "permanent."
G. G. O. No. 560 of 1876.

Article 1043*B*, second line. After the words "Government of India" add, in parenthesis, the words "counting from date of first permanent commission."
G. G. O. No. 560 of 1876.

Article 2129, clause (*e*), second line. After the word "first" enter the word "permanent."
G. G. O. No. 560 of 1876.

Article 1399. In the margin enter "G. G. O. No. 578 of 1876."

G. G. O. No. 586 of 1876. Article 1170, clause *p*. Add "also on exchanging from one battery to another."

Article 330*a*. Add "Full staff pay will be continued to the officers mentioned in this article after their admission to the staff corps, until they shall have been provided with a permanent appointment, after which they will become subject to the usual rules for the admission of staff pay."
G. G. O. No. 666 of 1876.

Article 74. Add "This article is not applicable to a medical officer who was appointed to the service before the 7th November 1864."
Financial Notification No. 1500 of 4th July 1876.

Article 1940. After the sixth line, enter "By the officer commanding,—for each of the royal engineer schools in the three presidencies, Rs. 20."
G. G. O. No. 715 of 1876.

G. G. O. No. 725 of 1876. Insert the following as article 537 *a* :—

"A quartermaster promoted to lieutenant is not allowed to reckon his service as quartermaster towards the increase of pay granted to a lieutenant after three years' service in that rank."

G. G. O. No. 730 of 1876. Insert the following as article 1749 *a* :—

"A soldier employed as collar-marker, wheeler, or shoeing-smith, in batteries of royal artillery during the absence of the permanent artificers, shall receive extra duty pay at the rate of 4 annas a day. No extra duty pay is admissible to a shoeing-smith acting as farrier sergeant."

G. G. O. No. 741 of 1876. Insert the following as article 489 *b* :—

"A battery subaltern appointed to act as commandant during the absence of the latter on furlough or general leave, will be allowed the half staff pay of commandant and the half staff of his own appointment, in addition to staff corps pay."

"An officer appointed to act as battery subaltern during the absence of the permanent incumbent, or on his appointment to act as commandant, will be allowed the full staff pay (Rs. 150) in addition to regimental pay and allowances."

Article 69. After the words "superintendents of bazars" add the words "and of sub-inspectors of army schools."
G. G. O. No. 760 of 1876.

G. G. O. No. 760 of 1876. Insert the following as article 244 *a* :—

"In the event of the death or invaliding of a sub-inspector of army schools, a commissioned officer may be appointed to conduct the duties as a temporary arrangement, receiving, in addition to regimental pay and allowances, the staff pay of a sub-inspector, *viz.*, Rs. 120 a month. The staff pay (Rs. 120 a month) will also be drawn by the officer performing the duties of a sub-inspector who may be absent on leave out of India, and while on leave (other than privilege leave) in India."

G. G. O. No. 760 of 1876. Article 366. Insert the following as clause *i* :—

"During the period a sub-inspector of army schools may be absent on leave in India."

G. G. O. No. 813 of 1876. Insert the following as article 921 *a* :—

"All officers of the British service holding staff appointments in India, necessitating their being seconded from regiments or batteries on the Indian establishment; and officers appointed from regiments or batteries serving elsewhere than in India (whether seconded or not) are allowed, during their five years' tenure of office, six months' leave on sick certificate with absentee allowance regulated under the furlough rules of 1868, or leave on private affairs for four months with British pay from Indian revenues. Any leave obtained in excess of either of these periods will involve loss of appointment, and only one grant of leave out of India will be allowed."

G. G. O. No. 760 of 1876. Insert the following as article 921 *b* :—

"A sub-inspector of army schools during absence on leave out of India will be restricted to his English rate of pay, and while on leave (other than privilege leave) in India, he will be allowed his Indian pay only (article 60 *h*), the staff pay being drawn by the officer performing his duties."

Article 1595, page 303. Opposite "Instructor, 1st class," enter in the margin "G. G. O. No. 809 of 1876."

Article 917. After the words "Indian establishment" insert the words "but see article 921*a*."

Article 918. After the words "his own rules" insert the words—"see article 921*a*."

Article 920. After the words "half staff" insert the words ("but see article 921*a*.)"

Expunge clause III which is cancelled, and enter in the margin "G. G. O. No. 813 of 1876."

G. G. O. No. 814 of 1876. Insert the following as article 1707*a* :—

"When regimental schools are closed temporarily during outbreaks of sickness or on the march, full pay, staff and other allowances, will be continued to schoolmasters (acting included), and to the senior soldier assistants drawing Rs. 10 per mensem. During such periods the pay of the other soldier assistants will cease."

G. G. O. No. 814 of 1876. Insert the following as article 1718 *a* :—

"The provisions of article 1707*a* are applicable to schoolmistresses (acting included), pupil teachers or assistant schoolmistresses, who will receive their full pay and allowances when regimental schools are temporarily closed. The pay of monitresses will cease during such periods."

Article 344, clause *h*. After the words "English furlough pay" enter the following note :—
G. G. O. No. 837 of 1876.

"*Note.*—The rates of English furlough pay drawn by officers of the Indian cadres of royal artillery, while on leave in England from brigades serving in India, are assimilated to the rates drawn by officers of the old royal artillery, with the exception of certain general officers and of the lieutenant-colonels of foot artillery on the Indian cadres, the former of whom will receive pay according to Indian rates when those rates are more favorable to them, while the latter will, as heretofore, receive pay at £1 a day. Officers of the Indian cadres of artillery in receipt of 'English furlough pay' while on furlough in India are placed on the same footing."

Article 406*a*. Add "This article is also applicable when the absent adjutant belongs to the Indian cadres of artillery."
G. G. O. No. 837 of 1876.

Article 923*a*. After the words "Indian furlough rules" in the last line, add the words—"but see article 344, clause *h*, and foot-note."

G. G. O. No. 872 of 1876. Article 901. After clause II, add the following :—

"Should an administrative medical officer exceed the six or four months' absence from India, as the case may be, he will come under the operation of such furlough rules as he may have elected, and his furlough pay will be adjusted accordingly."

Article 920, clause II. After the words "five years" add the words—"see also article 306."

G. G. O. No. 872 of 1876. Insert the following as article 298*a*:—

"An administrative medical officer (surgeon-general or deputy surgeon-general) will be granted furlough under the provisions of article 901."

Article 299. Expunge the words "see article 1001" in last line.

Article 1012. Instead of the words "has no furlough at his credit" in third line, *read* "has less than six months' furlough at his credit."

G. G. O. No. 922 of 1876.

G. G. O. No. 943 of 1876. Article 1480 is reconstructed as follows:—

"The rules in article 1140 are applicable to all warrant officers (military and medical) in departments, who will be granted the same rewards for passing in the native languages as commissioned officers."

"I.—The higher rate (or that allowed to commissioned officers) of moonshee allowance on passing the higher or lower standard in the Hindustani language cannot be claimed, under any circumstances, by medical warrant officers with regiments and batteries when sufficient means of instruction have been provided in a regimental or other Government school which they could attend. The exceptional cases in which the higher rate of allowance will be granted are when such means of instruction are not provided or cannot be made use of, owing to reasons which must be fully explained on submitting the claim. In all cases of doubt as to the validity of these reasons, the controller of military accounts will, if necessary, refer the claim for the orders of Government."

"II.—Medical warrant officers with regiments and batteries who have had opportunities of receiving instruction from a regimental or other Government school, and of using the Government books, will receive the same allowances as non-commissioned officers (article 1966)."

G. G. O. No. 943 of 1876. Article 1966. The second sentence is reconstructed as follows:—

"But those who have not had the advantage of studying the native languages in regimental or other Government schools, will be entitled to receive the donations payable to commissioned officers on the like occasions—see article 1480. Non-commissioned officers and soldiers serving in departments will be granted the same rewards as commissioned officers."

Article 1448*d*, clause *a*. After the word "stores" enter the words "or cattle."

G. G. O. No. 945 of 1876.

G. G. O. No. 947 of 1876. Article 1926 is reconstructed as follows:—

"The following sums are granted annually as prizes for good shooting and judging distance:—

	£	s.	d.	Rs.	A.	P.
I.—Target Practice.						
1st Prize.—To the best shot of the infantry of the army (including the royal engineers) who have practised through the annual course of musketry drill and individual firing prescribed for the drilled soldier ...	20	0	0	195	14	8
2nd Prize.—To the best shot of every regiment or battalion of infantry consisting of not less than four companies, all of which must have practised through the annual course of musketry dill and individual firing as above laid down	5	0	0	48	15	3
3rd Prize.—To the best shot of every company in which 40 men at least have practised through the annual course of musketry drill and individual firing as above laid down	2	10	0	24	7	10
To the best shot of every depôt company in which 30 men at least have practised through the annual course of musketry drill and individual firing as above laid down	2	0	0	19	9	6
4th Prize.—To 'marksmen' to the number of 10 per cent. of the men practised through the annual course of musketry drill and individual firing as above laid down, in each regiment or battalion, in addition to the holders of the 1st, 2nd and 3rd prizes ...	1	0	0	9	12	9
II.—Judging Distance Practice.						
INFANTRY.						
To the best judge of distances in each company, *i. e.*, to the man who, having practised in the 1st class, obtains the greatest number of points in the three periods of judging distance practice ...	1	0	0	9	12	9
To 10 per cent. of each company who, having practised in the 1st class, obtain the greatest number of points in the three periods of judging distance practice, inclusive of the best judge of distances in each company, ... each	0	10	0	4	14	4
CAVALRY.						
To the same number of men in the regiment receiving prizes for target practice who, having practised in the 2nd class, obtain the greatest number of points in the two periods of judging distance practice, ... each	0	5	0	2	7	2"

G. G. O. No. 947 of 1876. Article 1934 is reconstructed as follows:—

"Prizes of the value of £ 1 (9 rupees 12 annas 9 pies) each, with a badge of cross carbines worked in worsted, to be worn on the left arm, will be granted to all regiments of cavalry at the rate (but not exceeding one per troop exercised) of one for every 10 soldiers who shall compete for them in accordance with conditions to be laid down and published by the Commander-in-Chief, and if there be 100 such competitors, an additional sum of £ 1 (9 rupees 12 annas 9 pies) will be granted to the soldier who, having obtained one of the above prizes, shall make the highest aggregate score in the first period of the annual course and the competitive practice together."

Article 1241, clause *h*. Expunge the last sentence commencing with the words "An officer of the Indian service who succeeds to colonel's allowance," &c.

G. G. O. No. 968 of 1876.

G. G. O. No. 991 of 1876. Article 356. Add the following:—

"The only exception to this rule is in the case of officers who elected the furlough rules of 1868 before the 1st July 1871, whose furlough pay will be issued at the rate of exchange of 2 shillings the rupee; but this does not apply to officers who were admitted to the staff corps on and after the 1st July 1868."

Article 587. Add, at the end of the article, the words—"see article 356."

Article 405, page 97. To the words "assistant instructor of musketry for five months only in the year," add, in parenthesis, the words "(not admissible to an officer appointed after the 26th September 1876, see article 461, clause *h*.)"

G. G. O. No. 1006 of 1876.

Article 411. Add "This article is not applicable to an officer who was appointed assistant instructor of musketry after the 26th September 1876,—see article 461, clause *h*."

G. G. O. No. 1006 of 1876.

G. G. O. No. 1006 of 1876. Article 461. Insert the following as clause *h*:—

"An assistant instructor of musketry of a British infantry regiment, if appointed after the 26th September 1876,—during the annual course (see articles 405 and 411.)"

Article 1734, clause II. To the words "assistant sergeant instructor of musketry" affix a star (*) and enter the following foot-note:—

G. G. O. No. 1006 of 1876.

"* Abolished prospectively from 26th September 1876 as vacancies occur."

Article 1662, clauses *a*, *b*, *c*, *d*, *e*, pages 313 to 316, are cancelled. Revised pages will be issued by the Superintendent of Government Printing, Calcutta.

Article 1662, clause *g*, page 317. The table of pay at foot of page, applicable to trained schoolmasters under the regulations subsequent to 25th May 1863, is cancelled, and the following table is substituted:—

G. G. O. No. 1007 of 1876.

		English pay per diem.	For a month of			
			28 days.	29 days.	30 days.	31 days.
		s. d.	Rs. A. P.	Rs. A P.	Rs. A. P.	Rs. A. P.
On appointment	*G.*	3 11	58 7 10	60 9 3	62 10 8	64 12 1
	N.		57 2 10	59 3 6	61 4 2	63 4 10
After 2 years' service in the rank ...	*G.*	4 1	60 15 8	63 2 6	65 5 4	67 8 2
	N.		59 10 8	61 12 9	63 14 10	66 0 11
After 3 years' service, including the additional pay given after 2 years' service in the rank.	*G.*	4 7	68 7 1	70 14 3	73 5 4	75 12 5
	N.		67 2 1	69 8 6	71 14 10	74 5 2
Ditto 6 ditto ditto ...	*G.*	5 1	75 14 7	78 9 11	81 5 4	84 0 9
	N.		74 9 7	77 4 2	79 14 10	82 9 6
Ditto 9 ditto ditto ...	*G.*	5 7	83 6 1	86 5 8	89 5 4	92 5 0
	N.		82 1 1	84 15 11	87 14 10	90 13 9
Ditto 12 ditto ditto ...	*G.*	6 1	90 13 6	94 1 5	97 5 4	100 9 3
	N.		89 8 6	92 11 8	95 14 10	99 2 0
Ditto 15 ditto ditto ...	*G.*	6 7	98 5 0	101 13 2	105 5 4	108 13 6
	N.		97 0 0	100 7 5	103 14 10	107 6 3
Ditto 18 ditto ditto ...	*G.*	7 1	105 12 6	109 8 11	113 5 4	117 1 9
	N.		104 7 6	108 3 2	111 14 10	115 10 6

NOTE.—*G.* Gross pay without any deduction.
N. Net pay, *i. e.*, gross pay *minus* nine pies per diem for grocery ration.

G. G. O. No. 1007 of 1876. Insert the following as article 1684 *a* :—

"An armourer sergeant of a regiment of cavalry and infantry when invalided or when the charge of the arms shall have been necessarily transferred to another qualified armourer, will receive the following rate of pay :—

	English pay per diem.	For a month of 28 days.	29 days.	30 days.	31 days.
	s. *d.*	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
G.	2 1	31 1 9	32 3 7	33 5 4	34 7 1
N.		29 12 9	30 13 10	31 14 10	32 15 10

NOTE.—*G.* Gross pay without any deduction.
N. Net pay, *i. e.*, gross pay *minus* nine pies for grocery ration."

The following articles are to be inserted at page 318 after the rates of pay for monitress :—

G. G. O. No. 1007 of 1876.

"1662*a*.—A lance sergeant receiving pay as such will not draw good-conduct pay in addition."

"1662*b*.—The increased pay after two years' service in the rank of sergeant (article 1662) will continue to be issued on promotion. Thus an infantry sergeant after two years' service as such, will receive Rs. 34-9-6 (*net* pay for a month of 30 days), and if promoted to be color-sergeant while in receipt of that rate, will at once receive Rs. 42-9-6 per mensem, and not the lowest pay of color-sergeant which is only Rs. 39-14-10."

"Deferred pay."

G. G. O. No. 1009 of 1876.

"1662*c*.—An addition of 2*d*. a day shall be made to the daily pay of soldiers serving in the army on, and subsequently to, the 1st April 1876, during such portion of the first twelve years of their army service as may be rendered after that date, subject to the forfeitures specified in articles 1662*g* and 1662*h*."

"1662*d*.—The issue of this pay shall be deferred until the soldier completes his army service, whether on final discharge from the army or on entering the first class of the army reserve; and shall be made in such manner as may be prescribed in regulations issued by the Secretary of State."

"1662*e*.—Soldiers who are discharged before completing their army service, whether by purchase or on account of unfitness for further service, or in consequence of the reduction of the military establishment, shall receive, after discharge, the amount of deferred pay due to them."

"1662*f*.—In the case of soldiers who die in the service, the amount of deferred pay which may have accrued to them to the date of death, shall be disposed of in accordance with the regulations for the collection and disposal of the effects of deceased soldiers, laid down in the Regimental Debts Act, 1863."

"1662*g*.—Deferred pay shall be forfeited for the day or days for which a soldier has forfeited the privilege of reckoning his service towards good-conduct pay and pension."

"1662*h*.—Deferred pay shall also be forfeited on conviction of desertion, or by sentence of a general, district, or garrison court-martial, or by conviction of felony by a court of civil judicature, for all periods prior to such conviction or sentence; but if the soldier thus convicted shall, subsequently to such conviction, perform good, faithful or gallant service, he may, on the same being duly certified by the Commander-in-Chief, have the whole or any part of his deferred pay restored to him, upon Her Majesty's pleasure to that effect being signified by the Secretary of State."

"1662*i*.—Soldiers who, on the recommendation of their commanding officers and with their own free assent, are permitted after three years' army service to pass to the army reserve, will receive the deferred pay due to them for their army service, when they shall have completed the number of years' reserve service which, with their army service, will amount to six years, the computation being made in accordance with the rules laid down in article 1662*g*."

"1662*j*.—Soldiers enlisted for short service, with the exception of those who are permitted after three years' army service to pass to the army reserve before completing their army service, will receive, on the completion of their army service, the amount of deferred pay to which they are entitled."

"1662*k*.—Soldiers enlisted for short service, who are recommended for permission to extend the terms of their engagement so as to complete 12 years' army service, will be credited in their pocket ledgers with the amount of deferred pay to which they may be entitled at the end of six years' army service, and they will receive it after their discharge, in the manner directed in article 1662*m*, together with the amount of simple interest which may have accrued thereon at £2-10*s*. per cent. per annum, as allowed by the Post Office Savings Bank Regulations. The commanding officer will, in each case, certify in the pocket ledger the date on which the man completed his six years' army service."

"1662*l*.—Soldiers who have re-engaged to complete a total service of 21 years will, on the completion of 12 years' army service, in like manner, be credited in their pocket ledgers with the further amount of deferred pay to which they may be entitled, and they will receive it on final discharge, together with the amount of simple interest allowed by the Post Office Savings Bank Regulations, which may have accrued thereon, in the manner directed in article 1662*m*. The commanding officer will, in each case, certify in the pocket ledger, the date on which the man completed his 12 years' army service."

"1662*m*.—The amount due to a soldier on his discharge from army service will not, except in the cases specified in article 1662 *e*. be paid to him at the depôt or place of discharge, but will be remitted to his intended place of residence, and be paid to him together with the simple interest which may have been credited to him while serving, at such intervals and in such proportions as may be determined on."

Article 1596, clause (*c*). In the margin enter "G. G. O. No. 1008 of 1876."

G. G. O. No. 1008 of 1876. Article 1630. Instead of "2*d*. a day" in the third line, *enter* "6*d*. a day."

G. G. O. No. 1008 of 1876. Article 1839. Instead of "2*d*. a day" in the third line, *enter* "6*d*. a day."

Article 1840. Add "A lance sergeant, receiving pay as such, shall not draw good-conduct pay in addition."

G. G. O. No. 1007 of 1876.

G. O. No. 286 of 1876. Article 1533. Add a clause to the following effect :—

"Soldiers joining the Viceroy's band for the first time, on volunteering, are entitled to bounty, notwithstanding their not having previously joined the regiments to which they volunteered; but if at the time of their volunteering, they are already members of, or probationers for, the band, they are not entitled to bounty."

Article 1091. After the word "British" in first line, insert the words "or native."

G. O. No. 99 of 1876.

G. O. No. 149 of 1876. Insert the following as article 2049 *a* :—

"When the wife of a soldier serving in India is invalided to England on account of insanity or very serious illness, her husband may be transferred to the home establishment for duty and permitted to accompany her."

No. 1099 *of* 1876.—The following revised rates of pay for Armourer Sergeants employed departmentally, having been sanctioned, the necessary corrections will be made in the Pay Code for India, Vol. I, "British Troops." These rates of pay will have retrospective effect from the 1st April 1876, and Trained Armourer Sergeants, who on that date had completed two years' service in that rank, will at once receive the increased rate prescribed in the table. It should, however, be understood that any of the grades mentioned, who may at present be in receipt of higher pay, will not be affected by this order :—

After the note to article 1701 insert the following :—

"Article 1701*a*. The rates of pay for Armourer Sergeants, Assistant and Probationary Armourers, employed departmentally, are as follow :—

		English pay per diem.	For a month of 28 days.	29 days.	30 days.	31 days.
		s. *d.*	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Trained Armourer Sergeant permanently attached to the Ordnance Department.	*G.*	5 1	75 14 7	78 9 11	81 5 4	84 0 9
	N.		74 9 7	77 4 2	79 14 10	82 9 6
Ditto after two years' service in the rank ...	*G.*	5 3	78 6 5	81 3 2	84 0 0	86 12 10
	N.		77 1 5	79 13 5	82 9 6	85 5 7
Trained Armourer Sergeant doing duty in an arsenal while awaiting appointment to a regiment. For six days in the week	*G.*	5 1	75 14 7	78 9 11	81 5 4	84 0 9
	N.		74 9 7	77 4 2	79 14 10	82 9 6
For the seventh day ...	*G.*	2 1	31 1 9	32 3 7	33 5 4	34 7 1
	N.		29 12 9	30 13 10	31 14 10	32 15 10
Ditto after two years' service in the rank. For six days in the week	*G.*	5 3	78 6 5	81 3 2	84 0 0	86 12 10
	N.		77 1 5	79 13 5	82 9 6	85 5 7
For the seventh day ...	*G.*	2 3	33 9 7	34 12 10	36 0 0	37 3 2
	N.		32 4 7	33 7 1	34 9 6	35 11 11
[illegible] Armourer Sergeant, Assistant Armourer, Probationary (Private) Armourer.	*G.*	2 5	36 1 5	37 6 1	38 10 8	39 15 3
	N.		34 12 5	36 0 4	37 4 2	38 8 0

NOTE.—*G.* Gross pay without any deduction.
N. Net pay, *i. e.*, gross pay *minus* nine pies per diem for grocery ration.

In addition to the above, Trained Armourer Sergeants *permanently* attached to the Ordnance Department are allowed a separate staff pay of Rs. 30 a month."

Article 1688. In the fourth line, expunge the words "*viz.*, Re. 1-4-0 a day," and substitute the words "see article 1701 *a*."

Article 1696. After the word "Magazines" in the second line, insert "(see article 1701 *a*)," and in the sixth line, after the words "Armourer Sergeant" insert the words "permanently employed."

The 27th October 1876.

No. 1100 *of* 1876.—The following Order issued by the Resident at Hyderabad, is confirmed :—

No. 273, *dated* 20th *October* 1876.—Granting Lieutenant W. J. B. Bird, Squadron Subaltern, 4th Cavalry, Hyderabad Contingent, leave of absence to Bombay for thirty days, from the 23rd October 1876, or date of departure, preparatory to obtaining furlough to Europe on medical certificate.

No. 1101 *of* 1876.—The following Brigade Order issued by the Brigadier-General Commanding the Punjab Frontier Force, is confirmed :—

No. 241, *dated* 5*th October* 1876.—Directing Captain F. E. Hastings, Quartermaster, 2nd Sikh Infantry, officiating Wing Officer, 2nd Punjab Infantry, to rejoin his substantive appointment.

Lieutenant H. B. Urmston, 2nd Wing Subaltern, 6th Punjab Infantry, officiating Quartermaster, 2nd Sikh Infantry, to revert to his substantive appointment.

Captain A. D. Strettell, Adjutant, 2nd Punjab Infantry, to officiate as Wing Officer, in addition to his other duties, as a temporary measure, *vice* Captain Hastings and pending the return from furlough to Europe of Captain A. H. Turner.

No. 1102 *of* 1876.—In G. G. O. No. 970 of 1876, for "North-Western Provinces Circle," substitute *Punjab* Circle.

No. 1103 *of* 1876.—Surgeon-Major Riners Mantell, M. B., Medical Department, in medical charge, 9th Bengal Cavalry, is permitted to proceed to Europe on furlough on private affairs for one year, under Rule IX of the Regulations of 1868, embarking on or after the 15th November 1876.

No. 1104 *of* 1876.—Subadar Sheik Nuthoo, 2nd Sikh Infantry, is granted a pension of Rs. 25 per mensem from the date of his discharge, payable in the Punjab Circle.

No. 1105 *of* 1876.—The following paragraphs of a Military letter from the Right Hon'ble the Secretary of State for India, No. 238, dated the 7th September 1876, are published for general information :—

1. The undermentioned candidates having completed the course of instruction at the Army Medical School and having been reported qualified, have been appointed Surgeons on the Bengal Establishment, their commissions as such bearing date the 31st March* 1876 :—

Arthur Tomes.
Edward Bishopp Meredith.
William Arthur Mawson.
George Hamilton Peevor.
Sorabshaw Hormasji Dántrá.
Donald John Macdonald.
Henry Hamilton, M. D.
Nicholas John Halpin.
Bernard Doyle.
Robert Cobb.
Augustus Edward Richard Stephens.
William Hotson Cadge.

2. They will be allowed to count as service for full pay pension the period of their residence at Netley from 31st March 1876 to 7th August 1876, inclusive.

No. 1106 *of* 1876.—Conductor William Jack, Overseer, Foundry and Shell Factory, Cossipore, is allowed furlough to Europe on medical certificate for twenty months, under the Regulations of 1868, with preparatory leave to proceed to Bombay for thirty days from such date as he may avail himself of it.

No. 1107 *of* 1876.—Lieutenant William Henry Salmon, Bengal Staff Corps, Wing Subaltern, 6th Infantry, Hyderabad Contingent, has been permitted to proceed to Europe on furlough on private affairs for two years, under Rules IX and XV of the Regulations of 1868.

No. 1108 *of* 1876.—Brevet pay of rank is continued to Subadar-Major Jerra Sind, 4th Punjab Infantry, admitted to pension in G. G. O. No. 900 of 1876.

No. 1109 *of* 1876.—In modification of G. G. O. No. 903 of 1876, the undermentioned Warrant Officers of the Subordinate Medical Department, will rank as follows in the list of 2nd Class Apothecaries :—

	Ranking from
Apothecary William Henry Lewty	... 4th April 1875.
Apothecary Henry Johnson	... 17th July 1875.

* Notified in the *London Gazette* dated 12th September 1876, page 4964.

No. 1110 *of* 1876.—The Hon'ble the President in Council is pleased to notify the following rulings and decisions which have received the approval of the Right Hon'ble the Secretary of State for India, on certain points in the furlough rules of 1875, published in G. G. O. No. 1316 of 30th December 1875 :—

G. G. O. No. 1316 *of* 1875.

Rule 6.—"Upon certificate of a Medical Board, an officer not entitled to furlough, if he has served not less than two years in India, may receive it for any period not exceeding two years; but such furlough will be deducted from his next accruing furlough until it is paid off. An officer will not be allowed to anticipate furlough under this rule to an aggregate amount of more than two years."

Ruling.—An officer of less than two years' service, from date of coming under the new rules, falling sick, will be sent to England on medical certificate, on English furlough pay, subject to the decision of Her Majesty's Government as to his ultimate disposal; a special report on each case being submitted to Her Majesty's Government by the Government of India, or in the case of officers of the Madras or Bombay army by the Governments of those presidencies.

Rule 8.—"Under very urgent circumstances special furlough may be granted for private affairs, which need not be paid back; but it will be in all cases without any kind of pay, and will not count for pension."

Ruling.—An officer of less than two years' service, from date of coming under the new rules, falling sick, will be sent to England on medical certificate, on English furlough pay, subject to the decision of Her Majesty's Government as to his ultimate disposal; a special report on each case being submitted to Her Majesty's Government by the Government of India, or in the case of officers of the Madras or Bombay army by the Governments of those presidencies.

Ruling.—The amount of leave which may be granted under this rule will be restricted to such period as the Government granting it is satisfied is actually necessary with reference to the urgency of the case.

Rule 13.—"Officers now in the service placing themselves, from a given date, under these rules, shall count service for pension up to that date, under the rules to which they were then subject."

Ruling.—An officer takes with him so much service for pension as he had become entitled to under former rules. Under the rules of 1854 and 1868, two years' leave in 20 years' service counts for pension, but in periods of less than 20 years, no leave counts. Therefore, if an officer, now under the rules of 1854 or 1868, of 20 years' service, with two years' leave, elects the present rules, his service for pension will be 20 years; if an officer of 19 years' service, with the same amount of leave, elects these rules, his service for pension will be 17 years only.

Schedule A, Clause 1.—"Officers entering the Staff Corps or Indian Medical Service, and Warrant Officers attaining that rank, after the 31st December 1875; and"

Ruling.—The date of entry into the Staff Corps is that of entry for choice of furlough rules, *viz.*, the date on which the officer was originally appointed on probation. An officer therefore whose date of admission to the Staff Corps is not after the 31st December 1875, will have the choice of rules, but an officer whose date of admission is after that date will have no option.

Schedule A, Clause 2.—"Any other officers, Commissioned or Warrant, belonging to the Indian Army or Medical Service, or officers of the Staff Corps, who, after the 31st of December 1875, shall, before asking for leave or furlough, apply in writing to their local Governments to be placed definitively upon this Schedule: but their service for furlough under Rule 1 shall commence from the date of such entry or such application respectively."

Ruling.—An officer coming on this Schedule having furlough to his credit under previous rules, forfeits such furlough absolutely, he being required to serve five years from date of applying to be placed on the schedule before he can take one year's furlough unless it be sick furlough under Rule 6. An officer similarly circumstanced, but having furlough to his debit, is equally with the others, entitled to take one year's furlough, five years after joining the new rules.

No. 1111 *of* 1876.—*Promotions.*—

ARMY COMMISSARIAT DEPARTMENT.

Permanent.

Colonel W. C. R. Mylne, Assistant Commissary General, 2nd class, and officiating Assistant Commissary General, 1st class, to be Assistant Commissary General, 1st class.

Lieutenant-Colonel J. Graham, Deputy Assistant Commissary General, 1st class, and officiating Assistant Commissary General, 2nd class, to be Assistant Commissary General, 2nd class.

Major O. M. Graham, Deputy Assistant Commissary General, 2nd class, and officiating Deputy Assistant Commissary General, 1st class, to be Deputy Assistant Commissary General, 1st class.

Captain W. G. Smith, Sub-Assistant Commissary General, 1st class, and officiating Deputy Assistant Commissary General, 1st class, to be Deputy Assistant Commissary General, 2nd class.

Case, Sub-Assistant Commissary General, 2nd class, and officiating Sub-Assistant Commissary General, 1st class, to be Sub-Assistant Commissary General, 1st class.

Lieutenant A. T. S. A. Rind, Sub-Assistant Commissary General, 3rd class, (on furlough), to be Sub-Assistant Commissary General, 2nd class.

From 16th October 1876, in succession to Colonel A. D. Dickens, C. B., Assistant Commissary General, 1st class, and officiating Deputy Commissary General, deceased.

Temporary.

Colonel G. R. Roberts, Assistant Commissary General, 1st class, to officiate as Deputy Commissary General.

Colonel J. S. Ogilvie, Assistant Commissary General, 2nd class, to officiate as Assistant Commissary General, 1st class.

Colonel H. A. Taylor, Deputy Assistant Commissary General, 1st class, to officiate as Assistant Commissary General, 2nd class.

From 16th October 1876, in the room of senior officers on furlough, and until further orders.

No. 1112 *of* 1876.—With reference to G. G. O. No. 1068 of 1876, the promotion of Captain G. W. Sawyer to officiate as Military Accountant, 2nd class, 2nd grade, will have effect from the 26th July 1876.

No. 1113 *of* 1876.—With reference to G. G. O. No. 147 of 1873, the following alterations are directed to be made in the Equipment Table for British Cavalry regiments therein referred to :—

At page 3, under the general heading "Arms and Accoutrements" and minor heading "Arms," opposite "Trumpets," substitute "1 *per Trumpet Major and Trumpeter*" for "1 *per Trumpeter.*"

At page 5, under the general heading "General Stores" and minor heading "Irons, branding," add "$\frac{5}{8}$ *inch letters* (*A. to F.*), 6 *per regiment.*"

No. 1114 *of* 1876.—In the second line of G. G. O. No. 1085 of 1876, omit the word "ordered" and substitute *not in use.*

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Simla, the 25th October 1876.

No. 28 *of* 1876.—Mr. Maurice Vidal Portman is appointed a 4th grade officer in the Indian Government Marine.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 23rd October 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from 15th to 21st October 1876:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	Remarks.
Her Majesty's 39th Foot.	Surgeon G. F. Sankey ...	14th Oct. 1876	Dagshai.		
Bengal Staff Corps	Colonel A. D. Dickens, C. B. ...	15th Oct. 1876	Lucknow.		

ARTHUR CROOKSHANK, *Captain*,
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—Establishment.

Simla, the 23rd October 1876.

No. 432.—Captain F. Firebrace, R.E., Assistant to the Director of State Railways with rank and pay of Executive Engineer 1st Grade, is appointed to officiate as Manager of the Rajpootana State Railway in Class I of the State Railway Revenue Establishment, during the absence of Captain Pye on special duty, or until further orders.

The 24th October 1876.

No. 433.—Mr. H. Wilmer, Assistant Engineer 2nd Grade, Mysore, is permitted, as his own request, to resign his appointment with effect from the date on which he may be relieved of his duties.

No. 434.—In continuation of Notification No. 429, dated 20th October 1876, Captain W. A. J. Wallace, R.E., assumed charge of his officiating appointment as Under Secretary to the Government of India on the afternoon of the 12th instant.

The 25th October 1876.

No. 435.—Lalla Hur Pershad, Probationary Accountant 4th Grade, Punjab Northern State Railway, is transferred to the establishment of clerks with effect from the 18th September 1876.

No. 436.—Sergeant J. H. FitzGerald, Queen's Own Sappers and Miners, is appointed to the Public Works Department as an Overseer 1st Grade, and posted to British Burmah in the Railway Branch.

The 27th October 1876.

No. 437.—The President in Council is pleased to make the following temporary promotions in the Engineer Establishment attached to the Military Works Branch of the Public Works Department with effect from the 10th July 1876:—

Names.	Present grade.		Grade to which promoted.		Remarks.
Lieut.-Col. C. M. Browne, R. E. ...	Temporary Superintending Engineer.	2	Superintending Engineer	1	*Vice* Major Falconnet, reverting on taking furlough.
Major W. R. Tucker, R. E. ...	Superintending Engineer	3	Ditto	2	
Captain W. P. Tomkins, R. E. ...	Executive Engineer	2	Executive Engineer	1	
Lieutenant S. C. Turner, R. E. ...	Temporary Executive Engineer.	3	Ditto	2	
Lieutenant W. G. Nicholson, R. E.	Executive Engineer	4	Ditto	3	
Mr. J. H. Reid	Assistant Engineer	1	Ditto	4	

RAILWAY.

The 18th October 1876.

No. 425.—The Rules for reporting accidents occurring on the Oudh and Rohilcund Railway which were sanctioned by the Hon'ble the President in Council under Section 26 of Act XVIII of 1854, as amended by Act XXV of 1871, for the Narrora Branch Railway, from Rajghât to Narrora, and published in Part I of the *Gazette of India* of 23rd October 1875, are hereby extended to the Rajputana State Railway, and also to the light Railway from Hattrass to Muttra in the North-Western Provinces.

No. 426.—It is hereby notified that the Manager of the Rajputana State Railway and the Engineer-in-Chief of the Muttra-Hattrass light Railway, being the officers entrusted with the control of the said Railways, have, in the exercise of the powers conferred by Section 26 of Act XVIII of 1854, as amended by Act XXV of 1871, and with the sanction of the Hon'ble the President in Council, adopted the rules, referred to in the foregoing Notification, for the Railways under their respective control.

W. A. CROMMELIN, *Major-Genl., R. E.*,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 46. SIMLA, SATURDAY, NOVEMBER 11, 1876. Register No. 33.

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

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The Consolidated Customs Bill, 1877.

SUPPLEMENT No. 48.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 7th November 1876.

No. 1757.—Under the provisions of Section 9 of Statute 24 and 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant Governor of Bengal.

ESTABLISHMENTS.

The 7th November 1876.

No. 747.—*Appointment.*—Mr. J. K. Macrae, Deputy Commissioner of the 3rd grade in British Burmah, to officiate as Deputy Commissioner of the 2nd grade with effect from the 30th August last, during the absence on furlough of Mr. W. de C. Ireland, or until further orders.

No. 751.—*Appointments.*—Mr. J. W. Chisholm, Inspector General of Registration, Superintendent of Stamps and Commissioner of Excise in the North-Western Provinces, to be Inspector General of Prisons and Jails, with effect from the 1st ultimo, vice Colonel H. D. Taylor.

Mr. A. Bloomfield, Deputy Commissioner of the 3rd class, to be Inspector General of Registration, Superintendent of Stamps and Commissioner of Excise, *vice* Mr. Chisholm.

Mr. J. H. Fisher, C. S., to be Deputy Commissioner of the 3rd class with effect from the 1st ultimo, but to continue to officiate as Deputy Commissioner of the 2nd class.

PATENT.

The 4th November 1876.

No. 6 *S.*—Specifications of the undermentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying :—

No. 19 *of* 1876.—Mr. William Palmer, Superintendent of Machinery, residing at No. 5, Armenian Ghat Buildings, Calcutta, and Mr. T. R. Munro, Superintendent of Jetties, residing at No. 1, Armenian Ghat Buildings, Cal-

cutta, both in the service of Calcutta Port Commissioners, for the transport of merchandise, packages or materials by means of a combination of endless ropes, rollers, driving pulleys or drums.

No. 20 *of* 1876.—Mr. Theodore Pridham of Nazira in the Province of Assam, for an improved machine or apparatus for sifting tea leaves or other substances.

No. 21 *of* 1876.—Mr. Edward Money, a Lieutenant-Colonel in the Turkish Service, and Mr. William Ferdinand Ponder, a Tea Planter, both at present residing in Calcutta, for the manufacture of a chemical manure.

No. 28 *of* 1876.—Dr. J. Bourke, M.B., Staff Surgeon, Barrackpore, for making a portable Army Dooly Bed and Chair.

No. 30 *of* 1876.—Mr. Edmund Edwards of No. 38, Southam Buildings, Chancery Lane, in the County of Middlesex, England, for improvements in apparatus for drilling holes in hard substances, and which is also applicable to other purposes and in supports for such apparatus.

No. 32 *of* 1876.—Mr. W. V. V. Lidgerwood of Morristown, New Jersey, United States of America, Merchant and Manufacturer, for improvements in machinery for husking, sizing and polishing coffee.

No. 34 *of* 1876.—Mr. H. T. Davis of London in the Kingdom of England, for improved apparatus for indicating and registering the fares received by tramway car and omnibus conductors and other persons.

No. 40 *of* 1876.—Mr. Paul Giffard of Paris, France, for improved machinery for the artificial production of cold for ice-making and other purposes.

No. 64 *of* 1876.—Mr. T. Whitwell of the Thornaby Iron Works, South Stockton, in the County of York, England, Iron Master, for improvements in apparatus for heating air and gases.

No. 66 *of* 1876.—Mr. J. H. Cooper of Shoay Gyeen in British Burma, but at present of Calcutta, for improvements in Snider rifles.

No. 67 *of* 1876.—Mr. Robert Wilson of Patricraft in the County of Lancaster, Engineer, for improvements in hydraulic presses and apparatus connected therewith.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 8th November 1876.

No. 869.—Consequent on the return from leave of Captain R. V. Riddell, R. E., Lieutenant T. H. Holdich, R. E., Officiating Deputy Superintendent of the 3rd grade, reverted to his appointment as Assistant Superintendent of the 1st grade on the 19th September 1876.

FORESTS.

The 7th November 1876.

No. 1216.—**Lieutenant-Colonel G. F. Pearson, M. S. C., Conservator of Forests of the 1st class in the North-Western Provinces, having retired from the service, the Hon'ble the President in Council has been pleased to make the following promotions among Conservators of Forests, with effect from the 1st August 1876:—**

Mr. B. H. Baden-Powell, C. S., from the 2nd to the 1st class.

Major W. J. Seaton, M. S. C., from the 3rd to the 2nd class.

Captain J. C. Doveton, M. S. C., from the 4th to the 3rd class.

COMMERCE AND TRADE.

The 8th November 1876.

No. 17 *of* 1876.—The following Notice is published for general information:—

NOTICE TO MARINERS.

Ceylon—East Coast.

(1.) BEACON ON TWO-FATHOM PATCH OFF BATTICALOA ROAD.

The Government of Ceylon has given notice that a *beacon*, surmounted by a *ball of lattice work*, has recently been erected on the two-fathom patch situated North-East 1¼ miles from the Signal Staff at the Port of Batticaloa.

Bay of Bengal—West Coast.

(2.) EXHIBITION OF LIGHT AT VIZAGAPATAM SUSPENDED.

The Madras Government has notified that, in consequence of the destruction of the lantern on Dolphin's nose at Vizagapatam in a gale, the exhibition of the light is suspended.

MARINE SURVEY DEPT.,
CALCUTTA,
24th October 1876.

A. DUNDAS TAYLOR,
Commander, late I. N.,
Superintendent, Marine Survey of India.

By Order,

T. C. HOPE,
Offg. Secretary to the Government of India.

(1.) This Notice affects the following Admiralty Charts:—Ceylon, East Coast, Singane river to Pedro point, with plans of Vendeloos bay, Trincomalie, and Batticaloa road, No. 2031; also Taylor's Sailing Directory, Vol. I, page 442.

(2.) Beugal bay, No. 70*a*; Coromandel Coast, No. 71*a*; and Indian Ocean, No. 748*b*; also, Admiralty List of Lights in South Africa, East Indies, &c., 1876.

If this Notice is received on board ship, the substance of it should be inserted on the Charts affected by it; and introduced into the Sailing Directions to which it relates.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Simla, the 8th November 1876.

No. 2414*G.*—**The services of Lieutenant N. F. FitzG. Chamberlain, Officiating 2nd Squadron Subaltern, 2nd Regiment, Central India Horse, are placed temporarily at the disposal of the Military Department.**

F. HENVEY,
For Offg. Secy. to the Govt. of India.

STAR OF INDIA.

NOTIFICATION.

Simla, the 8th November 1876.

No. 102.—The following Notification, which appeared in the *London Gazette* of the 26th September 1876, is republished for general information:—

INDIA OFFICE;
September 20th, 1876.

The Queen has been graciously pleased to nominate and appoint Lieutenant-Colonel Harvey Tuckett Duncan, Madras Staff Corps, Political Resident at Mandalay, to be a Companion of the Most Exalted Order of the Star of India.

F. HENVEY,
For Secy. to the Most Exalted Order of the Star of India.

MILITARY DEPARTMENT.

Simla, the 7th November 1876.

No. 1130 *of* 1876.—**Conductor Thomas Staton Ranson, Ordnance Department, Hyderabad Contingent, is transferred to the Pension Establishment on an invalid pension of Rs. 100 per mensem, under G. G. O. No. 69 of 1868, payable in India.**

No. 1131 *of* 1876.—Captain Arthur Oldham, General List, Infantry, Adjutant, 12th (The Kelat-i-Ghilzie) Regiment of Native Infantry, is permitted to proceed to Europe on furlough on private affairs for two years, under Rule IX of the Regulations of 1868.

No. 1132 *of* 1876.—Lieutenants J. B. Sharpe, A. L. Mein and G. C. P. Onslow, Royal Engineers, who have been placed under orders for duty in the Bengal presidency, reported their arrival at Bombay on the 24th October 1876.

No. 1133 *of* 1876.—The undermentioned officers have reported their departure on the dates specified:—

Lieutenant-Colonel H. Z. Darrah, Bengal Staff Corps, G. G. O. No. 761 of 1876,—*Assiria,* 15th October 1876, from Bombay.

Lieutenant-Colonel E. Venour, of Infantry, G. G. O. No. 999 of 1876,—*Cathay,* 8th September 1876, from Bombay.

Lieutenant-Colonel L. E. Evans, of Infantry, G. G. O. No. 1040 of 1876,—*Trentham Hall,* 28th October 1876, from Bombay.

Major W. H. Macnaghten, late 5th Bengal Light Cavalry, G. G. O. No. 866 of 1876,—*Trinacria,* 6th September 1876, from Bombay.

Surgeon G. Hutcheson, M.D., Medical Department, G. G. O. No. 979 of 1876,—*Trinacria*, 6th September 1876, from Bombay.

Captain H. G. Waterfield, Bengal Staff Corps, G. G. O. No. 1056 of 1876,—*Sumatra*, 15th September 1876, from Bombay.

No. 1134 *of* 1876.—*Erratum.*—

In G. G. O. No. 1020 of 1876, 37th (The Meerut) Regiment of Native Infantry, for Jemadar "Mahiss Singh" read Jemadar *Mahip* Singh.

No. 1135 *of* 1876.—The undermentioned officers have reported their return from England:—

Brigadier-General T. Wright, C.B., Bengal Staff Corps, Commandant, Hyderabad Contingent,—date of arrival at Bombay, 25th October 1876.

Lieutenant-Colonel T. E. Gordon, C.S.I., Bengal Staff Corps, Commandant, Meywar Bheel Corps, and *ex-officio* Superintendent of hill tracts of Meywar and 1st Assistant to Political Agent, Meywar,—date of arrival at Bombay, 25th October 1876.

Lieutenant-Colonel J. B. Cox, Bengal Staff Corps, Deputy Assistant Commissary General, 2nd class,—date of arrival at Bombay, 11th October 1876.

Major G. Swinton, Royal Engineers, Executive Engineer, 1st grade, Public Works Department,—date of arrival at Bombay, 19th October 1876.

Surgeon-Major J. R. Johnson, Medical Department, in medical charge, 5th Goorkha Regiment (The Hazara Goorkha Battalion), Punjab Frontier Force,—date of arrival at Bombay, 18th October 1876.

Major C. T. O. Mayne, Bengal Staff Corps, Assistant Commissioner, Hyderabad,—date of arrival at Bombay, 11th October 1876.

Major N. R. Burlton, Bengal Staff Corps, Deputy Assistant Commissary General, 2nd class,—date of arrival at Bombay, 11th October 1876.

Captain C. E. Harenc, Bengal Staff Corps, 2nd Squadron Subaltern, 4th Bengal Cavalry,—date of arrival at Bombay, 11th October 1876.

Captain F. C. W. Drummond, Bengal Staff Corps, Wing Officer, 7th Regiment of Native Infantry,—date of arrival at Bombay, 11th October 1876.

Captain E. G. Wace, Bengal Staff Corps, Settlement Officer, 1st grade, Jhelum and Jhang settlement, Punjab,—date of arrival at Bombay, 19th October 1876.

Captain H. A. Fletcher, General List, Cavalry, Adjutant, 6th Bengal Cavalry,—date of arrival at Bombay, 11th October 1876.

Captain D. Adamson, Bengal Staff Corps, 1st Squadron Subaltern, 4th Bengal Cavalry,—date of arrival at Bombay, 18th October 1876.

Captain D. T. H. Sampson, Bengal Staff Corps, 3rd Squadron Officer, 9th Bengal Cavalry,—date of arrival at Bombay, 19th October 1876.

Captain T. Dawes, Bengal Staff Corps, Wing Officer, 17th (The Loyal Poorbeah) Regiment of Native Infantry,—date of arrival at Bombay, 25th October 1876.

Captain A. Conolly, Bengal Staff Corps, 2nd in command and Squadron Officer, Erinpoorah Irregular Force,—date of arrival at Bombay, 25th October 1876.

Captain R. H. deMontmorency, Bengal Staff Corps, Assistant Commissioner, Oudh,—date of arrival at Bombay, 25th October 1876.

No. 1136 *of* 1876.—Kan Singh, father of Sepoy Pertub Singh, 22nd (Punjab) Regiment of Native Infantry, is admitted to the Native Family Pension Establishment on a pension of Rs. 2-12 per mensem for life, with effect from the 6th September 1874, payable in the Punjab Circle.

No. 1137 *of* 1876.—The following extracts from the *London Gazettes* of the 15th and 26th September 1876, pages 5013, 5014 and 5204, are published for general information:—

London Gazette, 15*th September* 1876, *page* 5013.

INDIA OFFICE, 14*th September* 1876.

Her Majesty has been pleased to approve of the following promotions amongst the officers of the Staff Corps and of Her Majesty's Indian Military Forces made by the Governments in India:—

BREVET.

To be Colonel.

Lieutenant-Colonel William Nassau Lees, Bengal Infantry. Dated 14th June 1876.

To be Captain.

Lieutenant Edwin Henry Hayter Collen, Bengal Staff Corps. Dated 1st July 1875.

London Gazette, 15*th September* 1876, *page* 5014.

SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Edward Lempriere Earle. Dated 14th June 1876.

Major (Brevet Lieutenant-Colonel) Donald Macintyre, V.C. Dated 14th June 1876.

Major Robert Dallas Campbell. Dated 15th June 1876.

To be Majors.

Captain Edward Temple. Dated 15th May 1876.

Captain Benjamin Jerrard Parsons. Dated 15th May 1876.

Captain George Gordon Young. Dated 13th June 1876.

Captain Frederick Lance. Dated 13th June 1876.

Captain Clement James Griffiths. Dated 13th June 1876.

Captain Edward Charles Garstin. Dated 13th June 1876.

Captain Ayrton Pullan. Dated 14th June 1876.

Captain Charles Case. Dated 14th June 1876.

Captain George Charles Udny. Dated 14th June 1876.

Captain Llewellyn Wavell. Dated 14th June 1876.

Captain William Donnelly Palmer. Dated 14th June 1876.

Captain Robert Blackall Graham. Dated 14th June 1876.

Captain James Fitzgerald. Dated 16th June 1876.

To be Captain.

Lieutenant William Henry Browne. Dated 3rd May 1876.

London Gazette, 26*th September* 1876, *page* 5204.

The undermentioned promotion to take place in Her Majesty's Indian Military Forces consequent on the death of General H. C. M. Cox, Bengal Infantry, on the 22nd July 1876.

Lieutenant-General David Birrell, Bengal Infantry, to be General. Dated 23rd July 1876.

No. 1138 *of* 1876.—Private William Simpson, late 1st Battalion, 6th Foot, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension (chargeable to Imperial revenue) of one shilling and one penny per diem in India from the date he ceases to receive regimental pay.

No. 1139 *of* 1876.—With reference to Home Department Notification No. 595, dated the 25th October 1876, the services of Surgeon J. E. C. Ferris, Medical Department, late Civil Surgeon, Tura, Garrow Hills, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 1140 *of* 1876.—The following promotions are made in the undermentioned corps:—

2nd (Queen's Own) Regiment of Native (Light) Infantry.

Jemadar Gunness Panday to be Subadar, *vice* Daveedeen, "Sirdar Bahadoor," deceased.
Havildar Loll Sing to be Jemadar, *vice* Gunness Panday, promoted.
} 15th August 1876.

20th (Punjab) Regiment of Native Infantry.

Jemadar Zuman Khan to be Subadar, from 13th October 1876, *vice* Alum Khan, deceased.

Havildar Baba Khan to be Jemadar, from 1st October 1876, *vice* Uslum, resigned.

Havildar Ursulla Khan to be Jemadar, from 13th October 1876, *vice* Zuman Khan, promoted.

No. 1141 *of* 1876.—Deputy Surgeon-General A. Smith, M.D., having reported his arrival at Bombay on the 25th October 1876, is brought on the strength of the Administrative Staff of the British Medical Service in Bengal, *vice* Deputy Surgeon-General H. G. Gordon, M.D., appointed to the Home Establishment.

Dr. Smith is appointed to the Medical Superintendence of the Peshâwar Circle.

H. K. BURNE, *Colonel*,
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 4th November 1876.

No. 455.—The following temporary changes are made in the superior Account Establishment with effect from the 1st September 1876:—

To be Assistant Examiner 1st Grade (temporary rank).

Mr. W. H. Marten.

To be Assistant Examiner 2nd Grade (temporary rank).

Mr. F. F. Hensley.

To be Assistant Examiner 3rd Grade (temporary rank).

Mr. W. F. O'Donoghue.

No. 456.—The Government of India has no further need of the services of Mr. A. B. Byrne, Assistant Engineer 1st Grade, Hyderabad.

No. 457.—*Erratum.*—In Public Works Department Notification No. 432 of 23rd October 1876, *for* "Captain F. Firebrace, R.E., Assistant to the Director of State Railways," *read* Captain F. Firebrace, R.E., Assistant Director of State Railways.

No. 458.—In continuation of Notification No. 416, dated 11th October 1876, Colonel C. H. Dickens, C.S.I., R.A., resumed his duties as Secretary to the Government of India in the Public Works Department on the afternoon of the 4th November, on which date Major-General W. A. Crommelin, C.B., R.E., reverted to his substantive appointment as Deputy Secretary in the Military Works Branch, and Captain J. Dundas, V.C., R.E., to his appointment in the Military Works Branch.

The 6th November 1876.

No. 459.—Mr. R. T. Mallet, Executive Engineer 1st Grade, Punjab Northern State Railway, on furlough, is posted to the Upper Sind District, Indus Valley State Railway, with the temporary rank of Superintending Engineer 3rd Grade, with effect from date of assuming charge.

C. H. DICKENS, *Col., R. A.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 47.] CALCUTTA, SATURDAY, NOVEMBER 18, 1876. [Register No. 33.

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

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SUPPLEMENT No. 49.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 14th November 1876.

No. 20.—The following Statute is published for general information:—

39 & 40 VIC., CHAP. 46.

An Act for more effectually punishing Offences against the Laws relating to the Slave Trade.

[11TH AUGUST 1876.]

WHEREAS under an Act passed in the Session holden in the thirty-second and thirty-third years of the reign of Her present Majesty, the Governor General of India in Council is empowered to make laws for Native Indian subjects of Her Majesty without and beyond British India:

And whereas under an Act passed in the Session holden in the twenty-eighth and twenty-ninth years of the reign of Her present Majesty, the Governor General of India in Council is empowered to make laws for all British subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty whether in the service of the Government of India or otherwise:

And whereas the several Princes and States in India in alliance with Her Majesty have no connexions, engagements, or communications with Foreign Powers, and the subjects of such Princes and States are, when residing or being in the places hereinafter referred to, entitled to the protection of the British Government, and receive such protection equally with the subjects of Her Majesty:

And whereas it is expedient to make provision for more effectually punishing offences against the laws relating to the slave trade by British subjects and other persons protected by the British Government in such places:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Certain offenders on high seas punished as though offence committed in India.

1. If any person, being a subject of Her Majesty or of any Prince or State in India in alliance with Her Majesty, shall upon the High Seas or in any part of Asia or Africa which Her Majesty may from time to time think fit to specify by any Order in Council in this behalf, commit any of the offences defined in Sections 367, 370 and 371 (in the Schedule to this Act respectively recited) of Act XLV of 1860, passed by the Governor General of

India in Council, and called "The Indian Penal Code," or abet within the meaning of the fifth chapter of the said Penal Code the commission of any such offence, such person shall be dealt with, in respect of such offence or abetment, as if the same had been committed in any place within British India in which he may be or may be found.

Section one may be made to apply to future amendments of this Act.

2. If the Governor General of India in Council shall, at a meeting for making laws and regulations, amend the provisions of the said sections 367, 370, and 371 of the said Penal Code, or any of them, or the said fifth chapter thereof so far as relates to the abetment of any of the offences forbidden by such sections, or make any further provision for preventing or suppressing the making, buying, or selling of slaves or any of the offences comprised in the said three sections, the Secretary of State for India shall, unless Her Majesty has disallowed such amendment or further provision, lay a copy of the amending Act before each House of Parliament, and after the same shall have lain on the table of both Houses of Parliament for the space of forty days, it shall be lawful for Her Majesty, unless either House of Parliament shall present an address to Her Majesty to the contrary, to direct by Order in Council that the provisions of the first section of this Act shall apply to the law so amended or enlarged, and the same shall be applicable accordingly.

Powers of High Court for purpose of obtaining evidence.

3. For the purpose of obtaining evidence of the commission of the offences made punishable by this Act or any Act of Parliament relating to slavery or the slave trade, every High Court in India shall have, as respects the persons in the first section of this Act referred to, and as respects any British colony, settlement, plantation, or territory, wherein any witness may be, the same powers as are conferred on the Court of Queen's Bench by the fourth section of an Act made and passed in the session of Parliament holden in the sixth and seventh years of Her Majesty's reign, chapter ninety-eight, with respect to such British colonies, settlements, plantations, and territories as are therein referred to.

And every High Court may, if it thinks fit, issue such commission as is mentioned in section 330 of Act X of 1872, passed by the Governor General of India in Council, and called "The Code of Criminal Procedure," to any consular officer of Her Majesty in the parts of Asia or Africa specified in any Order of Her Majesty in Council under section 1 of this Act, or to any political officer or agent of the Governor General of India in Council, or of any Indian Government in the said parts or in the dominions of any Prince or State in India in alliance with Her Majesty, or to any Magistrate in Her Majesty's Indian dominions.

And the depositions taken by virtue of the said powers or under such commission shall be deemed by every court of original or appellate jurisdiction in India in any trial or proceeding under this Act or any Act of Parliament relating to slavery or the slave trade to be as good and competent evidence as if the witnesses deposing had been present and examined *vivâ voce*, and had made oath or affirmation as required by law.

Subjects of certain Indian Princes made amenable to certain Orders in Council.

4. And whereas by certain Orders of Her Majesty in Council made by virtue of an Act made and passed in the session of Parliament holden in the sixth and seventh years of Her Majesty's reign, chapter ninety-four, which orders are dated respectively the ninth August one thousand eight hundred and sixty-six and the fourth November one thousand eight hundred and sixty-seven, it is ordered that the provisions of such Orders relating to British subjects shall extend and apply to all subjects of Her Majesty, whether by birth or by naturalisation, and also to all persons enjoying Her Majesty's protection in the several dominions mentioned in such Orders respectively:

It is hereby declared and enacted that for the purposes of the said Orders in Council, and of any Orders in Council which Her Majesty may hereafter think fit to make by virtue of the said Act of the sixth and seventh years of Her Majesty's reign, chapter ninety-four, all subjects of the several Princes and States in India in alliance with Her Majesty, residing and being in the several dominions comprised in such Orders respectively, are and shall be deemed to be persons enjoying Her Majesty's protection therein.

Saving powers of Governor General.

5. Nothing in this Act shall be deemed to restrict the legislative power which the Governor General of India in Council possesses at meetings for the purpose of making laws and regulations.

Not to affect Orders made under 6 & 7 Vic. c. 94.

6. Save as aforesaid, nothing in this Act shall be deemed to affect any Order made or to be made by Her Majesty in Council by virtue of the said Act of the sixth and seventh years of Her Majesty, chapter ninety-four.

SCHEDULE.

S. 367 of the Indian Penal Code.—Whoever kidnaps or abducts any person, in order that such person may be subjected or may be so disposed of as to be put in danger of being subjected to grievous hurt, or slavery, or to the unnatural lust of any person, or knowing it to be likely that such person will be so subjected or disposed of, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to a fine.

S. 370.—Whoever imports, exports, removes, buys, sells, or disposes of, any person as a slave, or accepts, receives, or detains against his will any person as a slave, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to a fine.

S. 371.—Whoever habitually imports, exports, removes, buys, sells, traffics, or deals in slaves shall be punished with transportation for life, or with imprisonment of either description for a term not exceeding ten years, and shall also be liable to a fine.

The 16th November 1876.

No. 21.—The Governor General in Council, under the authority vested in him by the Act 24 & 25 Vic., cap. 67, has been pleased to appoint Wednesday, the 22nd instant, at 11 A. M., as the time, and the Council Chamber in the Government House, Calcutta, as the place, for a meeting of the Council of the Governor General for the purpose of making Laws and Regulations.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATION.—PUBLIC.

Simla, the 7th November 1876.

No. 1757.—Under the provisions of Section 9 of Statute 24 and 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant-Governor of Bengal.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 16th November 1876.

No. 2617.—Mr. F. de H. Larpent is appointed to be Assistant to the Accountant General, Madras.

Mr. Larpent will continue to officiate as Assistant Accountant General, Madras, until further orders.

Mr. W. H. Dobbie is confirmed in the appointment of Assistant to the Comptroller General.

Babu Rajaninath Roy is appointed to be Assistant to the Accountant General, Central Provinces. Babu Rajaninath Roy will continue to officiate as Assistant to the Accountant General, Bombay, until further orders.

Mr. T. W. Biss is appointed to officiate as Deputy Accountant General, Punjab.

The 17th November 1876.

No. 2619.—Mr. E. F. Harrison received charge of the Offices of Comptroller General and Head Commissioner of Paper Currency from Mr. R. Taylor, before noon, on the 1st November 1876.

Mr. H. A. Mangles received charge of the Office of Accountant General, Bengal, from Mr. E. W. Kellner, before noon, on the 2nd November 1876.

PAY AND ALLOWANCES.

The 17th November 1876.

No. 2637.—With the sanction of Her Majesty's Secretary of State for India in Council, the President in Council is pleased to direct that the following be inserted as Rule 1 under Section 33 of the Acting Allowance Code:—

1.—The salary of a person appointed to officiate as Lieutenant-Governor is regulated in the same way as the salary of a person appointed under this section to be a temporary Member of Council.

MINT AND PAPER CURRENCY.

The 17th November 1876.

No. 2660.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency.*

DATE.	CIRCLES OF ISSUE.	Currency Notes in Circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Gold Bullion Reserve.	Reserve in Government Securities.	TOTAL RESERVE.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
31st October 1876	Calcutta	4,94,29,980	1,[illegible]	...	...	2,[illegible],528	3,93,47,495
Ditto	Madras	1,13,35,479	63,40,120	...	...	60,00,000	1,13,40,120
Ditto	Bombay	3,16,43,100	2,21,27,810	...	...	1,56,00,000	3,77,27,810
Ditto	Allahabad	75,81,120	87,19,245	...	...	31,00,000	1,18,19,245
Ditto	Lahore	62,14,365	31,65,745	...	...	33,00,000	64,65,745
Ditto	Calicut	21,07,220	17,23,685	...	...	7,00 000	24,23,685
Ditto	Cocoanada	8,78,565	5,75,750	...	...	5,00,000	10,75,750
Ditto	Nagpore	17,65,190	8,35,120	...	...	8,00,000	16,35,120
Ditto	Kurrachee	17,09,110	5,99,040	...	...	12,00,000	17,99,040
Ditto	Akola	13,43,040	16,90,335	...	...	3,00,000	19,90,335
	TOTAL	11,45,07,135	5,75,67,607	...	...	5,69,39,528	11,45,07,135

R. B. CHAPMAN,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 13th November 1876.

No. 1142 *of* 1876.—First Class Hospital Assistant Wuzeer Ally Khan, Khundwa Main Dispensary, is granted a pension of Rs. 30 per mensem, payable in the N. W. P. Circle.

No. 1143 *of* 1876.—Gunnessee, widow of Subadar Major Daveedeen, 2nd (Queen's Own) Regiment of Native (Light) Infantry, is admitted to the 3rd Class Order of Merit pension as Subadar, *viz.*, Rs. 34-10-8 per mensem, for three years from the 14th August 1876, payable in the N. W. P. Circle.

No. 1144 *of* 1876.—Lieutenant Theodore Ernst, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence for one year to proceed to England on medical certificate.

No. 1145 *of* 1876.—The following Notification by the Financial Department, No. 3147, dated the 29th September 1876, is republished for general information:—

LEAVE AND ALLOWANCES.

The 29th September 1876.

No. 3147.—The Governor General in Council is pleased to direct that the following be inserted as Rule 9 under Section 18 of the Civil Leave Code:—

An order by a Local Government granting to an Officer proceeding on furlough or special leave "the usual subsidiary leave," must be understood to cover subsidiary leave under Clause (*b*) as well as under Clause (*a*), and if, with reference to the note at the head of the Chapter, the local Government limits the subsidiary leave of an Officer under Clause (*a*), the same limitation will, in the absence of further orders, apply to his subsidiary leave under Clause (*b*).

With reference to the foregoing Notification, the Hon'ble the President in Council is pleased to direct that a similar course be followed in notifying the grant of furlough to Military Officers however employed. The term "subsidiary leave" will be understood to mean those periods of leave referred to in Clause XVIII of G. G. O. No. 171 of 1874, *viz.*, the preparatory leave to embark for Europe or elsewhere on furlough and the leave granted to an Officer to enable him to rejoin on his return from furlough.

In future the words "with the necessary subsidiary leave" will be added to the Government General Order granting an Officer furlough.

No. 1146 *of* 1876.—Jemadar Dadun Khan, appointed on probation to the 30th (Punjab) Regiment of Native Infantry in G. G. Os. Nos. 955 and 1028 of 1874, is confirmed in that rank with effect from the 17th October 1874.

No. 1147 *of* 1876.—Third Class Hospital Assistant Nund Kishore, admitted by G. G. O. No. 88 of 1873, is dismissed the service.

No. 1148 *of* 1876.—The under-mentioned Officers of the Calcutta Volunteer Lancers, Administrative Battalion, Presidency Volunteers, have been permitted to resign from the dates specified:—

Lieutenant Charles James Nasmyth,—from the 4th September 1876.

Lieutenant Frederick Aitchison,—from the 24th October 1876.

No. 1149 *of* 1876.—Eenta, son of Sepoy Oroona Ram, 42nd (Assam) Regiment of Native (Light) Infantry, is admitted to the Native Family Pension Establishment on a pension of Rs. 2-12 per mensem, from the 10th October 1874 to the 11th March 1884, payable with the 42nd Native Infantry.

The 14th November 1876.

No. 1150 *of* 1876.—Lieutenant-Colonel (Brevet Colonel) Andrew Simpson Smith, of Infantry, is permitted to proceed to Europe on furlough on private affairs for two years, under Rule IX of the Regulations of 1868, with the necessary subsidiary leave.

No. 1151 *of* 1876.—APPOINTMENT—

East Indian Railway Volunteer Rifle Corps.

Henry Hearsey Bathe, Esquire, M.R.C.S., to be Honorary Surgeon.

No. 1152 *of* 1876.—Chainkee, mother of Sepoy Dulbeer Goorung, 1st Goorkhas, is admitted, as a special case, to the Native Family Pension Establishment on a pension of Rs. 2-12 per mensem, for life, from the 29th May 1876, payable in the Punjab Circle.

No. 1153 *of* 1876.—The following appointments and promotions are made in the under-mentioned Corps:—

1st Bengal Cavalry.

Ressaldar Mirza Ewaz Beg is appointed Ressaldar Major, *vice* Bahadoor Ally, "Sirdar Bahadoor," deceased.	19th October 1876.
Ressaidar and Woordie Major Mohumed Ubdool Kadir, to be Ressaldar, *vice* Mirza Ewaz Beg, promoted.	
Jemadar Jowahir Sing, to be Ressaidar, and is appointed Woordie Major, *vice* Mohumed Ubdool Kadir, promoted.	
Duffadar Kurrum Khan, to be Jemadar, *vice* Jowahir Sing, promoted.	

3rd Bengal Cavalry.

Jemadar Chunda Singh, to be Ressaidar, *vice* Chundun Singh, invalided.	16th September 1876.
Duffadar Mungul Singh, to be Jemadar, *vice* Chunda Singh, promoted.	

No. 1154 *of* 1876.—Lieutenant John Edward Broadbent, Royal Engineers, Assistant Engineer, 1st Grade, Public Works Department, is permitted to proceed to Europe on furlough on private affairs for two years, under Rule IX of the Regulations of 1868, embarking on or after the 19th December 1876, with the necessary subsidiary leave.

No. 1155 *of* 1876.—The under-mentioned Officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant Edward Samuells Cooke,—11th November 1876.

No. 1156 *of* 1876.—With reference to the Notification by the Government of Bengal, dated the 25th October 1876, the services of Surgeon-Major H. Cookson, Medical Department, late Officiating Civil Surgeon, Cooch Behar, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 1157 *of* 1876.—Lieutenant William John Butterworth Bird, Bengal Staff Corps, Squadron Subaltern, 4th Cavalry, Hyderabad Contingent, has been allowed furlough to Europe on medical certificate for one year, under Note II of Rule IX of the Regulations of 1868, with the necessary subsidiary leave.

No. 1158 *of* 1876.—ERRATUM.—In G. G. O. No. 995 of 1876, 3rd Regiment of Native Infantry, for Havildar "Seetul Persad Dilchit," read Havildar Seetul Persad *Ditchit*.

No. 1159 *of* 1876.—The services of Lieutenant J. C. L. Campbell, Royal Engineers, are placed at the disposal of the Public Works Department.

No. 1160 *of* 1876.—The services of Captain R. H. Grant, Royal Artillery, Deputy Assistant Quartermaster General, are placed temporarily at the disposal of the Foreign Department, with effect from the 15th October 1876.

No. 1161 *of* 1876.—Captain Frank Barrow, Bengal Staff Corps, Assistant Commissioner, Oudh, is permitted to proceed to Europe on furlough on private affairs for ten months and twenty-eight days, under Rule IX of the Regulations of 1868, with the necessary subsidiary leave.

The 16th November 1876.

No. 1162 *of* 1876.—The following extract from List No. 17, dated the 20th October 1876, received from the India Office, is published for general information:—

Permitted to return to duty.

Lieutenant-Colonel A. K. Comber, S. C.
Major John Stewart, R. A.
Major R. G. Smyth, R. E.
Captain F. B. Morris, Infantry.
Lieutenant H. F. Stevens, S. C.
Surgeon L. D. Spencer.
Captain M. O. Boyd, S. C.
Captain S. Beckett, S. C.
Sub-Conductor J. Beatty, Ordnance Department.
Surgeon-Major F. Carter.
Surgeon-Major T. Duka.
Major H. P. Pearson, 12th Foot.
Lieutenant-Colonel W. Cabell, S. C.
Lieutenant-Colonel F. E. A. Chamier, S. C.
Lieutenant E. B. Nixon, S. C.
Captain H. P. Kirke, Infantry.
Captain A. H. Turner, S. C.
Captain W. E. Chambers, S. C.

Granted extensions of leave.

Surgeon-Major W. B. Beatson,—one month, private affairs.

Surgeon-Major W. E. Caird,—six months, medical certificate.

The permission to return to duty granted* to Lieutenant G. W. Martin in July last, has been cancelled.

No. 1163 *of* 1876.—The under-mentioned outpensioners of the Royal Hospital at Chelsea are permitted to draw their pensions (which are chargeable to imperial revenue) in India, from the dates they cease to receive regimental pay:—

Battery Sergeant Major Charles Adams, late 20th Brigade Royal Artillery,—two shillings per diem.

Battery Quartermaster Sergeant Matthew Rodgers, late 20th Brigade Royal Artillery,—two shillings per diem.

Gunner William Hamilton, late 20th Brigade Royal Artillery,—one shilling per diem.

Farrier Sergeant John Rodgers, late 4th Brigade Royal Artillery,—one shilling and ten pence per diem.

William Hussey, late Horse Brigade Royal Artillery,—one shilling per diem.

William Slattery, late 6th Brigade Royal Artillery,—one shilling per diem.

James Cannon, late 89th Foot,—one shilling per diem.

No. 1164 *of* 1876.—Lieutenants the Hon'ble G. M. Talbot and E. S. Childers, Royal Engineers, who have been placed under orders for duty in the Bengal Presidency, reported their arrival at Bombay on the 7th November 1876.

No. 1165 *of* 1876.—The under-mentioned Officers and Warrant Officers have reported their return from England:—

Lieutenant-Colonel (Brevet Colonel) J. Reid, Bengal Staff Corps, Commissioner, Lucknow Division, Oudh,—date of arrival at Bombay, 7th November 1876.

Deputy Surgeon-General H. M. Cannon, M.B., Medical Department,—date of arrival at Bombay, 3rd November 1876.

Lieutenant-Colonel A. D. Vanrenen, Bengal Staff Corps, Deputy Superintendent, 2nd Grade, Revenue Survey Department,—date of arrival at Bombay, 3rd November 1876.

Lieutenant-Colonel J. M. Graham, Bengal Staff Corps, 1st Grade Deputy Commissioner, Darrang, Assam,—date of arrival at Bombay, 3rd November 1876.

Lieutenant-Colonel F. E. A. Chamier, Bengal Staff Corps, Deputy Commissioner, 1st Grade, Lucknow,—date of arrival at Bombay, 7th November 1876.

Lieutenant-Colonel R. Barter, Bengal Staff Corps, Commandant, 15th (The Loodianah) Regiment of Native Infantry,—date of arrival at Bombay, 6th November 1876.

Surgeon-Major T. Duka, M.D., Medical Department,—date of arrival at Bombay, 7th November 1876.

Surgeon-Major J. W. Johnston, M.D., Medical Department, in medical charge, 4th Punjab Infantry, Punjab Frontier Force,—date of arrival at Bombay, 9th November 1876.

Major H. Collett, Bengal Staff Corps, Deputy Assistant Quartermaster General,—date of arrival at Bombay, 3rd November 1876.

Major S. J. Browne, Bengal Staff Corps, 2nd in Command and Wing Officer, 6th Punjab

Infantry, Punjab Frontier Force,—date of arrival at Fort William, 7th November 1876.

Major E. D. H. Vibart, Bengal Staff Corps, 2nd Squadron Officer, 15th Bengal (Cureton's Mooltanee) Cavalry,—date of arrival at Bombay, 6th November 1876.

Major A. Schmid, 109th Foot, Assistant Adjutant General, Oudh Division,—date of arrival at Bombay, 7th November 1876.

Surgeon S. H. Browne, Medical Department,—date of arrival at Fort William, 3rd November 1876.

Surgeon R. Power, Medical Department, in medical charge, 3rd Sikh Infantry, Punjab Frontier Force,—date of arrival at Fort William, 7th November 1876.

Surgeon L. D. Spencer, M.D., Medical Department, in medical charge, Eastern States Agency, Bhurtpore,—date of arrival at Bombay, 3rd November 1876.

Surgeon D. F. Keegan, M.D., Medical Department, in medical charge, 2nd Regiment Central India Horse,—date of arrival at Bombay, 3rd November 1876.

Captain R. F. Lowis, Royal Artillery, Assistant to the Inspector General of Ordnance and Magazines,—date of arrival at Fort William, 7th November 1876.

Captain S. H. Cowan, Bengal Staff Corps, Assistant Superintendent, 2nd Grade, Revenue Survey Department,—date of arrival at Bombay, 7th November 1876.

Captain S. Beckett, Bengal Staff Corps, Assistant Political Agent and Superintendent, Bahâwulpur, Punjab,—date of arrival at Bombay, 9th November 1876.

Lieutenant E. L. Durand, Bengal Staff Corps, Political Assistant, 2nd Class, Central India Agency,—date of arrival at Bombay, 7th November 1876.

Senior Apothecary R. W. Beale, Subordinate Medical Department,—date of arrival at Bombay, 7th November 1876.

Conductor G. Palmer, Ordnance Commissariat Department,—date of arrival at Bombay, 7th November 1876.

Conductor J. Walshe, 1st Grade Sub-Engineer, Military Works, Public Works Department,—date of arrival at Bombay, 7th November 1876.

No. 1166 *of* 1876.—With reference to Public Works Department Notification No. 445, dated the 1st November 1876, the services of Lieutenant W. F. H. Stafford, Royal Engineers, late Assistant Engineer, 2nd Grade, Public Works Department, are, at his own request, replaced at the disposal of His Excellency the Commander-in-Chief.

No. 1167 *of* 1876.—Lieutenant-Colonel (Brevet Colonel) William Elliot Marshall, Bengal Staff Corps, is permitted to proceed to Europe on furlough on private affairs for two years, under Rule IX of the Regulations of 1868, with the necessary subsidiary leave.

No. 1168 *of* 1876.—Radhee, widow of Dyal Sing, pensioned Subadar, 29th (Punjab) Regiment of Native Infantry, is admitted to the 3rd Class Order of Merit pension as a Jemadar of Artillery, *viz.*, Rs. 5-10-8 per mensem, for three years from the 4th January 1876, payable in the Punjab Circle.

No. 1169 *of* 1876.—The following permanent and temporary promotions are made in the Warrant Grade of the Ordnance Commissariat Department:—

RANK AND NAMES.	To what rank promoted.	From what date.	In whose room.
Permanent.			
Sub-Conductor James William Watson, *Assistant Overseer, Harness and Saddlery Factory.*	Conductor ...	Sept 8, 1876.	
Sub-Conductor (Officiating Conductor) William Traynor.	Conductor ...	Sept. 8, 1876 ...	*Vice* Conductor C. Glover, retired.
Sub-Conductor John Pearson, *Harness and Saddlery Factory.*	Conductor ..	Oct. 5, 1876.	
Sub-Conductor (Officiating Conductor) John Robinson.	Conductor ...	Oct. 5, 1876 ...	*Vice* Conductor J. Langhorn, deceased.
Magazine Sergeant (Officiating Sub-Conductor) Edward Austin.	Sub-Conductor, on probation.	Sept. 8, 1876 ...	*Vice* Sub-Conductor W. Traynor, promoted.
Magazine Sergeant (Officiating Sub-Conductor) James Utting.	Sub-Conductor, on probation.	Oct. 5, 1876 ...	*Vice* Sub-Conductor Robinson, promoted.
Temporary.			
Sub-Conductor Robert Giltrap*	Offg. Conductor ...	Oct. 5, 1876 ...	*Vice* Offg. Conductor J. Robinson, promoted, or until further orders.
Magazine Sergeant Hugh Corrigan*	Offg. Sub-Conductor.	Oct. 5, 1876 ...	*Vice* Offg. Sub-Conductor J. Utting, promoted, or until further orders.

* Reverting to their respective grade of Sub-Conductor and Magazine Sergeant with effect from 31st October 1876, *vice* Conductor Holland, who re-joined his duties on that date from leave of absence.

The 17th November 1876.

No. 1170 *of* 1876.—The Hon'ble the President in Council is pleased to sanction the following appointments to the Volunteer Battalion detailed for the Imperial Assemblage at Delhi:—

To be Commandant.

Lieutenant-Colonel B. Walton, Commanding Administrative Battalion, Presidency Volunteers, Calcutta Volunteer Rifle Corps.

To be Staff Officer.

Major FitzRoy Stephen, 4th Battalion, Rifle Brigade.

No. 1171 *of* 1876.—With reference to Foreign Department Notification No. 2414G, dated the 8th November 1876, the services of Lieutenant N. F. FitzG. Chamberlain, 1st Battalion, 11th Foot, Officiating 2nd Squadron Subaltern, 2nd Regiment, Central India Horse, on probation, are placed temporarily at the disposal of His Excellency the Commander-in-Chief.

No. 1172 *of* 1876.—Conductor George Blake, Barrack Master, 1st Class, Rawal Pindi, is promoted to the rank of Deputy Assistant Commissary, with effect from the 15th July 1875.

No. 1173 *of* 1876.—Deputy Surgeon-General N. H. Stewart, M.D., late Superintending Surgeon-Major, Presidency Circle, is brought on the strength of the Administrative Staff of the British Medical Service in Bengal as Deputy Surgeon-General, with effect from the 1st November 1876, the date on which he took over the medical superintendence of the Lahore Circle, *vice* Deputy Surgeon-General W. G. Trousdell, M.D., retired.

This cancels G. G. O. No. 1122 of the 3rd November 1876.

No. 1174 *of* 1876.—With reference to the Notification by the Department of Revenue, Agriculture and Commerce, No. 85, dated the 31st October 1876, the services of Veterinary Surgeon S. R. Sartin, Madras Veterinary Department, are replaced at the disposal of the Government of Fort St. George.

No. 1175 *of* 1876.—With reference to the Notification by the Government of Bengal, dated the 10th November 1876, the services of Surgeon P. A. Weir, M.B., Medical Department, are replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the date of his return to Calcutta from special duty.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Fort William, the 17th November 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts' Act of 1863, it is notified that reports of the deaths of the under-mentioned Commissioned Officers, on the dates specified, were received in the Military Department from 22nd October to 10th November 1876:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.
1st Battalion, 8th Foot ...	Sub-Lieut. A. H. G. J. Hervey ...	25th October 1876 ...	Peshawar.	
Bengal Staff Corps ...	Major R. Topham ...	17th Do. ...	Bareilly.	

Statement of deposits on account of Estates from 15th October to 16th November 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
BRITISH MILITARY SERVICE.							
Charles Lional Stephen Auber (a).	Lieutenant	1st Battalion, 5th Foot.	30th Aug. 1876	Intestate ...	464 8 0	...	16th January 1877.

(a) Next-of-kin—Mother and Sister, Mrs. and Miss Auber, Heathfield House, Bovey Tracey, Devonshire—England.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 17th November 1876.

No. 29 *of* 1876.—With reference to Marine Notification No. 9 of 1876, Mr. R. A. C. Hepworth is confirmed in his appointment as 3rd Class Officer of the Indian Government Steamer *Enterprize*, with effect from the 21st March 1876.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 16th November 1876.

No. 460.—Mr. W. Atkins, Assistant Engineer, 1st Grade, North-Western Provinces, was relieved of his duties as Officiating Deputy Examiner of Accounts in the Office of the Accountant General, Public Works Department, on the afternoon of the 31st October 1876.

No. 461.—With reference to Public Works Department Notification No. 438, dated 30th October 1876, Mr. W. E. Palmer, Assistant Examiner (temporary rank), was relieved of his duties in the Office of the Accountant General, Public Works Department, on the afternoon of the 31st October 1876.

The 17th November 1876.

No. 462.—Mr. F. N. Gütersloh, Assistant Engineer, 1st Grade, on the Establishment under the Director of State Railways, is transferred to the State Railway Revenue Establishment in Class III.

No. 463.—Captain T. B. B. Savi, R.E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, is transferred to the State Railway Revenue Establishment in Class II, and appointed Manager of the Punjab Northern State Railway (Open Line).

C. H. DICKENS, *Colonel, R.A.*,
Secretary to the Govt of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 48.} CALCUTTA, SATURDAY, NOVEMBER 25, 1876. {Register No. 33.

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

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SUPPLEMENT No. 50.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Fort William, the 23rd November 1876.

No. 22.—Mr. R. B. Michell made over, and Mr. J. M. C. Mills received, charge of the office of Reporter in the High Court at Madras for the Indian Law Reports, in the forenoon of the 6th instant.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 23rd November 1876.

No. 758.—Mr. Lindsay Neill received charge of the office of Under-Secretary to the Government of India in the Home Department from Mr. T. J. Chic[illegible] Plowden, on the forenoon of the 13th instant.

No. 759.—Messrs. L. A. S. Porter and C. D. [illegible], of Her Majesty's Bengal Civil Service, reported to the Government of the North-Western Provinces their arrival at Allahabad on the 13th instant.

PATENTS.

The 23rd November 1876.

No. 560.—Specifications of the under-mentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India, in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India, in the Home Department, to public inspection upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying:—

No. 58.—Babu Madhub Chander Bysak, Dragon Iron Works, No. 36, Strand, Armenian Ghaut, for "A machine for manufacturing Castor Oil."

No. 65.—Mr. P. P. F. Michea, tannin manufacturer, of Wassind, Tannah District, in the Presidency of Bombay, India, for "Increasing the production of Indigo-blue from the Indigo-ferœ and purifying it during the process of manufacture."

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 23rd November 1876.

No. 2826*P.*—With reference to Notification No. 957P, dated 20th April 1876, Mr. G. Diefenbach, Consul for Austria and Hungary at Calcutta, has resumed charge of his office.

The 24th November 1876.

No. 2845 *P.*—Subject to the confirmation of Her Majesty's Government, the Hon'ble the President in Council is pleased to recognize the appointment of Monsieur Le Chevalier Charles Grondona as Acting Consul for Italy at Bombay.

GENERAL.

The 23rd November 1876.

No. 2491*G.*—APPOINTMENT.—Lieutenant-Colonel J. D. Hall, 2nd Regiment, Central India Horse, to be Political Assistant at Goona, with effect from 6th November 1876.

No. 2492*G.*—Captain D. W. K. Barr, Political Assistant, 3rd Class, and 1st Assistant Agent to the Governor General for Central India, held charge of the current duties of the office of the Agent to the Governor General for Central India, in addition to his own duties, from the forenoon of 2nd May to the afternoon of 1st August 1876, inclusive.

No. 2493*G.*—APPOINTMENT.—Captain J. R. McK. Homfray, Wing Subaltern, Bhopal Battalion, to officiate as Adjutant, with effect from the date of assuming charge, *vice* Captain Ransford.

The 24th November 1876.

No. 2509 *G.*—Captain R. H. Grant, Deputy Assistant Quarter Master General, whose services have been placed at the disposal of this Department, is attached temporarily to the Foreign Office for duty connected with the Imperial Assemblage, with effect from the 15th October 1876.

No. 2511*G.*—The under-mentioned Officers of the Hyderabad Commission have passed the prescribed examinations specified opposite their names :—

Mr. E. J. Kitts, Officiating Assistant Commissioner. Abdul Hukk, Extra Assistant Commissioner.	Passed in Law according to the Higher Standard.
Mr. R. D. Hare, Officiating Assistant Commissioner. Mahammad Shahab-ud-din, Khan Bahadur, Officiating Assistant Commissioner.	Passed in Marathi according to the Lower Standard.

No. 2513*G.*—Captain R. G. Mayne, Officiating Superintendent, Gaekwar's Contingent in Kattywar, and Assistant Agent to the Governor General in charge of His Highness' Umreilly Mahals, is confirmed in those appointments, with effect from 11th September 1876, *vice* Colonel Walker.

No. 2514*G.*—The services of Colonel C. Herbert are replaced at the disposal of the Military Department, with effect from the date of the assumption of the duties of Political Agent at Oodeypore by Major E. C. Impey.

F. HENVEY,
for *Offg. Secy. to the Govt. of India.*

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 23rd November 1876.

No. 2750.—Privilege leave for two months is granted to Mr. E. S. Byrne, Deputy Accountant General, Assam.

Mr. J. W. H. Sandell, Head Assistant to the Deputy Accountant General, Assam, is appointed to be in charge of the office of Deputy Accountant General, during the absence of Mr. Byrne, or until further orders.

Mr. Byrne made over charge of the office of Deputy Accountant General, Assam, to Mr. Sandell, after noon, on the 14th November 1876.

LEAVE, LEAVE ALLOWANCES, &C.

The 23rd November 1876.

No. 2748.—The President in Council directs that the following be inserted as case (*g*) under Section 7 of the Civil Leave Code :—

(*g*).—Whenever it is necessary to calculate a period in "Calendar Months," the period ends either on the day of the month corresponding with the day before the day on which it begins, or, if there is no such corresponding day in that month, then on the last day of the month.

Examples.

A period of six calendar months beginning on the	ends on the
28th February	... 27th August.
31st March or 1st April	... 30th September.
29th August	... 28th February.
30th August to 1st September	... last day of February.
A period of three calendar months beginning on the	
29th November	... 28th February.
30th November or 1st December	... last day of February.

Note.—See Section 6, and Section 27, Rules 9 and 10. The first day of an officer's leave is the first day on which he has not charge of his office after noon, and the last day of his leave is the last day on which he has not charge before noon.

MINT AND CURRENCY.

The 25th November 1876.

No. 2725.—In exercise of the powers conferred by the Indian Coinage Act, 1870, and the Indian Paper Currency Act, 1871, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following Rules :—

1. Certificates from the Assay Master under Section 24 of the said Indian Coinage Act, 1870, for the net produce of silver bullion or coin delivered into the mint on and after Monday, the 27th November 1876, shall be payable twenty-one days after the date thereof, if issued by the Assay Master at Calcutta, at the Bank of Bengal, and if issued by the Assay Master at Bombay, at the Bank of Bombay.

2. The holders of certificates granted under Section 14 of the said Indian Paper Currency Act, 1871, shall be entitled to receive the amount of notes or of notes and cash stated therein on demand at the Office of Issue.

3. Persons wishing to obtain, under the Indian Paper Currency Act, 1871, promissory notes of the Government of India in exchange for silver bullion or foreign silver coin, may tender the same to the Mint Master on behalf, in Calcutta, of the Head Commissioner, and in Bombay, of the Commissioner of the Department of Issue, in the Form M hereto annexed.

4. The Mint Master shall give a receipt, in Form N hereto annexed, for all bullion or coin so tendered, and immediately forward copy thereof to the Head Commissioner or Commissioner (as the case may be) of the Department of Issue.

5. The Assay Master shall prepare, in Form O hereto annexed, and countersign a certificate of the value of such bullion or coin calculated at the rate prescribed in Section 11(*b*) of the said Indian Paper Currency Act. The Head Commissioner or Commissioner (as the case may be) of Issue shall then sign the certificate and deliver it to the person making the tender.

6. No bullion or coin tendered under these Rules shall be withdrawn by the tenderer, unless he is dissatisfied with the assay.

7. The Head Commissioner or Commissioner (as the case may be) shall pay to the Mint Master out of the coin reserve of the Department of Issue one rupee per mille on the standard value of the bullion or coin for which certificates in the said Form O may be issued.

8. Bullion or coin tendered under these Rules shall not be coined, except on the written application of the Head Commissioner or Commissioner (as the case may be) of Issue.

9. When the Mint Master receives any such application, he shall communicate the fact to the Assay Master, who shall thereupon issue a certificate under Section 24 of the said Indian Coinage Act, 1870, in favor of the Head Commissioner or Commissioner, as the case may be, of the Department of Issue, for the net produce of the bullion or coin at the rate of ninety-eight rupees per eighteen thousand grains of standard fineness.

FORM M.

Tender of silver bullion (or foreign silver coin) for promissory notes of the Government of India.

To

THE MINT MASTER.

SIR,

Be pleased to receive on behalf of the Head Commissioner (or Commissioner) of the Department of Issue tolas (tolas) of which (I) hereby tender to the said (Head) Commissioner for promissory notes of the Government of India payable to bearer on demand under the provisions of the Indian Paper Currency Act, 1871. (I) request that you will melt or cut the above-mentioned silver at (my) sole risk and for the resulting weight of ingots or cut-pieces, or such portion of them as shall agreeably to the rules of the mint be considered fit for coinage, grant your receipt entitling (me) to receive a certificate signed by the (Head) Commissioner of the Department of Issue as prescribed in Section 14 of the Indian Paper Currency Act, 1871.

The bullion (or coin) will be delivered to you by C. D., who is authorised to superintend its melting or cutting on (my) behalf, and who will attend for that purpose at such times as may be appointed.

Yours obediently,

A. B.

The 18 .

Pass into the mint and register as bullion belonging to the Department of Issue of Paper Currency.

E. F.,
Mint Master.

FORM N.

HER MAJESTY'S MINT_____ (CALCUTTA).

Receipt for silver bullion (or foreign silver coin) tendered to the (Head) Commissioner of Issue.

No._____dated_____18 .

Received this day from A. B. as a deposit on account of the (Head) Commissioner of Issue, the under-mentioned quantity of silver in

Register No.	_____	Weighing Tolas	_____
Do.	_____	Do.	_____
Do.	_____	Do.	_____
Do.	_____	Do.	_____
Do.	_____	Do.	_____
Do.	_____	Do.	_____
Do.	_____	Do.	_____
Do.	_____	Do.	_____
	Total Tolas		_____

G. H., *Accountant.* I. K., *Bullion-keeper.* E. F., *Mint Master.*

FORM O.

DEPARTMENT OF ISSUE OF PAPER CURRENCY.

Certificate for silver bullion (or coin) under Section 14 of the Indian Paper Currency Act, 1871.

I hereby acknowledge to have received from A. B. tolas of silver bullion (*or* of foreign silver coin), and certify that in exchange therefor the said A. B. is entitled, on demand (or on the expiration of days from the date hereof) and on presentation of this certificate at the Office of Issue, to receive in notes issued under the Indian Paper Currency Act, 1871, or in such notes and cash, the sum of Rupees

This certificate is in (part or full) of the Mint Master's Bullion Receipt No. the silver covered by which has been found, upon assay, to be of the value stated below :—

Mint Register, No.
Description of Silver
Weight in tolas
Pure silver per mille
Net produce

Countersigned,
L. M., *Assay Master.*
N. O., *(Head) Commissioner of the Department of Issue.*

The 23rd November 1876.

No. 2730.—Surgeon-Major P. F. Bellew, Bengal Establishment, is appointed to officiate as Assay Master of Her Majesty's Mint at Bombay, during the absence, on furlough, of Surgeon-Major H. W. Graham, Bengal Establishment, or until further orders.

Mr. F. W. Peterson, F. C. S., is appointed to officiate, until further orders, as Deputy Assay Master of Her Majesty's Mint at Bombay.

No. 2749.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year* 1876.

	Bullion or Coin received.		Coined and examined.
	From Government.	From Merchants.	
In the month of October 1876—	Rs.	Rs.	Rs.
Calcutta	...	23,49,399	13,66,276
Bombay	...	12,84,217	10,86,975
TOTAL ...	...	36,33,616	24,53,251
First 10 months—			
Calcutta	1,54,960	1,16,01,422	74,55,243
Bombay	11,470	2,38,25,453	2,49,50,440
TOTAL ...	1,66,430	3,54,26,875	3,24,05,683

Imports and Exports of Gold and Silver during the calendar year 1876.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net Exports.	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of October ...	5,25,878	17,24,900	11,98,922	1,38,31,980	16,25,626	1,22,06,354	1,43,57,858	33,50,426	1,10,07,432
First 10 months ...	97,24,848	1,42,93,362	45,68,514	5,88,64,950	2,20,36,746	3,68,28,204	6,85,89,798	3,63,30,108	3,22,59,690

PAY AND ALLOWANCES.

The 24th November 1876.

No. 2743.—The President in Council directs that the following ● inserted as exception (5) under Section 25 of the Acting Allowance Code :—

(5).—A talâti (Village Accountant, Bombay) placed in charge of the duties of a fellow-talâti, in addition to his own duties, is entitled to allowances as follows :—

(*a*).—If the talâti whose duties he performs in addition to his own receives fixed pay :—such portion of that fixed pay, not exceeding one-half, as the Collector of the district may determine.

(*b*).—If the talâti whose duties he performs in addition to his own is remunerated by a percentage on the revenue :—such portion of such percentage as the Collector may determine.

Provided always that no extra expense shall be caused to the Government by the arrangement.

R. B. CHAPMAN,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 22nd November 1876.

No. 1176.—Under instructions from the Right Hon'ble the Secretary of State for India, it is notified that Officers of the Royal Engineers (Imperial List) who return home upon completion of seven years' service in India, shall be required to perform three years' duty at home before they can be permitted to return to India for a second tour of service.

No. 1177.—It is hereby announced that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the under-mentioned Officer with effect from the 24th April 1876, in room of Colonel T. F. Wilson, C.B., Bengal Staff Corps, succeeded to the Colonel's allowance :—

Lieutenant-Colonel (Brevet Colonel) H. K. BURNE, C.B., *Bengal Staff Corps.*

Ensign	...	30th Dec. 1843.
Lieutenant	...	21st „ 1845.
Captain	...	6th June 1857.
Major (Brevet)	...	21st Nov. 1857.
Major (Substantive)	...	18th Feb. 1861.
Lieut.-Colonel (Brevet)	...	18th Mar. 1863.
Ditto (Substantive)		30th Dec. 1869.
Colonel (Brevet)	...	30th „ 1868.

Served throughout the Sutlej campaign of 1845-46, including the battles of Moodkee and Ferozeshah, (medal and clasp) ; also with the expedition against Kote Kangra.

Served during the Burmese war of 1852-53 as Military Secretary to the Commander of the Army of Ava. Present at the capture of Prome, Pegu, and in various minor affairs, and was several times mentioned in despatches (medal and clasp and Brevet of Major).

Secretary to the Government of India, in the Military Department, since June 1870.

No. 1178.—FURLOUGH AND LEAVE—

The under-mentioned Officers and Warrant Officers are granted furlough to Europe with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) William Calcott Clarke, Madras Staff Corps, Military Accountant, 2nd Grade, 1st Class, Presidency Paymaster, Madras,—medical certificate, for two years, under Rules IX and XV of the Regulations of 1868.

Surgeon-Major Henry William Graham, Medical Department, Assay Master, Bombay Mint,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Major Edward Henry Cassan Simpson, Bengal Staff Corps, 2nd Squadron Officer, 4th Bengal Cavalry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Captain (Brevet Major) Thomas Chadwick Graham, late 4th European Light Cavalry, 2nd in Command and Squadron Officer, 7th Bengal Cavalry,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Lieutenant George Graham Dawes, Bengal Staff Corps, 2nd Squadron Subaltern, 1st Bengal Cavalry,—medical certificate, for two years, under note I, Rule IX of the Regulations of 1868.

Lieutenant William John Butterworth Bird,* Bengal Staff Corps, Squadron Subaltern, 4th Cavalry, Hyderabad Contingent,—medical certificate, under the furlough Rules of 1875. (See Ruling, Rule 6, G. G. O. No. 1110 of 1876.)

* This Officer's furlough in G. G. O. No. 1157 of 1876 is cancelled.

Conductor Charles Dodge, Head Overseer, Workshops, Small Arm Ammunition Factory,—medical certificate, for two years, under the Regulations of 1868.

Conductor Edward Gleeson, Head Clerk, Karnál Home Stud Office,—medical certificate, for two years, under the Regulations of 1868.

Sub-Conductor James Ventham, Assistant Overseer, Small Arm Ammunition Factory,—medical certificate, for twenty months, under the Regulations of 1868.

Sub-Conductor James Moorhead, Quarter Master General's Office, Bengal—medical certificate, under the furlough rules of 1875. (See Ruling Rule, 6, G. G. O. No. 1110 of 1876.)

Surgeon H. Johnstone, M.B., Residency Surgeon, Mandalay, in extension to the 2nd August 1876, the date on which he returned to India, of the furlough to Europe granted him in G. G. O. No. 883 of 1874.

No. 1179.—The following order issued by the Resident at Hyderabad is confirmed:—

No. 287, *dated the* 1*st November* 1876.—Granting Captain H. S. Stewart, Madras Staff Corps, Adjutant, 3rd Cavalry, Officiating 2nd in Command, 2nd Cavalry, Hyderabad Contingent, thirty days' leave of absence to Bombay from the 2nd November 1876, preparatory to proceeding on furlough to Europe on medical certificate.

No. 1180.—APPOINTMENT—

With the sanction of the Right Hon'ble the Secretary of State for India, Surgeon-Major H. Cayley, Medical Department, is confirmed in the appointment of Superintendent of the Eye Infirmary, Calcutta, in succession to Surgeon-Major N. C. Macnamara, who retired on the 15th April 1876.

No. 1181.—PROMOTIONS—

ARMY COMMISSARIAT DEPARTMENT.

TEMPORARY.

Major N. R. Burlton and Lieutenant-Colonel J. B. Cox, Deputy Assistant Commissaries General, 2nd Class, to officiate as Deputy Assistant Commissaries General, 1st Class, during the absence of senior Officers on leave, both with effect from 21st October 1876, and until further orders. Junior Officers acting in higher grades will revert to their proper places consequent on Lieutenant Cox's return.

No. 1182.—The following extract from the *London Gazette* of the 10th October 1876, pages 5403 and 5404, is published for general information:—

WAR OFFICE, PALL MALL,
10*th October* 1876.

Page 5403.

Brevet.

Lieutenant-Colonel Henry Brougham Chalmers, half pay, late Bengal Staff Corps, to have the honorary rank of Colonel upon retiring on full pay. Dated 14th June 1876.

* * * *

The honorary rank of Lieutenant conferred upon Deputy Assistant Commissary J. Mole, Bengal Establishment, has been ante-dated to 3rd August 1874.

The under-mentioned Officers having completed the qualifying service, to be Colonels:—

Lieutenant-Colonel Walter Fane, C.B., Madras Staff Corps. Dated 28th August 1875.

Lieutenant-Colonel John Ruggles, Bengal Staff Corps. Dated 13th June 1876.

Lieutenant-Colonel James Spence Ogilvie, Bengal Staff Corps. Dated 13th June 1876.

Lieutenant-Colonel Christopher James Godby, Bengal Staff Corps. Dated 13th June 1876.

Lieutenant-Colonel Archibald William Graham, Bombay Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Joseph Hume Spry Pierce, Bombay Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Robert Murray, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel James Kempt Couper, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel George Nassau Johnstone, Madras Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel William Nembhard, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel John Beresford Smyly, Bengal Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Alexander Jenkins, Madras Staff Corps. Dated 14th June 1876.

Lieutenant-Colonel Edward Nugent Norton, Madras Staff Corps. Dated 16th June 1876.

Lieutenant-Colonel John Perkins, Bengal Staff Corps. Dated 16th June 1876.

* * * *

The under-mentioned Warrant Officers, Bengal Establishment, to have honorary rank as follows:—

To be Captain.

Lieutenant and Deputy Commissary Thomas Ryan. Dated 16th June 1876.

Page 5404.

To be Lieutenants, but junior of that rank for one year.

Deputy Assistant Commissary Andrew Connell. Dated 13th July 1875.

Deputy Assistant Commissary William Wilson. Dated 15th July 1875.

Deputy Assistant Commissary Thomas Heathcote. Dated 16th June 1876.

No. 1183.—The services of Major (Brevet Lieutenant-Colonel) C. A. deKantzow, Bengal Staff Corps, Superintendent, Sudder Bazaar, Delhi, are placed temporarily at the disposal of the Foreign Department.

No. 1184.—The services of Surgeon H. A. C. Gray, Medical Department, are placed temporarily at the disposal of the Government of Bengal.

No. 1185.—REPORT OF ARRIVALS—

Surgeon-Major A. P. Holmes, M.D., Medical Department, in medical charge, 1st Sikh Infantry, Punjab Frontier Force,—Bombay, 16th November 1876.

Major E. C. Impey, Bengal Staff Corps, Political Agent, Marwar and Jeysulmere, Rajpootana Agency,—Bombay, 16th November 1876.

Captain (Brevet Major) R. G. Birch, late 1st European Light Cavalry,—Bombay, 9th November 1876.

Captain T. T. Carter, Royal Engineers, Deputy Superintendent, 2nd Grade, Great Trigonometrical Survey of India,—Bombay, 16th November 1876.

Captain G. F. O. Boughey, Royal Engineers, Executive Engineer, 2nd Grade, Public Works, Department,—Bombay, 16th November 1876.

Captain H. P. Kirke, General List, Infantry,—Fort William, 16th November 1876.

Captain W. H. Pierson, Royal Engineers, Senior Superintendent, Persian Telegraph,—Fort William, 12th November 1876.

Surgeon R. T. Wright, M.D., Medical Department,—Fort William, 12th November 1876.

Surgeon H. Johnstone, M.B., Medical Department, Residency Surgeon, Mandalay,—Bombay, 2nd August 1876.

The 23*rd November* 1876.

No. 1186.—Deputy Surgeon-General A. Smith, appointed in G. G. O. No. 1141 of 1876 to the medical superintendence of the Peshâwar Circle, assumed charge of his duties on the 3rd November 1876.

No. 1187.—The following corrections are to be made in the Pay Code for India, Volume I, "British Troops":—

Article 474. Insert the following as an additional clause:—

"Horse allowance under this article is admissible during privilege or district leave, but not on general leave, or while in transit from one station (when struck off the roster for field duties) to another at which an officer may again be brought on the roster."

G. O. No. 185 of 1876.

The following addition is to be made to article 1962:—

"No soldier shall be considered 'under instruction' unless he attends the class twice a week for not less than one hour each time, except when in hospital."

G. O. No. 275 of 1876.

Insert the following as article 394*a*:—

"The tenure of command of a Brigade of Artillery in India is limited to five years; but in the case of a colonel's command expiring within a short time of the relief of his brigade from India, he may be re-appointed for such further period as will enable him to take the brigade home."

G. L. No. 693-68, dated 30th May 1876.

Article 72 is re-constructed as follows:—

"A military officer in staff employ must draw his total emoluments from the department in which he is serving, or from which he is absent on leave. But the allowances of an officer transferred from military to civil duty will be paid by the civil department from the date on which he gives over charge of military duty; when transferred from civil to military duty, his allowances will cease to be payable in the civil department from the date on which he relinquishes charge of his civil duty. This rule is also applicable to the case of an officer transferred from one department to another."

To the existing authorities in the margin enter "Financial Resolution No. 3329 of 27th September 1875, G. L. No. 502-4 of 22nd October 1875."

Insert the following as article 11*a*, 42*a*, page 13, and 50*b*:—

"A substantive major and brevet lieutenant-colonel is allowed to reckon service in the following capacities towards the qualifying period for the rank of colonel under the five years' rule:—

I.—When in command of a convalescent depôt of an average strength of 400 non-commissioned officers and men.

II.—When in command of troops on board a troopship, provided such command is held for a period exceeding a calendar month, and the strength of troops amounts to at least 400 men."

G. O. Nos. 173 and 280 of 1876.

Insert the following as article 206*a*:—

"When the Brigadier General and Political Resident at Aden proceeds beyond sea on any special mission, he will be entitled from the civil department to compensation for loss of command allowance as brigadier-general, and the acting officer will draw from the military department the half staff pay of the brigade-command in addition to any other staff pay to which he may be entitled (articles 205-206). When the Brigadier-General and Political Resident merely goes on duty on the mainland, or even to visit the ports on the coast, he will continue to receive his own command allowance, being considered as absent on inspection duty in his jurisdiction, and the senior officer at Aden falling into actual command of the head-quarters station will draw from the civil department Rs. 120 a month, in addition to the command or other allowance of which he may be in receipt."

G. L. No. 299S. of 8th August 1876.

Article 1385, clause *c*, to be expunged as unauthorized.

Article 1149. After "Rs. 15" add the words "which amount will be recovered simultaneously with the issue of the commission."

G. L. Nos. 115-18 of 5th October 1876.

Article 1151. The last portion, commencing "Stamp duty, &c." is cancelled, and the following substituted:—

"It is to be understood that any officer who has been gazetted to first appointment or promotion subsequently to the 5th May 1873 (without reference to the date of rank which the commission itself is intended to confer) would receive a permanent commission, and be liable to the payment of stamp duty thereon. This would be the last commission he would receive under any circumstances, and consequently the last occasion on which stamp duty would be recoverable."

G. L. Nos. 115-18 of 5th October 1876.

Insert the following as article 1341 *a*:—

"The allowances to Roman Catholic priests ministering to the troops in India are as follow:—

Military Department Resolution No. 569S. of 20th July 1876.

I.—All priests will receive a minimum allowance of Rs. 200 a month.

II.—Within a limit of 13 priests in the Bengal Presidency, 6 in Madras, and 5 in Bombay, any such priest who has ministered to the troops continuously for seven years will receive an allowance of Rs. 250 a month.

III.—Within a limit of 11 priests in the Bengal Presidency, 5 in Madras, and 4 in Bombay, any such priest who has ministered to the troops continuously for fifteen years will receive an allowance of Rs. 300 a month.

IV.—Horse allowance at Rs. 30 a month is granted to all priests attached to the army.

The higher allowances above specified will be passed to the priests entitled thereto on returns to be furnished by the Archbishop and Vicar Apostolic of Western Bengal, and the Bishops and Vicars Apostolic of Madras and Bombay."

Article 1342. Expunge the words commencing "on salaries of Rs. 200, &c.," to the end of the sentence.

Articles 1343 and 1344. Expunge the words "on a salary of Rs. 200 per mensem" in both of these articles.

Article 1345. Expunge the second portion commencing, "The only advantage, &c." to the end.

Article 1346. Expunge the words "on a salary of Rs. 150 per mensem" in the first line.

Articles 1347, 1349 and 1357 are cancelled.

Article 1350 is re-constructed as follows:—

"The salary of a priest will be discontinued if a reduction in the number of Roman Catholics of the prescribed class (article 1346) at a station where he is serving, shall have existed for six months consecutively."

Article 1351. Instead of the words "the two preceding articles," substitute the words "the preceding article."

Article 120, clause *c*. Add "In the case of an officer who, while on leave in India, obtains furlough out of India, the two years will reckon from the date he quitted his station on leave (excluding the usual period of preparatory leave) till the date of his return from furlough (article 887)."

G. L. No. 454 of 11th January 1876. Military Proceedings, September 1867, Nos. 635-6.

Article 151. Add "Neither is presidency house-rent admissible to a medical officer who, on first appointment to India, may be detailed on arrival to do duty at a presidency town."

G. L. Nos. 333-6S. of 11th September 1876.

Article 150. For the word "serving" in the third line *substitute* the words "holding an appointment."

G. L. Nos. 333-6S. of 11th September 1876.

Article 1044. Add "The fact of an officer being placed on English pay gives him no claim whatsoever to free quarters."

G. L. Nos. 338-42S. of 11th September 1876.

Article 1468. Add "He is consequently entitled to compensation if provided with quarters inferior to those prescribed for the higher grade."

G. L Nos. 119-20C. of 4th August 1876.

The foot-note at page 45 is re-constructed as follows:—

"Not allowed for Lancer regiments or for the 17th Bengal Cavalry—a monthly sum of Rs. 15 per regiment only being granted to the former, and Rs. 15 per squadron to the latter, for the repairs of the rifled carbines by the armourers of other corps."

G. L Nos 483-4S. of 14th August 1876.

Article 134, clause *f*. Add the following:—

Butts and ranges per regiment ...	Rs.	4	0 0
Musketry appliances for the 2 regiments ...	„	10	0 0
For care and repair of rifled carbines per squadron	„	10	0 0

G. L. No. 536S. of 17th October 1876.

Article 1289*a*. Add "This article also applies to a deputy surgeon-general who, on promotion to the rank of surgeon-general, may be ordered to England."

G. L. Nos. 677-9S. of 19th September 1876.

Article 2448. In the first line, substitute the word "except" for the word "including," and expunge the parenthetical sentence in the third and fourth lines.

G. G. O. No. 1292 of 1875.

Article 128. Add "The above allowances are intended to meet *all* office charges including the pay of chuprassies when orderlies are not available owing to the absence of troops from the station."

G. L. Nos. 284-85 S. of 13th June 1876.

Enter the following as article 1622*a*:—

"When it is considered indispensably necessary to withdraw a non-commissioned officer or soldier from his regiment to act for a military clerk in substantive employ who may be granted leave, he will be allowed his regimental *gross* pay in addition to the acting allowance admissible under the civil acting allowance code, provided his total emoluments do not exceed Rs. 100 a month."

G. L. Nos. 122-6 of 6th July 1876.

Article 1158. After the word "offices" in the sixth line, enter the following note:—

Note.—"To enable an officer to claim travelling allowance or to draw a mileage allowance, he must not only go outside his cantonment, but must go five miles and upwards beyond its limits. No allowance is granted for movements within cantonment limits or for any less distance beyond them than that above stated."

G. L. No. 464-68C. of 21st July 1876.

Article 1173. After the word "journey" *enter* "(see article 1158 and Note.)"

Insert the following as article 1190*a*:—

"Whenever an officer, on first arrival in India, has been provided with a passage either by troop-ship or by private vessel, and is entitled to a railway passage to his final destination at the public expense, his family may also be furnished with a free railway passage from the port of debarkation whether they accompanied him from England or not."

G. L. Nos. 433-6S. of 13th September 1876.

Insert the following as article 1207 *a*:—

"The family of an officer granted a free railway passage under article 1190*a*, are allowed free conveyance for the weight of baggage prescribed in para. 127, Part I, Transport Regulations."

G. L. Nos. 433-6S. of 13th September 1876.

Article 1158. For "Superintendent of Garrison Instruction" *substitute* "Director of Garrison Instruction."

Article 1978. In the sixth line, opposite the words "each clasp for ditto" *substitute* Rs. 0-8-0 for Rs. 8-0-0 in the second column.

Article 2004. After the words "by rail" *add* the words "in addition to personal or detention allowance of Rs. 2-8 for every night's absence from home."

G. L. No. 412 of 17th June 1876.

Article 124. Opposite "Director of Garrison Instruction in India" *substitute* "Rs. 165" for "Rs. 265."

G. L. No. 750S. of 21st August 1876.

No. 1188.—The following corrections are to be made in the Pay Code for India, Vol. II, "Native Troops":—

The word "Bombay" should follow, and not precede, article 24.

Article 171. After the words "Punjab Frontier Force" add the words "to meet the expenses of food and keep of cattle attached to their regiments and batteries."

Insert the following as article 394*a*:—

"Hospital assistants and others of the classes of the Native subordinate medical department named in the 165th Article of War (Act V of 1869) are liable to fine to any extent, not exceeding five days' pay, as a minor punishment, on the commission of offences which are not of so serious a nature as to require trial by court-martial, or dismissal from the service under the 4th Article of War. The fine to be awarded by the officer commanding the regiment, detachment, or depôt to which the offender is attached, on the report and requisition of the medical officer under whom he is serving. Any fine so awarded is to be stopped from the offender's monthly pay next coming to him, and to be accounted for in the pay lists."

G. G. O. No. 839 of 1876.

Article 98, clause *c*. After the words "Native Adjutant" insert the words "Bengal and."

G. G. O. No. 951 of 1876.

Article 98, clause *d*. After the words "Native Adjutant" insert the words "Bengal and Punjab Regiments, Guide Corps."

G. G. O. No. 951 of 1876.

Article 579 is re-constructed as follows:—

"Compensation for grass-cutters' ponies and baggage animals (including mules when maintained in lieu of ponies) of mounted corps, killed or lost in action, dying of fatigue, disabled on extraordinary duties or on field service, or destroyed by order of competent authority to prevent the spread of infection or contagious disease, will, when admissible, be regulated as follows:—

G. G. O. No. 953 of 1876.

I.—If not exceeding seven years of age, the original value of the animal up to Rs. 35.

II.—If above seven years of age, the residue of the original value (not in excess of Rs. 35), after deducting 7½ per cent. for every year's age in excess of seven.

Claims for compensation under the foregoing rules must be submitted in the prescribed forms."

Article 343. After the word "instruction" in the second line, enter the following note:—

"*Note.*—The Bengal sappers and miners are allowed prizes on the scale laid down for Cavalry."

G. L. Nos. 691—5 S. of 19th August 1876.

Article 343, clause *a*. In the *third* line of the *Note* to this clause, instead of "the above prizes will not be awarded" *read* "the first prize will not be awarded," &c.

G. O. No. 108 of 1876.

Article 419. Expunge the word "infantry" in the first line. After the word "detached" in the fourth line, insert the word "squadrons."

G. O. No. 111 of 1876.

Insert the following as article 405*a*:—

"The widows and children of drummers and musicians of Native regiments who may die on foreign service, or while serving at Aden, will be granted a free passage to India—see also article 414*b*."

G. L. No. 230S. of 7th August 1876. G. G. No. 1264 of 1876.

Insert the following as article 414*b*:—

"The widows and children of drummers and musicians who may die on foreign service, or while serving at Aden, are allowed a free passage by railway from the port of debarkation to the station at which the widow elects to reside—see article 405*a*."

G. L. No. 3978. of 14th July 1876. G. O. No. 284 of 1876.

Article 343, clause (*d*). For "Rs. 20" *substitute* "Rs. 60."

G. L. No. 388 S. of 12th September 1876. G. O. No. 274 of 1876.

Article 275 is re-constructed as follows:—

"Any unexpended balances of hutting money which may be in hand on quitting a station, will be regarded as the property of the regiment, on the distinct understanding that all such sums are to be expended on the repair, &c., of the huts at new stations, which is to be certified by commanding officers."

G. O. No. 270 of 1876. G. L. No. 495S. of 14th August 1876.

Insert the following as article 81*a*:—

"The staff pay of a Native Adjutant in infantry regiments and in the corps of sappers and miners, Bengal presidency, will not be

G. G. O. No. 951 of 1876. G. O. No. 274 of 1876.

issued until he shall have received a certificate of competency from army head-quarters, which will be attached to the first month's bill for the allowance."

Article 339. Add the following as an additional clause :—

"When arms of Native regiments are browned by an armourer from an arsenal, the rates of working pay for the men told off to assist him should not exceed Rs. 6-8-0 per 100 stand."

G. L. No. 526S. of 23rd September 1875.

Article 527. Add "this rule is to be strictly enforced in all cases, save where the death of the Native officer or soldier has been caused by some act of distinguished devotion in the performance of duty, under which circumstances only will any application for pension or gratuity to the heir of the deceased, be considered by the Government of India."

G. L. Nos. 353—6S. of 11th October 1876.

Article 359 is re-constructed as follows :—

"Free rations on board ship are granted to Madras troops when proceeding on, and returning from, authorized furlough; also to all Native soldiers of the Bombay army stationed at Aden proceeding to, and returning from, India on medical certificate."

G. L. No. 243S. of 9th October 1876.

Article 636, clause *c*, is re-constructed as follows :—

"To recognized public followers of the Bombay army attached to British and Native troops serving at Aden or in Scinde,—when proceeding to Bombay on being invalided, pensioned, discharged, or granted medical leave; and in the latter case a free return passage to their stations, should their services be required.

G. L. No. 243 of 9th October 1876.

Article 629. Expunge the Note from the words "The privilege" down to "by them."

Article 276. The concluding portion of this article is re-constructed as follows :—

"The bill must be supported by a copy of the report of the station standing barrack committee appointed to survey the vacated huts, to the effect that they are in a fair and habitable condition."

G. O. No. 243 of 1875.

Article 98, clause *g*, page 28. Immediately under the heading "Hyderabad Contingent" enter the following :—

			Rs.	A.	P.
"Artillery.					
G. L. Nos. 1192—3 of 22nd December 1875.	Subadar Major	One (the senior subadar of all the batteries) for the 4 batteries ...	20	10	7"

The foot-note at page 66 *to read* "Bengal Regiments, Punjab Frontier Force, and Central India Horse only," and that at page 67 *to read* "Bengal Cavalry, Punjab Frontier Force Cavalry, and Central India Horse only."

G. L. No. 535S. of 17th October 1876.

Article 78, clause *a*, page 15. In the column headed "Extra batta when marching," &c.—

	Rs.	A.	P.
Opposite "Havildar of Drivers" enter ...	*2	8	0
Opposite "Naick of Drivers" enter	*2	8	0
Opposite "Driver" enter ...	*1	8	0

Bombay G. G. O. No. 543 of 1876.

At foot of page enter "*Bombay only."

Article 559, page 118. In the eighth and ninth lines, instead of the words "and Goojerat Mountain Train in Bombay," *substitute* "and Mountain Batteries in Bombay."

Bombay G. G. O. No. 543 of 1876.

Article 98, clause *a*, item III, page 24. Expunge the words "and company of artillery," and substitute the word "Punjab."

Bombay G. G. O. No. 752 of 1875.

Items IV and V, page 25. Add the words "and Bombay" to the word ("Punjab").

Item VI is cancelled.

Item VII. After the word ("Punjab") *add* "and Native Mountain Battery, Bombay."

Bombay G. G. O. No. 543 of 1876.

Article 559, page 116. Immediately above the words "Dresser, Assistant" *enter* "Dresser, Mountain Battery, Jacobabad," and opposite, in the columns of pay and batta, under Bombay, *enter* "Rs. 7-0-0," "Rs. 2-0-0."

Bombay G. G. O. No. 543 of 1876.

In the foot-note (2). After the word "Kurrachee" enter the words "and with the Native Mountain Battery, Jacobabad." Make the same entries in foot-notes (5) and (7) after the word "Aden."

Page 118. Opposite the word "Salootrie" enter, in the columns of pay and batta, under Bombay "* Rs. 12-8-0," "Rs. 3-8-0"; opposite the word "Syce" enter, in the Bombay columns, "*Rs. 6-0-0," "Rs. 2-0-0"; and at foot of page enter "*with the Native Mountain Battery at Jacobabad."

Page 117. In the columns of pay and batta under Bombay—

Opposite "Fileman" enter "*Rs. 9-6-0," "Rs. 3-0-0."

Opposite "Fireman" enter "*Rs. 12-8-0," "Rs. 3-8-0."

And at foot of page enter "*with the Native Mountain Battery at Jacobabad."

To the foot-note "(9)" add the words "and the Native Mountain Battery at Jacobabad."

Bombay G. G. O. No. 543 of 1876.

Article 564, page 120. After the word "Muleteer" *insert* "and mule driver"; and instead of the words "Goojerat Mountain Train" *substitute* "Native Mountain batteries in Bombay."

Bombay G. G. O. No. 543 of 1876.

Article 582. Instead of the words "Goojerat Mountain Train" *substitute* "Native Mountain batteries in Bombay."

G. O. No. 188 of 1875.

Insert the following as article 400A at page 79 :—

"When Native officers proceed on duty, or on sick leave, under article 400, they will be provided, if on board a private vessel in which screened berths are not available, with second class accommodation. Due arrangements shall also be made, whenever practicable, for providing the conveniences necessary to enable those who can cook on boardship to do so."

Bombay Government Resolution No. 3610 of 25th August 1876.

Article 352, page 69. In the scale of rations *On board ship daily*, instead of the word "Bengal" *substitute* "Bengal and †Bombay," and enter the following at foot of page :—

† "Half an ounce of mixed curry-stuff may be supplied in lieu of turmeric, garlic, chillies, and black pepper."

Expunge the scale of rations in the last two columns under "Bombay."

G. L. No. 1047S. of 30th August 1876.

Article 415. After the word "families" *add* "nor to school-masters when travelling by bullock train or other mode of conveyance."

G. L. No. 117 of 6th July 1876.

Article 559, page 114. To the rate of pay, under Bombay, for "grass-cutter (muccadum)" affix the letter "*o*," and make the following addition to the corresponding foot-note :—

"In the Bombay presidency the allowance is given to the (one) muccadum of grass-cutters attached to each mounted battery of artillery."

G. L. Nos. 916—17 of 19th April 1876.

Page 115. To the rate of pay, under Bombay, for "Syce, hospital" affix the letter "*n*," and in the corresponding foot-note *substitute* "(Bengal, Madras, and Bombay)" for "(Bengal and Madras)."

G. L. Nos. 258—9S. of 18th May 1876.

To the foot-note *c* on same page *add* "to the Darjeeling Depôt, Rs. 9."

G. L. No. 384S. of 10th August 1876.

Article 83. Add "When the appointment of Woordie Major may become vacant, the pay may be passed, on the authority of the commanding officer, to the officer appointed to act—the acting appointment being considered, as regards pay, the same as a permanent one."

G. L. No. 628S. of 18th August 1876.

Article 385. To the Note, *add* "The allowance is granted to the 4th Punjab Cavalry."

No. 1189.—Deputy Surgeon-General George Banister, Medical Department, is permitted to retire from the service on a pension of £550 per annum, with the additional pension of £250, under the provisions of paragraph 37 of G. G. O. No. 1060 of 1864, from the 6th December 1876.

The 24th November 1876.

Secretary of State's Despatch No. 274, dated 12th October 1876.

No. 1190.—Under the authority of the Right Hon'ble the Secretary of State for India, it is hereby notified, in modification of G. G. O. No. 334 of the 24th March 1876, that Officers of British Regiments who may be admitted as probationers for the Indian Staff Corps under the conditions of that order, will be granted the full staff salary of their appointments* as 2nd Wing or Squadron Subaltern, in addition to the Staff Corps rate of pay of their rank.

* If attached to a Cavalry Regiment, Rs. 150 per mensem.
If attached to an Infantry Regiment, Rs. 100 per mensem.

This ruling to have effect from the 1st December 1876.

No. 1191.—The under-mentioned Officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant George Wingate, 2nd Battalion, 19th Foot, Officiating 2nd Wing Subaltern, 28th (The Bareilly) Regiment of Native Infantry,—7th September 1875.

No. 1192.—The under-mentioned Officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Bengal Staff Corps.

Lieutenant Mansel Armstrong,—22nd November 1876.

No. 1193.—PENSIONS—

The under-mentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions (which are chargeable to Imperial Revenue) in India from the dates they cease to receive regimental pay :—

James Gill, late 13th Brigade Royal Artillery,—one shilling per diem.

William Keating, late 19th Brigade Royal Artillery,—one shilling per diem.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 22nd November 1876.

No. 30.—APPOINTMENT—

With reference to Marine Notification No. 9 of 1876, Mr. J. Clarke is confirmed in his appointment as 3rd Class Officer of the Indian Government Steamer *Tenasserim*, with effect from the 21st March 1876.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 20th November 1876.

No. 464.—Lieutenant H. L. Wells, R.E., Assistant Engineer, 2nd Grade, is transferred from Bengal to the establishment under the Director of State Railways.

No. 465.—In modification of Notification No. 443, dated 31st October 1876, Lieutenant-Colonel G. J. Melliss, B.S.C., is appointed to officiate as Accountant General, Public Works Department, and Deputy Secretary to the Government of India, in the Public Works Department, Accounts Branch, during the absence of Lieutenant-Colonel Innes, or until further orders.

Lieutenant-Colonel Melliss assumed charge from Lieutenant-Colonel Innes on the afternoon of the 13th November 1876.

No. 466.—Sergeant R. Dunlop, Overseer, 1st Grade, Central Provinces, is remanded to Military duty.

No. 467.—The orders of the Chief Commissioner of British Burma, permitting Mr. L. G. Smith, Engineer Apprentice, to resign his appointment in the Public Works Department, with effect from 7th September 1876, are confirmed.

No. 468.—The services of Lieutenant E. E. Kenny, 58th Foot, Assistant Engineer, 2nd Grade, Mysore, are replaced at the disposal of the Madras Military Department.

The 21st November 1876.

No. 469.—The services of Mr. T. W. Smith, Probationary Overseer, 1st Grade, British Burma, are no longer required in the Public Works Department.

No. 470.—Major J. M. McNeile, R.E., Executive Engineer, 1st Grade, Rajpootana, is retransferred to Bengal in the Irrigation Branch.

No. 471.—With reference to Notification No. 440, dated 31st October 1876, Mr. E. Claxton, Deputy Examiner, joined the Office of the Accountant General, Public Works Department, on the forenoon of the 15th November 1876.

The 22nd November 1876.

No. 472.—ERRATUM.—In Public Works Department Notification No. 155, dated 4th March 1875, appointing Mr. R. Gatmell to the Public Works Department, *for* Sub-Engineer, 2nd Grade, *read* Sub-Engineer, 1st Grade. This correction *does not* carry with it back pay.

No. 473.—Public Works Department Notification No. 284 of 19th June 1876, appointing Mr. R. Gatmell, Sub-Engineer, permanently to the Public Works Department, is cancelled.

The 23rd November 1876.

No. 474.—Baboo Bidu Budan Mookerjee, Probationary Accountant, 4th Grade, Indus Valley State Railway, is confirmed in his appointment.

No. 475.—Lieutenant J. C. L. Campbell, R.E., is appointed to the Public Works Department as an Assistant Engineer, 2nd Grade, and posted to the Military Works Branch.

The 24th November 1876.

No. 476.—Mr. E. A. Dennys, Assistant Examiner (temporary rank), Punjab, is granted one month's privilege leave from such date as he may avail himself of the same.

No. 477.—The services of First Class Apothecary Mr. S. DeCruz, attached to the establishment under the Director of State Railways, are, at his own request, replaced at the disposal of the Military Department, with effect from the date on which he may be relieved of his duties.

No. 478.—Baboo Greeja Bhoosun Mookerjee, Accountant, 3rd Grade, Rajpootana State Railway, is transferred temporarily to the Office of the Director of State Railways during the absence, on privilege leave, of Mr. A. J. Fox, Accountant.

C. H. DICKENS, *Colonel, R.A.,*
Secretary to the Govt of India.

Legislative Dept

DIEU ET MON DROIT

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 49.} CALCUTTA, SATURDAY, DECEMBER 2, 1876. {Register No. 33.

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

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PART III.—Advertisements and Notices by private Individuals and Corporations.

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The Indian Treasure-trove Bill, 1877.

SUPPLEMENT No. 51.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

CORRIGENDUM.

In volume II of General Acts of the Governor General of India in Council, page 1192, section 14, line 2—*for* "nineteenth" *read* "ninetieth."

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 23th November 1876.

No. 768.—APPOINTMENT.—Mr. H. F. Smith, District Superintendent of Police, 5th Grade, in Oudh, to officiate as District Superintendent of the 4th Grade, with effect from the 1st March 1876, *vice* Mr. D. Cargill.

The 30th November 1876.

No. 771.—Mr. F. St. G. de L. Tucker, of Her Majesty's Bengal Civil Service, reported to the Government of the Punjab his arrival at Lahore on the afternoon of the 16th instant.

MEDICAL.

The 27th November 1876.

No. 641.—The services of 3rd Grade Assistant Surgeon Anundoda Prosaud Mozoomdar are placed at the disposal of the Chief Commissioner of the Central Provinces for appointment to the Dispensary at Chánda.

No. 649.—The services of 3rd Grade Assistant Surgeon Girish Chundra De are placed at the disposal of the Chief Commissioner of British Burma for appointment to the General Hospital at Rangoon.

The 30th November 1876.

No. 656.—Assistant Surgeon Ram Chunar Dass is permitted to resign the service.

SANITARY.

The 29th November 1876.

No. 411.—In supersession of that portion of Home Department Notification No. 5100, dated 3rd November 1871, which relates to Toungoo, the Hon'ble the President in Council is pleased, under the provisions of Section [illegible] Act XXXVII of 1864, to invest the Deputy Commissioner of Toungoo with power to take cognizance of, and enquire into, breaches of the Rules and Regulations framed under Clause 7, Section 19 of the said Act, occurring in any place within the area of four miles from the boundary line of the Cantonment of Toungoo, to which area the said Rules and Regulations were extended by Home Department Notification No. 1809, dated 29th March 1870.

No. 412.—Under the provisions of Section 20 of Act XXII of 1864, the Hon'ble the President in Council is pleased to invest the Assistant Cantonment Magistrate of Toungoo in British Burma with power to try breaches of the Rules and Regulations framed under Clause 7, Section 19 of the said Act, occurring within the limits of the Cantonment of Toungoo.

JUDICIAL.

The 30th November 1876.

No. 1808.—In exercise of the power conferred by Section 10, Act VI of 1871, the Hon'ble the President in Council is pleased to invest Extra Assistant Commissioner Babu Jogesh Chunder Chatterjee, M.A., B.L., with the powers of a Munsif in the District of Cachar in Assam.

PORT BLAIR.

The 27th November 1876.

No. 336.—Mr. F. E. Tuson, Extra Assistant Superintendent of the 2nd Class in Port Blair and the Nicobars, has passed the examination prescribed for Junior Civil Officers employed in those Settlements.

ECCLESIASTICAL.

The 30th November 1876.

No. 395.—Two months' extension of leave, on medical certificate, has been granted by Her Majesty's Secretary of State for India to the Revd. W. J. Burdett, a Junior Chaplain on the Bengal Ecclesiastical Establishment.

No. 397.—The following List of Chaplains belonging to the Bengal Establishment and absent on furlough or other leave on the 30th September 1876 is published for general information:—

Number.	Names.	Rank.	Date of commencement of furlough or other leave.	Date of expiry of furlough or other leave.	Remarks.
		FURLOUGH.			
1	Revd. G. Lovely, M.A. ...	Senior Chaplain	Mar. 5, 1875	Mar. 4, 1877	
2	„ H. D. James, M.A. ...	Ditto ...	Mar. 15, 1875	Mar. 14, 1877	
3	„ J. A. Mackay, B.D. ...	Ditto ...	Mar. 25, 1875	Mar. 24, 1877	
4	„ S. H. Beamish, B.A. ...	Ditto ...	Feb. 23, 1876	Feb. 22, 1878	
5	„ J. H. Hocking, M.A. ...	Ditto ...	Mar. 1, 1876	Feb. 28, 1877	
6	„ W. W. Nicholls ...	Ditto ...	Mar. 1, 1876	Feb. 28, 1878	
7	„ A. Robinson, M.A. ...	Ditto ...	Apl. 5, 1876	Oct. 4, 1877	Medical leave.
8	„ F. M. F. F. Mazuchelli ...	Ditto ...	June 18, 1876	June 17, 1878	Ditto.
9	„ C. S. P. Parish ...	Ditto ...	June 20, 1876	June 19, 1878	Ditto.
10	„ W. J. Burdett, B.A. ...	Junior Chaplain	Dec. 31, 1874	Nov. 30, 1876	
11	„ W. H. Tribe, M.A. ...	Ditto ...	Dec. 1, 1874	Nov. 30, 1876	
12	„ F. R. Michell ...	Ditto ...	Jan. 15, 1875	Jan. 14, 1877	
13	„ W. H. Gale, B.A. ...	Ditto ...	Mar. 8, 1875	Mar. 7, 1877	
14	„ M. E. Mills ...	Ditto ...	Dec. 15, 1875	Dec. 14, 1877	
15	„ B. Morrell, M.A. ...	Ditto ...	Dec. 15, 1875	Dec. 14, 1877	
16	„ F. Orton, B.A. ...	Ditto ...	Feb. 17, 1876	Dec. 4, 1877	
17	„ J. B. Brunesson ...	Ditto ...	Mar. 27, 1876	Dec. 26, 1876	Medical leave.
		ALL LEAVE OTHER THAN FURLOUGH.			
18	Revd. D. P. Williams ...	Senior Chaplain	May 8, 1876	Nov. 7, 1876	
19	„ E. Jacob „ ...	Junior ditto..	Apl. 21, 1876	Oct. 20, 1876	

Total absent	19
Sanctioned number of Chaplains in the Bengal Presidency	90
Percentage of absentees	21·1

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Fort William, the 27th November 1876.

No. 1245.—The Honourable the President in Council has been pleased to sanction the following transfers of Officers of the Forest Department:—

Mr. E. McA. Moir, Officiating Assistant Conservator of Forests of the 1st Grade,—from Ajmere to the Punjab.

Mr. W. S. Hillier, Assistant Conservator of Forests of the 2nd Grade,—from the Punjab to Oudh.

No. 1249.—Mr. G. W. Streeter, Deputy Conservator of Forests of the 2nd Grade in British Burma, is granted two years' furlough to Europe, under Section 10 (*a*) of the Civil Leave Code, with effect from the 9th August 1876.

The 29th November 1876.

No. 1261.—Mr. O. Greig, Assistant Conservator of Forests of the 3rd Grade, who, in Notification No. 886, dated the 11th August last, was attached to the Forest Survey Branch, for a period of twelve months, rejoined his appointment in the Forest Department of the North-Western Provinces on the 10th October 1876.

No. 1265.—Major W. J. Seaton, Conservator of Forests of the 2nd Class in British Burma, having returned from furlough on the 6th October 1876, Mr. B. Ribbentrop, who, in Notification No. 353, dated the 22nd March 1875, was appointed to officiate for him, will, as a temporary measure, continue to officiate as an additional Conservator of Forests of the 4th Class in that Province from the date of Major Seaton's return.

COMMERCE AND TRADE.

The 30th November 1876.

No. 18 *of* 1876.—The following revision of a Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

DIRECTIONS FOR KARACHI HARBOUR.

LIGHT-HOUSE.

Latitude of light-house on Manora point	24° 47′ 21″ N.
Longitude	66° 58′ 15″ E.
The light is *fixed*, 120 feet above the sea-level, visible in clear weather ...	16 miles.
In hazy weather, prevalent during the south-west monsoon, about ...	7 miles.

The present light being very inferior will shortly be replaced by a *dioptric* light of the 2nd order, elevated 150 feet above the sea-level, and in clear weather should be visible from a distance of 20 miles.

TIDES.

	H. M.
High water, full and change at ...	10 30
	Ft. In.
Average rise and fall, Spring tides ...	9 6
Ditto ditto Neap tides ...	3 to 4 feet.

Depth of water in Entrance channel at High water—

Spring tides	29 feet.
Neap tides	24 to 25 feet.

DRAUGHT OF VESSELS ENTERING OR LEAVING PORT.

Vessels with a draught not exceeding 22 feet can enter and leave the Port without difficulty or delay during all seasons of the year.

During the fair season, from October to 15th May, vessels with a draught not exceeding 24 feet can enter and leave the harbour.

Fixed moorings are placed for vessels of the largest class.

TIME OF TIDE FOR ENTERING PORT.

Sailing vessels should enter Port on the ebb-tide.

Steamers can enter either on the flood or ebb, at the Pilot's discretion.

N. B.—Masters of Ships should not, under any circumstances, attempt to enter the harbour without a Pilot.

HARBOUR IMPROVEMENTS.

Among the extensive works executed, a breakwater has been built, running out from Manora point S. by E. to a distance of 1,500 feet into 5 fathoms water; this affords complete shelter to the Entrance channel during the south-west monsoon. Also a channel, 500 feet in breadth, has been opened through the bar, with a depth of 20 feet at low water spring-tides, the entrance of which is marked by a buoy on either side.

A light is exhibited at the outer extremity of the breakwater during the fine season only.

Note.—A Mail Steamer arriving off the port at night should burn two blue-lights in quick succession; during the fair season a pilot will at once board, but during the monsoon a vessel must keep off the port until daylight.

APPROACHING THE PORT.

COAST OF SIND.

Indus Banks.

The Coast of Sind should be approached with great caution, too much attention cannot be paid to the lead, more especially in passing the banks of the Indus.*

* Banks of the Indus have extended about 10 miles to the southward since 1856.

By night, a vessel should give the banks a berth of 15 to 20 miles, and if after passing the "Swatch," she does not get less than 18 to 20 fathoms, she may haul to the northward, not shoaling into less than 15 fathoms until the Karachi light is seen.

By day, the breakers on the edge of the banks are a good guide, unless the water is quite smooth; but it is hardly possible for a vessel to run ashore by day on account of the marked discolouration of the water, which extends some distance outside the banks.

The tides during the springs are strong, the flood sets S. E., and the ebb to N. W.

From February to the end of the monsoon a strong south-easterly current prevails, running at a rate of 15 to 45 miles in 24 hours.

During the south-west monsoon, vessels should make Ras Muari (Cape Monze),—which lies 18 miles W. ¼ N. from Manora Light-house,—and keep to windward of the port, if the weather is thick, or if the tide does not suit for entering the harbour. Allowance must also be made for a strong set to the south-east, which prevails more or less during the south-west monsoon.

Do not bring Manora point to the southward of E. by N. or go under 15 fathoms near Cape Monze.

Masters of ships should endeavour to make the port in the day time, and may with safety approach into 8 fathoms at about 2 miles distance from the light-house, keeping it on any bearing from N. E. to N. N. E., until boarded by a Pilot.

ANCHORAGE IN THE ROADS.

September to end of March.

Light-house N. by E. to N. N. E., distant one mile, 7 fathoms.

April and May.

Light-house N. N. E. to N. E., distant 1¼ miles, 8 fathoms.

June to the middle of September.

Ships should not on any account anchor, but stand off and on, keeping the light-house bearing from N. N. E. to N. E., 2 to 3 miles distant, until boarded by a Pilot or directed by signal.

GEORGE C. PARKER, *Lieut., late I. N.,*
Master Attendant, Kurrachee.

MASTER ATTENDANT'S OFFICE,
KURRACHEE;
1st September 1876.

A. DUNDAS TAYLOR,
Superintendent, Marine Surveys.

By Order,

T. C. HOPE,
Offg. Secy. to the Govt. of India.

This Notice affects the Admiralty Chart of Karachi, No. 40: also Admiralty List of Lights in South Africa, East Indies, &c., 1875, page 8; the West Coast of Hindos-

tan Pilot, pages 30 and 236; the Supplement to the Persian Gulf Pilot, page 24; and Taylor's Sailing Directory, Vol. I., pages 309 and 334.

NOTE.—Since 1851, the Ships "Admiral Boxer," Alicia" and "John Starr" have been totally lost on or near the banks of the Indus, and the Ships "Thomas Campbell," "Augusta," "Diadem," and the Steamer "Pioneer" have grounded on them, but eventually floated off.

Two large troopships have also in the same period touched on them.

All these casualties were principally owing to *not making allowance for a strong* set to the S. E., and *not using the lead.*

CUSTOMS INLAND.

The 30th November 1876.

No. 330.—In exercise of the power conferred by Section 1, Clause 4, of Act VIII of 1875 (for regulating Inland Customs Duties on Salt and Sugar and for other purposes), the President in Council is pleased to extend the provisions of Section 3, Chapters III and IV (omitting Sections 15 and 23) and Chapters V and VI of the said Act, except so far as the same relate to sugar, to all the districts of the Patna Division in the Lower Provinces of Bengal.

MINERALS AND GEOLOGICAL SURVEY.

The 29th November 1876.

No. 159.—Mr. W. Theobald, Deputy Superintendent in the Geological Survey of India, having returned to duty on the 25th October 1876 from the furlough granted him in Notification No. 38, dated the 23rd March last, the unexpired portion of his leave is cancelled.

SURVEYS.

The 25th November 1876.

No. 896.—Mr. Morris Chapman, Assistant Superintendent of the 1st Grade in the Marine Survey Department, returned from the furlough granted him in Notification No. 356, dated the 7th April last, on the 3rd instant. The unexpired portion of his leave is cancelled.

EMIGRATION.

The 28th November 1876.

No. 912.—Under the powers conferred by Section 56 of the Indian Emigration Act (VII of 1871), the Hon'ble the President in Council is pleased to direct the substitution of the following rule for Rule 82 of the Rules relating to emigration from the Ports of Madras and Bombay to British and Foreign Colonies, and for Rule 75 of the Rules in force at the Port of Calcutta:—

"The carrying of naked fires or unprotected lights or stoves into the between-decks, hold, cabins, store-rooms, forecastle or any other parts of the ship must be strictly prohibited; and no smoking must be allowed anywhere except on that part of the upper deck specially set apart for the purpose by the Master, whose attention is directed to this very important point. The Master should impress upon the coolies immediately upon embarkation the great risk to the lives of all on board from smoking between decks, and inform them of the regulations on the point. Immediately after embarkation coolies are apt to secrete fire for smoking in the between-decks: this should be guarded against.

"Watches shall be kept day and night by two of the coolies in turn, who shall be held responsible for reporting any breach of these rules. They must report to the officer of the watch once every hour that all is safe below. The officer of the watch shall, except when bad or doubtful weather or the proximity of land or vessels render his absence from the upper deck inexpedient (when he should commit the duty to some trustworthy man of the watch), visit the between-decks every hour, or oftener if he has reason to believe that any one is smoking below.

"The words 'No smoking shall be allowed between decks,' should be struck out of Rule 126 of the Madras and Bombay Rules and Rule 123 of the Calcutta Rules."

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 1st December 1876.

No. 2946*P.*—Subect to the confirmation of Her Majesty's Government, the Hon'ble the President in Council is pleased to recognise the appointment of Mr Robert McCraken as Acting Vice-Consul for Denmark at Rangoon.

No. 2948*P.*—Subject to the confirmation of Her Majesty's Government, the Hon'ble the President in Council is pleased to recognise the appointment of Mr. Robert McCraken as Acting Consul for the Netherlands at Rangoon.

GENERAL.

The 30th November 1876.

No. 2552*G.*—Captain E. A. Fraser, Officiating Political Assistant, 3rd Class, and Assistant Agent to the Governor General for Rajpootana, to be in temporary charge of the current duties of the office of Political Agent, Marwar and Jeysulmere, in addition to his own duties, with effect from the 1st November 1876.

The 1st December 1876.

No. 2549*G.*—Notification No. 1228G., dated 31st May 1876 (published at page 287 the Part II of the *Gazette of India* of 10th June 1876), granting privilege leave of absence for one month to Major Oliver St. John, R.E., Principal of the Mayo College, Ajmere, is hereby cancelled.

F. HENVEY,
for *Offg. Secy. to the Govt. of India.*

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 27th November 1876.

No. 2792.—Mr. G. FitzGerald is appointed to officiate as Deputy Comptroller General, during the absence of Mr. E. Gay, or until further orders.

The 30th November 1876.

No. 2869.—*Cash Balances in the Government Treasuries in India on the last day of the month of October* 1876, *compared with those on the same date in* 1875 *and* 1874:—

	1874.	1875.	1876.
	Rs.	Rs.	Rs.
Govt. of India ...	2,81,04,875	2,53,58,333	3,73,36,590
Bengal ...	2,03,93,895	1,95,23,587	93,67,513
Assam ...	18,78,342	31,14,796	24,27,667
British Burmah ...	45,28,942	49,26,493	39,24,483
N. W. Provinces ...	1,17,42,408	1,40,86,635	1,47,32,133
Oudh ...	36,78,832	48,66,858	41,27,880
Punjab ...	1,12,72,904	99,76,826	98,27,861
Bombay ...	1,42,11,273	1,73,01,154	1,8[illegible],08,595
Central Provinces ...	40,18,107	34,35,160	35,16,639
Madras ...	1,72,06,264	2,10,62,062	1,28,61,166
TOTAL ...	11,70,35,842	12,36,51,904	11,69,30,527

The 1st December 1876.

No. 2907.—*Bills drawn upon India by the Secretary of State,* 1876-77.

	£	Rs.	Average rate.	Loss compared with outturn at 1s. the exchange of 2s. the rupee.
			s. d.	
Estimated for the whole year ...	23,660,000	15,99,20,000	1 8·5	2,33,20,000
In the month of November ...	1,514,587	1,75,00,000	1 8·77	23,54,130
First 8 months ...	8,983,174	10,77,15,501	1 8·01	1,78,83,761
Remains to make estimate good ...	4,676,826	5,22,04,499	1 9·5	54,36,239

Estimated expenditure in excess of the April at 2s. the rupee in raising ... £ 8,983,174 at 1s. 8·54. Rs. 1,53,28,949
Actual ditto ditto ... „ „ 1·8·01 „ 1,78,83,761
Expenditure in excess of estimate ... ... Rs. 25,47,918

SEPARATE REVENUE.—STAMPS.

The 30th November 1876.

No. 2850.—In exercise of the powers conferred by Section 35 of the Court Fees' Act VII of 1870, the Hon'ble the President in Council is pleased to direct that in any District the Land Revenue of which is being resettled, the proper fee on a plaint or memorandum of appeal in a suit to alter or cancel any entry in the register of names of proprietors of revenue-paying estates, shall be reduced to eight annas, provided that the suit or appeal is instituted in the Court of a Settlement Officer invested with powers under Section 21 of Act XIX of 1865.

This Notification extends only to the territories, for the time being, under the administration of the Lieutenant-Governor of the Punjab.

R. B. CHAPMAN,
Secretary to the Govt of India.

MILITARY DEPARTMENT.

Fort William, the 1st December 1876.

No. 1194.—APPOINTMENTS—

Military Accounts Department.

Colonel T. Gallilan, Controller of Military Accounts, Madras, having returned from leave to Europe, resumed charge of his office on the 20th November 1876.

Captain H. G. Pritchard, Military Accountant, 2nd Class, 2nd Grade, having returned from furlough to Europe, will officiate as Military Accountant, 1st Class, 2nd Grade, *vice* Colonel W. C. Clarke, proceeded on furlough, from the 28th November 1876, and until further orders.

Captain H. F. Woodcock, General List, Infantry, Quartermaster, 5th Regiment of Native (Light) Infantry, to be an Assistant Military Accountant, on probation, with effect from the 23rd October 1876.

No. 1195.—APPOINTMENTS—

PUNJAB FRONTIER FORCE.

5th Punjab Cavalry.

Captain F. S. Carr, Adjutant, to officiate as 2nd Squadron Officer during the period Major F. Hammond may officiate as 2nd in Command and Squadron Officer, or until further orders, *vice* Captain J. C. Stewart, proceeded on furlough.

Captain W. J. Vousden, 1st Squadron Subaltern and Officiating 3rd Squadron Officer, to officiate as Adjutant, *vice* Captain F. S. Carr, or until further orders.

Captain J. B. Watts, 2nd Squadron Subaltern and Officiating 1st Squadron Subaltern, to officiate as 3rd Squadron Officer, in addition to his own duties, *vice* Captain W. J. Vousden, or until further orders.

Lieutenant C. F. Gambier, Officiating 2nd Squadron Subaltern, to officiate as 1st Squadron Subaltern, *vice* Captain J. B. Watts, or until further orders.

HYDERABAD CONTINGENT.

2nd Cavalry.

Captain H. C. Hamilton, Adjutant, to officiate as 2nd in Command during the period Major Bell may officiate as Commandant, or until further orders, *vice* Captain Stewart, proceeding on furlough.

No. 1196.—Under the provisions of the Royal Warrant of the 21st December 1[illegible] in consequence of the death of Gen[illegible] M. Cox, Bengal Infantry, on the [illegible]6, the name of—

Major-General H. Pritchard, [illegible] Staff Corps, is placed on the list of Lieutenant-Generals, that of—

Colonel T. A. Carey, Bengal Staff [illegible], is placed on the list of Major-Generals, and that of—

Major H. A. Little, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels on the Indian Gradation List.

No. 1197.—The following alteration of rank is made, subject to Her Majesty's approval:—

Brevet.

RANK AND NAME.	To rank from	In succession to
Major Henry Phipson Peacock, Bengal Cavalry.	23rd July 1876 ...	General H. C. M. Cox, Bengal Infantry, deceased.

No. 1198.—The following extracts from the *London Gazettes* are published for general information:—

London Gazette dated 15*th August* 1876, *page* 4586.

INDIA OFFICE, 14TH AUGUST 1876.

Resignation.

Lieutenant Francis Neilson Chalmers, Bengal Staff Corps. Dated 4th May 1876.

London Gazette dated 26th September 1876, *page* 5199.

INDIA OFFICE, 20TH SEPTEMBER 1876.

The Queen has been graciously pleased to nominate and appoint Lieutenant-Colonel Harvey Tuckett Duncan, Madras Staff Corps, Political Resident at Mandalay, to be a Companion of the Most Exalted Order of the Star of India.

London Gazette dated 29th September 1876, *page* 5253.

INDIA OFFICE, 28TH SEPTEMBER 1876.

"Her Majesty has been pleased to approve of the transfer to the Half Pay List of the Indian Staff Corps of the under-mentioned Officers":—

Captain Edward Eustace Gibson, Bengal Staff Corps, from 22nd August 1876.

* * * * *

London Gazette dated 27th October 1876, *page* 5722.

WAR OFFICE, PALL MALL, 27TH OCTOBER 1876.

Brevet.

* * * * *

Honorary Surgeon P. A. Minas, Bengal Medical Establishment, to have the honorary and local rank of Surgeon-Major. Dated 28th October 1876.

Page 5723.

The under-mentioned Officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement:—

To be Major-Generals. Dated 28th October 1876.

Lieutenant-Colonel and Brevet Colonel Angelo Edward Osborn, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel John Robertson Pughe, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel Edward Norman Perkins, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel Frederick John Ellis, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel William Agnew, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel George Gill Moxon, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel Gordon Cavenagh, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel William Paske, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel James Roper Boswall, Madras Staff Corps.

Lieutenant-Colonel and Brevet Colonel John Duncan Campbell Wallace, Madras Staff Corps.

Lieutenant-Colonel and Brevet Colonel James George Roche Forlong, Madras Staff Corps.

Lieutenant-Colonel and Brevet Colonel Charles William Dun, Madras Staff Corps.

Lieutenant-Colonel and Brevet Colonel Edmund Antoine Henry Bacon, Bombay Staff Corps.

Lieutenant-Colonel and Brevet Colonel William Thomas Bowen, Bombay Staff Corps.

Lieutenant-Colonel and Brevet Colonel Henry Ebenezer Jacob, Bombay Staff Corps.

To be Colonels. Dated 28th October 1876.

Lieutenant-Colonel Shadwell Saunders Boulderson, Bengal Staff Corps.

Lieutenant-Colonel George Falconer Pearson, Madras Staff Corps.

To be Surgeon-General. Dated 28th October 1876.

Deputy Surgeon-General William Hewitt Seton Burn, Madras Army.

To be Deputy Surgeons-General. Dated 28th October 1876.

Surgeon-Major William Jameson, Bengal Army.

Surgeon-Major John Thomas Williams, Madras Army.

Surgeon-Major Thomas Murray, Bombay Army.

No. 1199.—PROMOTIONS—

12th (The Kelat-i-Ghilzie) Regiment of Native Infantry.—Havildar Toolsie Singh, to be Jemadar, *vice* Bucktour, invalided; Havildar Abdool Wahab Khan, to be Jemadar, *vice* Kassim Allie Shah, invalided. Dated 1st May 1876. Jemadar Akram Khan to be Subadar, *vice* Sewdeen Chowbay, invalided; Havildar Sahib Shah, to be Jemadar, *vice* Akram Khan, promoted; Jemadar Hoossain Khan, to be Subadar, *vice* Moshruff Khan, invalided. Dated 6th September 1876.

32nd (Punjab) Regiment of Native Infantry (Pioneers).—Havildar Nidhan Singh, to be Jemadar, *vice* Dewa Singh, invalided. Dated 4th October 1876.

45th (Rattray's Sikhs) Regiment of Native Infantry.—Havildar Heera Singh, to be Jemadar, *vice* Jewund Singh, deceased. Dated 19th October 1876.

No. 1200.—**With reference to G. G. Os. Nos. 1055 of 1874 and 6 of 1875, the appointment of Ram Sing as a Jemadar on probation in the 5th Punjab Cavalry of the Punjab Frontier Force, is** cancelled from the date of publication of this order at the Head Quarters of the Regiment, the Government of India having no further need of his services.

No. 1201.—The services of the under-mentioned Sub-Lieutenants are placed at the disposal of the Governments of Fort St. George and Bombay, for appointment to regiments in those Presidencies as probationers for the Staff Corps:—

Fort St. George.

H. D'U. Keary,	12th	Foot.
J. A. Wyllie,	16th	,,
R. K. Teversham,	21st	,,
C. E. Poynder,	33rd	,,
A. E. Hobart,	43rd	,,
W. du G. Gray,	44th	,,
J. F. Wilson,	48th	,,
F. L. Jones,	54th	,,
H. E. M. Mason,	51st	,,
E. Vansittart,	63rd	,,
A. H. Willmer,	65th	,,
F. B. Deane,	67th	,,
E. W. C. Goate	81st	,,
W. Cook,	89th	,,

Bombay.

G. D. Giles,	7th	Foot.
C. R. Phillips,	15th	,,
A. E. Leslie,	66th	,,
R. W. Preston,	68th	,,
G. F. N. Tinley,	83rd	,,

No. 1202.—**The services of Lieutenant C. T. Bingham, Bengal Staff Corps, Adjutant, 33rd (The Allahabad) Regiment of Native Infantry, are placed temporarily at the disposal of the Department of Revenue, Agriculture, and Commerce.**

No. 1203.—**The services of First Class Assistant Apothecary C. Pierce, Subordinate Medical Department, are placed at the disposal of the Public Works Department, with effect from the date of his being relieved of the duties of the Station Staff Dispensary at Simla.**

No. 1204.—FURLOUGH AND LEAVE—

The under-mentioned Officers and Warrant Officer are granted furlough to Europe with the necessary subsidiary leave:—

Major Brooke Rynd Chambers, Bengal Staff Corps, Commandant, 6th Punjab Infantry, Punjab Frontier Force,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Captain George Henry Jackson, General List, Infantry, Adjutant, 27th (Punjab) Regiment of Native Infantry,—for two years—7 days on private affairs, under Rule IX, and the remaining period on medical certificate, under Rule XIV, Clause 2, of the Regulations of 1868.

Lieutenant Lewis Maltby Boileau, Bengal Staff Corps,—medical certificate, for two years, under note II, Rule IX, of the Regulations of 1868.

Second Class Apothecary John Nith White, Subordinate Medical Department,—medical certificate, for two years, under the Regulations of 1868.

No. 1205.—REPORT OF ARRIVALS—

Surgeon-Major F. Odevaine, Medical Department, in medical charge, 34th (The Futtehgurh) Regiment of Native Infantry,—Bombay, 20th November 1876.

Lieutenant-Colonel C. W. R. Chester, Bengal Staff Corps, Assistant Adjutant General, Allahabad Division,—Bombay, 23rd November 1876.

Lieutenant-Colonel J. Johnstone, of Infantry, 2nd Grade Assistant Commissioner, Kamrúp, Assam,—Bombay, 16th November 1876.

Major J. Stewart, Royal Artillery, Superintendent, Harness and Saddlery Factory, Cawnpore,—Bombay, 23rd November 1876.

Major F. T. Bainbridge, Bengal Staff Corps, Commandant, 4th Punjab Infantry, Punjab Frontier Force,—Bombay, 23rd November 1876.

Major C. V. Conway-Gordon, Bengal Staff Corps, Assistant Adjutant General, Hyderabad Contingent,—Bombay, 23rd November 1876.

Captain A. H. Turner, Bengal Staff Corps, Wing Officer, 2nd Punjab Infantry, Punjab Frontier Force,—Bombay, 23rd November 1876.

Captain A. F. Lambe, Bengal Staff Corps, Adjutant, 1st Sikh Infantry, Punjab Frontier Force,—Bombay, 23rd November 1876.

Captain E. F. Cambier, Royal Artillery, Commandant, No. 3 Horse Light Field Battery, Hyderabad Contingent,—Bombay, 23rd November 1876.

Surgeon A. S. Lethbridge, M.D., Medical Department, Superintendent, Bhágalpur Central Jail,—Bombay, 23rd November 1876.

Surgeon G. Massy, Medical Department,—Bombay, 16th November 1876.

Lieutenant H. FitzG. Stevens, Bengal Staff Corps, 1st Wing Subaltern, 42nd (Assam) Regiment of Native Infantry,—Fort William, 20th November 1876.

Sub-Conductor T. Jameson, Office of the Deputy Adjutant General, Royal Artillery,—Bombay, 21st November 1876.

[illegible] Apothecary W. F. Browne, Subor[illegible] Medical Department,—Bombay, 21st [illegible] 1876.

No. 1206.—**The following extract from list No. 18, dated the 3rd November 1876, received from the India Office, is published for general information:—**

Permitted to return.

Major A. J. Wake, R. A.
Captain W. H. Browne, S. C.
Captain C. S. Pratt, S. C.
Lieutenant-Colonel A. H. Bamfield, S. C.
Honorary Lieutenant A. Litster.
Lieutenant-Colonel J. Johnstone, Infantry.
Surgeon-Major J. L. Bryden.
Major H. H. Godwin-Austen, S. C.
Captain E. F. Cambier, R. A.
Captain E. J. deLautour, R. A.
Lieutenant J. P. C. Neville, S. C.
Sub-Conductor W. J. McDermott, Ordnance Department.
Major M. Ramsay, S. C.
Captain M. G. Gerard, S. C.
Colonel W. J. P. Barlow, S. C.
Major F. T. Bainbridge, S. C.
Surgeon R. G. Mathew.
Lieutenant-Colonel H. H. Lyster, V. C., S. C.

Granted extensions of leave.

Lieutenant D. A. Johnston, R. E., 3 months, M. C.
Captain R. J. Bond, R. E., 3 months, M. C.
Surgeon-Major F. J. Earle, 6 months, M. C.
Captain J. M. Trotter, Infantry, 4 months, P. A.
Major R. E. Boyle, S. C., 4 months, P. A.

No. 1207.—The names of the following Native Medical Pupils are struck off the list published in G. G. O. No. 841 of 1876:—

Atta Mohomed, No. 1084.
Raheem Buksh, No. 1086.
Kurta Ram, No. 1094.
Raja Ram 2nd, No. 1096.

No. 1208.—**With reference to G. G. O. No. 422** of 1865, compensation in lieu of rations may be drawn for the wives and families of trained schoolmasters in cases where money payments is preferred, the rate being fixed annually according to the actual cost of rations during the previous year.

No. 1209.—In continuation of G. G. O. No. 806 of 1876, it is notified that the issue of the present pattern artillery ankle boots to mounted men of Artillery will only be made under paragraphs 2 and 4 of G. G. O. No. 780 of 1874.

No. 1210.—The following clauses in list of changes in War Materiel are made applicable to India.

Dated 1st June 1876.

No. 2920.—Clip, iron, spring, with thimble, for guide ropes for rammers of Rifled M. L. Guns, 9-inch and upwards.
No. 2923.—Plate, range, brass, rifled M. L. Gun, 9-pr. 6 cwt., charge 1 lb. 12 oz.
} (Mark I.)

No. 2924.—Shot, Rifled gun, M. L. case, 7-inch or B.L. (mark V.)

No. 2925.—Shot, Rifled gun, M. L. case, 80-pr. or 64-pr. (mark IV.)

Dated 1st July 1876.

No. 2929.—Arm-Chest (§ 2665) Metal washer, for screw holes in lid.

No. 1211.—G. G. O. No. 1169, dated the 16th November 1876, notifying certain promotions in the Ordnance Department, is hereby cancelled.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Fort William, the 1st December 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts' Act of 1863, it is notified that reports of the deaths of the under-mentioned Commissioned Officers, on the dates specified, were received in the Military Department from 11th to 30th November 1876 :—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.
Royal Artillery ...	Vety. Surgeon J. Hume ...	15th November 1876 ...	Sitapur.	
Her Majesty's 62nd Foot ...	Lieutenant A. L. Dennis ...	26th Do. ...	Chakrata.	
Bengal Staff Corps ...	Lieutenant W. Harris ...	28th Do. ...	Rawal Pindi.	

Statement of deposits on account of Estates from 17th to 30th November 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
BRITISH MILITARY SERVICE.							
James Loch (a) ...	Captain ...	Royal Artillery	7th Sep. 1876	Intestate ...	2,172 8 7		

(a) WIDOW—Mrs. Mary Elizabeth Loch.
CHILDREN—Margaret Emily, Maude Sophia, George, Alice Eveline, Ethel Louisa.
Administrator General, Bengal, administering.

H. K. BURNE, *Colonel,*
Secretary to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 1st December 1876.

No. 31.—APPOINTMENTS—

Mr. George Peck, late Indian Navy, 2nd Officer of the Indian Government Steamer *Kwangtung*, to act as 1st Officer of the Indian Government Steamer *Tenasserim, vice* Pryce, on furlough.

Mr. Edmund Good, 2nd Class Officer in charge of the Indian Government Steamer *Gemini* and Viceroy's Boat Establishment, to be 2nd Officer of the Indian Government Ship *Czarewitch*.

H. K. BURNE, *Colonel,*
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 27th November 1876.

No. 479.—Mr. W. Harvey, temporary Executive Engineer, 4th Grade, on the Establishment under the Director of State Railways, is appointed to act temporarily, until further orders, as Assistant Director of State Railways.

Mr. Harvey assumed charge of the duties from Captain Firebrace on the afternoon of 4th November 1876.

No. 480.—Corporal S. Boon, R.E., is appointed to the Public Works Department as an Overseer, 1st Grade, and posted to the Military Works Branch.

No. 481.—Mr. William Smith, C.E., Superintending Engineer, Simla Imperial Circle, assumed charge of his office on the afternoon of the 10th November 1876.

The 28th November 1876.

No. 482.—Mr. J. T. Fernandez, temporary Sub-Engineer, 3rd Grade, on the Establishment under the Director of State Railways, is permanently appointed to the Department in the same Grade, with effect from the date on which he joined his present appointment.

The 29th November 1876.

No. 483.—Mr. E. J. Neuville, Accountant, 2nd Grade, on return from furlough, is granted subsidiary leave for thirty days, with effect from 16th November 1876.

No. 484.—A. A. Manikyam Moodliar is appointed to the Public Works Department as a probationary Accountant, 4th Grade, and posted to Mysore, *vice* A. C. Vasoodeva Moodliar, who reverts to his former appointment.

No. 485.—Mr. G. H. R. Deverell, Assistant Engineer, 3rd Grade, on the Establishment under the Director of State Railways, having passed the prescribed examination, is promoted to the rank of Assistant Engineer, 2nd Grade, with effect from 25th September 1876.

The 30th November 1876.

No. 486.—Mr. G. S. Duff, Officiating Assistant Auditor, Oudh and Rohilkund Railway Accounts, is granted six weeks' privilege leave, under Section 12, Supplement F, of the Civil Leave Code, with effect from 10th November 1876, or such subsequent date as he may be permitted to avail himself of it.

No. 487.—The Government of India has no further need of the services of Mr. W. Thompson, Accountant, 4th Grade, British Burmah.

The 1st December 1876.

No. 488.—Major A. Le Messurier, R. E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Sind, is appointed Secretary to the Military Railway Transport Committee about to assemble at Agra.

No. 489.—Lieutenant H. S. F. Haynes, R. E., Assistant Engineer, 1st Grade, on the Establishment under the Director of State Railways, is appointed to officiate as Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Sind, during the absence on special duty of Major Le Messurier, or until further orders. While so employed Lieutenant Haynes will officiate as Executive Engineer, 4th Grade.

C. H. DICKENS, *Colonel, R.A.,*
Secretary to the Govt of India.

The Gazette of India,

EXTRAORDINARY.

Published by Authority.

CALCUTTA, WEDNESDAY, DECEMBER 6, 1876. { Register No. 33.

FOREIGN DEPARTMENT.

NOTIFICATION.

JUDICIAL.

No. 156*J.*

Fort William, the 5th December 1876.

Preamble.

Whereas the villages mentioned in the Schedule hereto annexed (hereinafter called the Scheduled villages) are the property of His Highness the Thákur of Bhaunagar, and were by the Treaty of Bassein, dated the thirty-first day of December 1802, separated from the Native State or States known as the Territory of Káthiáwár and ceded to the British Government:

2. And whereas by Regulation VI of 1816 of the Governor of Bombay in Council the Regulations in force throughout the Presidency of Bombay were extended to the said villages, and such villages thereby became subject to the jurisdiction of the Revenue, Civil, and Criminal Courts established in that Presidency:

3. And whereas the said Thákur of Bhaunagar is also the proprietor of divers villages, forming part of the said Territory and hereinafter called the Káthiáwár villages:

4. And whereas the British Government have exercised certain powers of government over the said Territory, but such Territory has never been treated as being British Territory, nor as having been vested in the East India Company, nor in Her Majesty the Empress of India, and the said Káthiáwár villages have consequently never been subject to the laws in force in the Presidency of Bombay:

5. And whereas in the year 1820 the British Government established a Political Agency for the said Territory of Káthiáwár:

6. And whereas by certain orders or Acts of State completed by the British Government prior to 1860, the sovereign powers exercised by the Thákur of Bhaunagar in respect of his Káthiáwár villages were defined and made subject to rules laid down for the government and conduct of the said Káthiáwár Political Agency:

7. And whereas for divers reasons of State affecting the welfare of British India the British Government became desirous of ceding to the Thákur of Bhaunagar the Scheduled villages, to be held by him upon the same conditions as those on which he holds the Káthiáwár villages, and for that purpose certain agreements were made and certain Notifications published, which were intended to operate as such cession of the Scheduled villages and have always been treated by both the British Government and the Thákur of Bhaunagar as so operating:

8. And whereas it now appears that such agreements and Notification were not worded so as to express the true intention, and that the Scheduled villages did not thereby legally cease to be British Territory:

9. And whereas it is expedient to give effect to the said agreements and [illegible] hereinafter appearing:

10. And whereas the Secretary of State for India has, on behalf of Her Majesty the Queen of Great Britain and Ireland and Empress of India, given his sanction to the cession intended to be effected by these presents:

11. The Governor General in Council, with the sanction aforesaid, doth hereby cede and grant to the said Thákur of Bhaunagar, his heirs and successors, the said Scheduled villages, to hold the same unto the said Thákur, his heirs and successors, on the terms and subject to the rules on and subject to which he holds the said Káthiáwár villages:

12. Provided always that in case the said Thákur, his heirs or successors, commit any acts of misgovernment which in the opinion of the Governor General in Council render it inexpedient that the said Thákur, his heirs and successors, should continue to hold the said Scheduled villages, the Governor General in Council may resume the villages hereby ceded and re-annex the same to Her Majesty's dominions.

The schedule above referred to:—

Bhaunagar Taluqa.

Bhaunagar.	Málanka.	Háthab.
Wadwá.	Bhutesar.	Khadsuliu.
Ruhá.	Bhumlí.	Bhadbadiu.
Akwárá.	Ratanpur Juná.	Aláp ur.
Adhiwárá.	Ratanpur Nuwá.	Thalsar.
Tarsamía.	Koliak.	Lákhanka.
Jaspará.	Kobri.	Sultánpur.
Phulsar.	Bhurí.	Wávri.
Karmadiu.	Bhundariu.	Rámpura.
Surká.	Churi.	Bhenswari } *(waste).*
Tarak Pálrí.	Sánkrásar.	Jhánjrá }
Nárí.	Bhádole.	
Budhel.	Nágdhaníba.	

Sihór Taluqa.

Sihór.	Ratanpur *near* Táná.	Rájpura.
Usrad.	Wadiu.	Kbakhriu.
Agiáli.	Waláwad.	Kardej.
Táná.	Megwadar.	Surká.
Bordi.	Ghángli.	Jámbálu.
Kájáwadar.	Nesra.	Kuchotiu *(waste).*
	Chirora *(waste).*	

New Villages.

Gundi.	Trápaj.	Píthalpur.
Mándwá.	Bapárá.	Khántarí.
Sosiá.	Pánchpíplá.	Deogáua.
Paniáli.	Rájpura.	Thordí.
	Khadarpur Mitiverdi.	

Inám Villages.

Wartej.	Sámpura.	Sodwadra.
Sidhsar.	Phariádku.	Sedhawadar.
	Kálví *(waste).*	

DHANDUKA PARGANA.

Pátna Taluqa.

Pátna.	Kánutalao.	Dantretía.
Bharbír.	Ratanwau.	Samandiála.
Chakampur.	Keriá.	Kariáni.
Sarwuí.	Jamrála.	Láthidhar.
Jhinjhawadar.	Ujalwau.	Weláwadar.
Pátí.	Jotingra.	Vírdhi *or* Rájghar.
Keria *near* Pátí.	Shírthali.	Sajeli.
Bhámbhan.	Dhíkwáli.	Oteriá.
Samandeála, 2.	Wajelí.	Sándherá.
Tájpur.	Lundrá.	Nágalpur.
	Málpur.	

RANPUR PARGANA.

Botád Taluqa.

Botád.	Dánkniá.	Kániád.
Hardar.	Khankóí.	Rájpura.
Sírwaniu.	Turkhá.	Juriá.

F. HENVEY,
for *Offg. Secy. to the Govt. of India.*

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The Gazette of India.

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

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SUPPLEMENT No. 52.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 6th December 1876.

No. 1982.—The Honourable the President in Council is pleased to notify that, upon condition that arrangements are made for the transaction of all urgent business, the Public Offices in Calcutta under the Government of India shall be closed for public business from Monday, the 25th day of December 1876, to Thursday, the 4th day of January 1877, both days inclusive, on account of the Christmas Holidays, New Year's Day, and in honour of the assumption by Her Most Gracious Majesty the Queen of the title of Empress of India.

ESTABLISHMENTS.

The 4th December 1876.

No. 784.—The Honourable Romesh Chunder Mitter, B. L., Acting Judge of the High Court of Judicature at Fort William in Bengal, has obtained privilege leave for two months, with effect from the 1st instant, or from any subsequent date on which he may avail himself of it.

No. 787.—Mr. H. B. Punnett, of Her Majesty's Bengal Civil Service, reported to the Government of the North-Western Provinces his arrival at Allahabad on the 21st October last.

The 8th December 1876.

No. 794.—Mr. L. G. Evans, of Her Majesty's Bengal Civil Service, reported to the Government of the North-Western Provinces his arrival at Allahabad on the 13th ultimo.

No. 805.—Mr. D. Cameron, of Her Majesty's Bengal Civil Service, reported his arrival at Calcutta on the 30th ultimo.

No. 807.—Mr. F. St. C. Grimwood, of Her Majesty's Bengal Civil Service, reported his arrival at Calcutta on the 27th ultimo.

No. 809.—The following list of Civil Servants on the Bengal Establishment, absent on furlough, special or subsidiary leave, on the 30th September 1876, is published for general information:—

No.	NAMES.	SUBSTANTIVE APPOINTMENT.	DATE OF COMMENCEMENT OF FURLOUGH OR LEAVE.	DATE OF EXPIRY OF FURLOUGH OR LEAVE.	REMARKS.
		GOVERNMENT OF INDIA.			
		FURLOUGH.			
1	C. U. AITCHISON, C.S.I.	Secretary to the Government of India in the Foreign Department.	Feb. 11, 1876	Feb. 10, 1877	Granted 8 months' extension by the Secretary of State.
2	F. R. HOGG ...	Post Master General, Bengal ...	April 24, 1876	April 23, 1878	
3	J. WESTLAND ...	Accountant General, Central Provinces...	April 10, 1876	Nov. 9, 1877	

No.	Names.	Substantive Appointment.	Date of commencement of Furlough or Leave.	Date of expiry of Furlough or Leave.	Remarks.
		GOVERNMENT OF INDIA—*contd.*			
		SPECIAL LEAVE.			
1	A. C. LYALL ...	Secretary to the Government of India, Home Department.	Aug. 19, 1876	Feb. 18, 1877	On duty in England.
		LOWER PROVINCES.			
		FURLOUGH.			
1	H. L. DAMPIER ...	Secretary to Government of Bengal ...	April 11, 1876	April 10, 1877	
2	E. W. MOLONY ...	Commissioner, Bhagalpur ...	Mar. 29, 1875	Mar. 28, 1877	
3	W. J. MONEY, C.S.I.	District and Sessions Judge, Mymensingh	Mar. 24, 1876	Nov. 23, 1877	
4	J. F. BROWNE ...	District and Sessions Judge, Cuttack ...	Mar. 16, 1875	Dec. 15, 1876	
5	W. V. G. TAYLER ...	Magistrate and Collector, Pubna ...	April 23, 1875	April 22, 1877	
6	S. C. BAYLEY, C.S.I.	Commissioner of Revenue and Circuit, Patna.	Sep. 3, 1875	Nov. 2, 1876	Since returned.
7	W. CORNELL, M.A. ...	District and Sessions Judge, Bankoora...	Oct. 4, 1875	Dec. 8, 1876	
8	F. G. MILLETT ...	.....	April 21, 1876	April 20, 1877	
9	T. WALTON, B.A. ...	District and Sessions Judge, Furreedpore	Aug. 14, 1875	Aug. 13, 1877	
10	H. F. J. KEAN ...	.....	Aug. 11, 1874	Dec. 10, 1876	Since returned.
11	J. S. DRUMMOND ...	Magistrate and Collector, Sarun ...	April 26, 1875	Feb. 25, 1877	
12	F. H. PELLEW ...	Magistrate and Collector, Hooghly ...	Mar. 12, 1875	Nov. 11, 1876	Since returned.
13	H. BEVERIDGE ...	Magistrate and Collector, Backergunge..	Jan. 2, 1875	Nov. 1, 1876	Since returned.
14	J. MONRO ...	District and Sessions Judge, Rajshahye	Jan. 15, 1875	Jan. 14, 1877	Since returned.
15	W. WAVELL ...	Magistrate and Collector, Moorshedabad	April , 1876	April , 1877	
16	J. S. ARMSTRONG ...	Magistrate and Collector, Pooree ...	Oct. 4, 1875	Oct. 3, 1876	Since returned.
17	F. JONES ...	Senior Superintendent of Survey ...	Mar. 29, 1875	Jan. 28, 1877	
18	C. D. FIELD ...	District and Sessions Judge, Moorshedabad.	Nov. 4, 1875	Oct. 31, 1876	Since returned.
19	T. T. ALLEN ...	District and Sessions Judge ...	April , 1876	Mar. , 1878	
20	F. WYER, B.A. ...	Joint Magistrate and Deputy Collector, 1st Grade.	...	...	
21	J. A. HOPKINS, B.L.	Inspector of Schools, Western Circle ...	Mar. 17, 1876	Mar. 16, 1878	
22	F. W. R. COWLEY ...	Deputy Commissioner, Wards Estate ...	June 30, 1876	Jan. 29, 1878	
23	G. K. WEBSTER ...	Assistant Magistrate and Collector ...	Oct. 1, 1875	Mar. 30, 1877	
24	E. H. RUDDOCK ...	.....	Nov. 1, 1874	Jan. 31, 1877	
25	W. H. VERNER ...	Joint Magistrate and Deputy Collector, 24-Pergunnahs.	Mar. 27, 1876	Sep. 26, 1877	
26	P. HURLEY ...	Assistant Magistrate and Collector ...	Jan. 18, 1876	Jan. 17, 1877	
27	W. F. MERES ...	Joint Magistrate and Deputy Collector, 2nd Grade.	Feb. 16, 1876	Feb. 15, 1877	
28	G. J. S. HODGKINSON	Assistant Magistrate and Collector ...	Nov. 30, 1874	Nov. 29, 1876	
29	G. TOYNBEE ...	Canal Revenue Superintendent, Orissa ...	Mar. 8, 1875	Mar. 7, 1877	Since returned.
30	J. SCOBELL ARMSTRONG.	Assistant Magistrate and Collector ...	Nov. 23, 1874	Nov. 22, 1876	
31	W. B. OLDHAM ...	Joint Magistrate and Deputy Collector...	Mar. 29, 1875	Mar. 28, 1877	Permitted to return to duty.
32	C. H. VOWELL ...	Assistant Magistrate and Collector, Shahabad.	Mar. 11, 1876	Nov. 10, 1877	
33	A. W. COCHRAN ...	Assistant Magistrate and Collector ...	April 11, 1876	April 10, 1878	
34	A. W. B. POWER ...	Political Agent, Hill Tipperah ...	May 7, 1876	May 6, 1878	
35	R. M. WALLER ...	Assistant Magistrate and Collector ...	May 11, 1874	Feb. 10, 1877	
36	J. E. B. JEFFERY ...	Assistant Magistrate and Collector ...	April 1, 1876	Oct. 31, 1877	
37	P. NOLAN ...	Assistant Magistrate and Collector ...	...	...	
38	A. A. WACE ...	Assistant Magistrate and Collector ...	Mar. 24, 1875	Oct. 30, 1876	Since returned
39	W. H. PAGE ...	Assistant Magistrate and Collector ...	May 18, 1875	Nov. 17, 1876	Since returned.
40	H. G. COOKE ...	Assistant Magistrate and Collector ...	Oct. 26, 1872	Oct. 25, 1876	Since returned.
41	R. CORNISH ...	Assistant Magistrate and Collector ...	April 21, 1876	April 20, 1877	
42	E. M. MONEY ...	Assistant Magistrate and Collector ...	Dec. 31, 1875	Dec. 30, 1876	
43	G. E. MANISTY ...	Assistant Magistrate and Collector ...	June 9, 1876	June 8, 1877	
44	W. R. MILLAR ...	Assistant Magistrate and Collector ...	June 16, 1876	June 15, 1877	
		SPECIAL LEAVE.			
1	H. HANKEY ...	Inspector General of Police ...	Aug. , 1876	Feb. , 1877	
		NOTE.—Total absent ... 45 Total of Civil Servants employed in the Lower Provinces ... 234 Percentage of absentees ... 19·2			
		NORTH-WESTERN PROVINCES.			
		FURLOUGH.			
1	HON'BLE SIR JOHN STRACHEY, K.C.S.I.	Lieutenant-Governor, N. W. Provinces...	July 26, 1876	Jan. 25, 1877	
2	G. H. LAWRENCE ...	Judge	Nov. 29, 1875	Feb. 12, 1877	
3	H. D. WILLOCK ...	Magistrate and Collector ...	Nov. 23, 1874	Nov. 9, 1876	
4	J. SIMSON ...	Magistrate and Collector ...	April 10, 1876	Nov. 9, 1877	
5	W. LANE ...	Magistrate and Collector ...	April 14, 1875	Oct. 8, 1876	
6	D. C. HALKETT ...	Joint Magistrate, 1st Grade ...	June 1, 1876	Oct. 15, 1876	
7	H. G. ROSS ...	Superintendent, Dehra Dún ...	Feb. 14, 1876	Nov. 13, 1876	Since returned.
8	C. A. ELLIOTT ...	Secretary to Government, N.W. Provinces	Mar. 15, 1875	Jan. 30, 1877	
9	F. E. ELLIOT ...	Joint Magistrate, 1st Grade ...	Nov. 9, 1874	Nov. 8, 1876	
10	M. S. HOWELL ...	Joint Magistrate, 2nd Grade ...	June 15, 1876	June 14, 1877	
11	E. F. T. ATKINSON ...	Assistant Magistrate ...	April 8, 1876	Feb. 22, 1877	
12	T. W. RAWLINS ...	Assistant Magistrate ...	April 1, 1875	Oct. 31, 1876	
13	R. J. CROSTHWAITE ..	Judge, Small Cause Court, Allahabad ...	June 9, 1876	Dec. 8, 1876	
14	W. T. MARTIN ...	Assistant Magistrate ...	Oct. 5, 1874	Oct. 4, 1876	Since returned.
15	A. ROBINSON ...	Assistant Magistrate ...	Mar. 24, 1875	Mar. 23, 1877	
16	R. EVANS ...	Assistant Magistrate ...	Mar. 1, 1876	Feb. 28, 1877	

No.	Names.	Substantive Appointment.	Date of commencement of Furlough or Leave.	Date of expiry of Furlough or Leave.	Remarks.
		NORTH-WESTERN PROVINCES—*continued.*			
17	R. S. AIKMAN ...	Assistant Magistrate ...	Mar. 6, 1876	Nov. 25, 1877	
18	H. F. EVANS ...	Employed in the Settlement Department previous to departure on furlough.	April 8, 1876	Nov. 7, 1877	
19	F. BAKER ...	Assistant Magistrate ...	Mar. 22, 1875	Dec. 21, 1876	
20	F. H. FISHER ...	Assistant Magistrate ...	Mar. 15, 1876	Nov. 4, 1876	Since returned.
21	J. W. MUIR ...	Assistant Magistrate ...	July 2, 1875	Nov. 1, 1876	
22	J. W. HARRIS ...	Assistant Magistrate ...	April 8, 1876	April 7, 1878	
23	F. GILES ...	Assistant Magistrate ...	April 17, 1876	April 16, 1877	
		SPECIAL LEAVE.			
1	J. H. PRINSEP ...	Judge ...	May 8, 1876	Nov. 7, 1876	
2	H. B. WEBSTER ...	Magistrate and Collector ...	April 24, 1876	Oct. 23, 1876	
3	J. C. COLVIN ...	Magistrate and Collector ...	Aug. 29, 1876	Oct. 28, 1876	
4	A. COLVIN ...	Secretary, Board of Revenue, N. W. Provinces.	April 25, 1876	Oct. 24, 1876	
5	W. DUTHOIT ...	Deputy Superintendent, Family Domains, Maharaja of Benares.	Aug. 11, 1876	Feb. 10, 1877	
		NOTE.—Total absent ... ... 28 Total of Civil Servants employed in the North-Western Provinces ... 186 Percentage of absentees ... 15			
		PUNJAB.			
		FURLOUGH.			
1	T. W. H. TOLBORT ...	Assistant Commissioner, 1st Class ...	Mar. 29, 1876	Mar. 28, 1878	
2	T. ROBERTS ...	Assistant Commissioner, 2nd Class ...	April 10, 1876	Jan. 9, 1877	
3	F. P. BEACHCROFT ...	Assistant Commissioner, 2nd Class ...	Mar. 15, 1875	Mar. 14, 1877	
4	A. W. STOGDON ...	Assistant Commissioner, 3rd Class ...	Feb. 13. 1875	Feb. 12, 1877	
5	T. O. WILKINSON ...	Assistant Commissioner, 3rd Class ...	April 26, 1875	Oct. 25, 1876	
6	T. TROWARD ...	Assistant Commissioner, 3rd Class ...	May 28, 1875	Nov. 27, 1876	Since returned.
7	P. De L. H. JOHNSTONE.	Assistant Commissioner, 3rd Class ...	Nov. 1, 1875	April 30, 1877	
8	A. ANDERSON ...	Assistant Commissioner, 3rd Class ...	April 16, 1876	Jan. 15, 1877	Since returned.
		SPECIAL LEAVE.			
1	E. B. STEEDMAN ...	Assistant Commissioner, 3rd Class ...	May 1, 1876	Oct. 31, 1876	
		NOTE.—Total absent ... 9 Total of Civil Servants employed in the Punjab ... 82 Percentage of absentees ... 10·9			
		OUDH.			
		FURLOUGH.			
1	SIR T. D. FORSYTH, C.B., K.C.S.I.	Commissioner ...	Feb. 20, 1876	Feb. 19, 1878	
2	R. M. KING, B. A. ...	Deputy Commissioner, 1st Grade ...	Mar. 15, 1876	Dec. 14, 1877	
3	J. M. C. STEINBELT...	Assistant Commissioner, 2nd Grade ...	April 10, 1876	Dec. 9, 1876	
4	C. W. MCMINN ...	Assistant Commissioner, 1st Grade ...	April 21, 1876	April 20, 1877	
5	M. L. FERRAR, B. A. ...	Assistant Commissioner, 2nd Grade ...	May 5, 1875	Nov. 4, 1876	Granted an extension of 2 months' furlough by the Secretary of State
6	W. C. BENETT ...	Assistant Commissioner, 3rd Grade ...	April 16, 1876	April 15, 1878	
		SPECIAL LEAVE.			
		Nil.			
		NOTE.—Total absent ... 6 Total of Civil Servants employed in Oudh 27 Percentage of absentees ... 22·22			
		CENTRAL PROVINCES.			
		FURLOUGH.			
1	W. M. LOW ...	Commissioner, Nerbudda Division ...	Mar. 25, 1876	Sep. 24, 1876	Extended to 24th November 1876. Since returned.
2	C. E. BERNARD, C.S.I.	Commissioner, Nágpúr Division ...	Feb. 15, 1875	Oct. 14, 1876	
3	G. J. NICHOLLS ...	Assistant Commissioner, 3rd Class ...	July 29, 1875	July 28, 1877	Extended by the Secretary of State to 14th November 1876.
4	L. K. LAWRIE ...	Assistant Commissioner (Supernumerary)	Feb. 23, 1876	Feb. 22, 1877	
		SPECIAL LEAVE.			
1	H. F. BARTLETT ...	Assistant Commissioner (Supernumerary)	Aug. 1, 1876	Jan. 31, 1877	
		NOTE.—Total absent ... 5 Total of Civil Servants employed in the Central Provinces ... 29 Percentage of absentees ... 17·2			
		BRITISH BURMA.			
		FURLOUGH.			
1	HON'BLE ASHLEY EDEN, C.S.I.	Chief Commissioner, British Burma ...	Feb. 28, 1876	Dec. 14, 1876	
2	J. D. SANDFORD ...	Judicial Commissioner ...	April 17, 1875	Jan. 16, 1877	
3	S. F. A. SMITH ...	Assistant Commissioner, 1st Grade ...	April 18, 1876	Oct. 17, 1877	

No.	Names.	Substantive Appointment.	Date of commencement of Furlough or Leave.	Date of expiry of Furlough or Leave.	Remarks.
		BRITISH BURMA —*continued.*			
		Special Leave.			
1	A. R. Birks ...	Assistant Commissioner, 4th Grade ...	July 31, 1876	Nov. 30, 1876	
		Note.—Total absent ... 4			
		Total of Civil Servants employed in British Burma ... 17			
		Percentage of absentees ... 23·5			
		MYSORE AND COORG.			
		Nil.			
		HYDERABAD.			
		Nil.			
		ASSAM.			
		Furlough.			
1	O. G. R. McWilliam	Deputy Commissioner, 3rd Grade ...	April 24, 1876	Oct. 23, 1877	
2	A. Forbes ...	Assistant Commissioner, 1st Grade ...	May 22, 1876	Jan. 21, 1877	
		Special Leave.			
		Nil.			
		Note.—Total absent ... 2			
		Total of Civil Servants employed in Assam 14			
		Percentage of absentees ... 14·2			
		Note.—Grand Total of absentees ... 103			
		Grand Total of Civil Servants employed on the Bengal Establishment ... 624			
		Percentage of absentees ... 16·5			

Examinations.

The 8th December 1876.

No. 143.—With reference to Rule VIII of the Rules for the encouragement of the study of Oriental languages among the Junior Members of the Bengal Civil Service, published under Home Department Notification No. 1614 dated the 24th March 1870, it is hereby notified for general information that the first quarterly examination in 1877 will be held on Monday, the the 5th February, instead of on the first Monday in January.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—Forests.

Fort William, the 5th December 1876.

No. 1318.—The Honourable the President in Council has been pleased to appoint Lieutenant C. T. Bingham, of the Bengal Staff Corps, to officiate as an Assistant Conservator of Forests of the 1st Grade in British Burmah.

The 8th December 1876.

No. 1326.—Captain J. C. Doveton having, in Notification No. 1216, dated the 7th ultimo, been promoted to the 3rd Class of Conservators, the Honourable the President in Council has been pleased to confirm Mr. George Greig in his appointment as Conservator of Forests of the 4th Class in the North-Western Provinces, with effect from the 14th November 1876.

Commerce and Trade.

The 8th December 1876.

No. 19 *of* 1876.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

Ceylon—East Coast.

BEACON ON TWO-FATHOM PATCH OFF BATTICALOA ROAD.

With reference to Notice to Mariners No. 17 issued from this Department, information has been received from the Ceylon Government that the *beacon* recently erected on the two-fathom patch situated N. E. 1¼ miles from the signal staff at the port of Batticaloa has been washed away.

A. DUNDAS TAYLOR, *Comdr., late I. N.,*
Superintendent, Marine Survey of India.

Marine Survey Department, Calcutta; *The 6th December* 1876.

By Order,
T. C. HOPE,
Offg. Secy. to the Govt. of India.

This Notice affects the following Admiralty Chart: Ceylon, East coast, Singane river to Pedro point, with plans of Vendeloos bay, Trincomalie, and Batticaloa road, No. 2031; also, Taylor's Sailing Directory, Vol. I, page 442.

If this Notice is received on board ship, the substance of it should be inserted on the Chart affected by it, and introduced into the Sailing Directions to which it relates.

No. 20 *of* 1876.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

Bay of Bengal—Coromandel Coast.

FIXED LIGHT AT CALINGAPATAM POINT.

The Madras Government has notified that, on and after the 15th December 1876, a light will be exhibited at Calingapatam point, and is intended to warn ships off a small reef which projects from the point, and which should not be passed in less than 8 fathoms, when making the port of Calingapatam at night.

The light will be a *fixed white* light, displayed from the top of an obelisk of cut stone; the lantern, of country manufacture, with three reflectors, is elevated 64 feet above high-water level, and when approached from a south-east direction, should be visible from a distance of 8 miles.

Position of light-house as given:—Lat. 18° 19′ N., Long. 84° 7′ 30″ E.

A DUNDAS TAYLOR, *Comdr., late I. N.,*
Superintendent, Marine Survey of India.

Marine Survey Department, Calcutta; *The 7th December* 1876.

This Notice affects the following Admiralty Charts: Bay of Bengal, No. 70*a*; and Indian Ocean, No. 748*b*; also Admiralty List of Lights in South Africa, East Indies, &c., 1876; the Indian Marine Survey Light List, 1876, No. 71; and Taylor's Sailing Directory, Vol. I, page 467.

If this Notice is received on board ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

Customs—Inland.

The 6th December 1876.

No. 337.—The services of Mr. C. B. Pritchard, C.S., who was employed on the Madras Salt Commission, are replaced at the disposal of the Government of Bombay, with effect from the 12th September 1876.

The services of the under-mentioned Officers who were employed on the Madras Salt Commission, are replaced at the disposal of the Government of Madras, with effect from the dates specified opposite their names:—

Mr. H. E. Stokes, C.S.,—15th September 1876.
Mr. Venkasami Row,—18th September 1876.
Mr. W. A. Willoch, C.S.,—2nd October 1876.

Surveys.

The 6th December 1876.

No. 920.—The Notification, No. 842, dated the 27th October, sanctioning certain promotions in the Great Trigonometrical Survey of India, consequent on Colonel Montgomerie's retirement, is cancelled.

The 8th December 1876.

No. 928.—Mr. A. G. Hudson, Probationary Assistant Superintendent in the Mysore Revenue Survey, has passed the examination in the Canarese language by the Higher Standard, as laid down in Governor General's Order No. 734, dated the 9th September 1864.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—Judicial.

Fort William, the 5th December 1876.

No. 156*J.*—Whereas the villages mentioned in the Schedule hereto annexed (hereinafter called the Scheduled villages) are the property of His Highness the Thákur of Bhaunagar, and were by the Treaty of Bassein, dated the thirty-first day of December 1802, separated from the Native State or States known as the Territory of Káthiáwár and ceded to the British Government:

Preamble.

2. And whereas by Regulation VI of 1816 of the Governor of Bombay in Council the Regulations in force throughout the Presidency of Bombay were extended to the said villages, and such villages thereby became subject to the jurisdiction of the Revenue, Civil, and Criminal Courts established in that Presidency:

3. And whereas the said Thákur of Bhaunagar is also the proprietor of divers villages, forming part of the said Territory and hereinafter called the Káthiáwár villages:

4. And whereas the British Government have exercised certain powers of government over the said Territory, but such Territory has never been treated as being British Territory, nor as having been vested in the East India Company, nor in Her Majesty the Empress of India, and the said Káthiáwár villages have consequently never been subject to the laws in force in the Presidency of Bombay:

5. And whereas in the year 1820 the British Government established a Political Agency for the said Territory of Káthiáwár:

6. And whereas by certain orders or Acts of State completed by the British Government prior to 1860, the sovereign powers exercised by the Thákur of Bhaunagar in respect of his Káthiáwár villages were defined and made subject to rules laid down for the government and conduct of the said Káthiáwár Political Agency:

7. And whereas for divers reasons of State affecting the welfare of British India the British Government became desirous of ceding to the Thákur of Bhaunagar the Scheduled villages, to be held by him upon the same conditions as those on which he holds the Káthiáwár villages, and for that purpose certain agreements were made and certain Notifications published, which were intended to operate as such cession of the Scheduled villages and have always been treated by both the British Government and the Thákur of Bhaunagar as so operating:

8. And whereas it now appears that such agreements and Notification were not worded so as to express the true intention, and that the Scheduled villages did not thereby legally cease to be British Territory:

9. And whereas it is expedient to give effect to the said agreements and Notification in manner hereinafter appearing:

10. And whereas the Secretary of State for India has, on behalf of Her Majesty the Queen of Great Britain and Ireland and Empress of India, given his sanction to the cession intended to be effected by these presents:

11. The Governor General in Council, with the sanction aforesaid, doth hereby cede and grant to the said Thákur of Bhaunagar, his heirs and successors, the said Scheduled villages, to hold the same unto the said Thákur, his heirs and successors, on the terms and subject to the rules on and subject to which he holds the said Káthiáwár villages:

12. Provided always that in case the said Thákur, his heirs or successors, commit any acts of misgovernment which in the opinion of the Governor General in Council render it inexpedient that the said Thákur, his heirs and successors, should continue to hold the said Scheduled villages, the Governor General in Council may resume the villages hereby ceded and re-annex the same to Her Majesty's dominions.

The schedule above referred to:—

Bhaunagar Taluqa.

Bhaunagar.
Wadwá.
Ruhá.
Akwárá.
Adhiwárá.
Tarsamía.
Jasparáa.
Phulsar.
Karmadiu.
Surká.
Tarak Pálrí.
Nárí.
Budhel.
Málanka.
Bhutesar.
Bhumlí.
Ratanpur Juná.
Ratanpur Nuwá.
Koliak.
Kobri.
Bhurí.
Bhundariu.
Churi.
Sánkrásar.
Bhádole.
Nágdhanība.
Háthab.
Khadsuliu.
Bhadbadiu.
Aláp ur.
Thalsar.
Lákhanka.
Sultánpur.
Wávri.
Rámpura.
Bhenswari } (waste).
Jhánjrá }

Sihór Taluqa.

Sihór.
Usrad.
Agiáli.
Táná.
Bordi.
Kájáwadar.
Ratanpur *near* Táná.
Wadiu.
Waláwad.
Megwadar.
Ghángli.
Nesra.
Rájpura.
Khakhriu.
Kardej.
Surká.
Jámbálu.
Kuchotiu *(waste)*.

Chirora *(waste)*.

New Villages.

Gundi.
Mándwá.
Sosiá.
Paniálí.
Trápaj.
Bapárá.
Pánchpíplá.
Rájpura.
Píthalpur.
Kháutarí.
Deogána.
Thordí.

Khadarpur Mitiverdi.

Inám Villages.

Wartej.
Sidhsar.
Sámpura.
Phariádku.
Sodwadra.
Sedhawadar.

Kálví *(waste)*.

DHANDUKA PARGANA.
Pátna Taluqa.

Pátna.
Bharbír.
Chakampur.
Sarwuí.
Jhinjhawadar.
Pátí.
Keria *near* Pátí.
Bhámbhan.
Samandeála, 2.
Tájpur.
Kánutalao.
Ratanwau.
Keriá.
Jamrála.
Ujalwau.
Jotingra.
Shírthali.
Dhíkwáli.
Wajelí.
Lundrá.
Dantretía.
Samandiála.
Kariání.
Láthidhar.
Weláwadar.
Vírdhi *or* Rájghar.
Sajeli.
Oteriá.
Sándherá.
Nágalpur.

Málpur.

RANPUR PARGANA.
Botád Taluqa.

Botád.
Hardar.
Sírwaniu.
Dánkniá.
Khankói.
Turkhá.
Kániád.
Rájpura.
Jutriá.

MILITARY.

The 7th December 1876.

No. 114 *M.*—The following description of the boundaries of the Neemuch Cantonment is published for general information:—

DESCRIPTION.	Bearing in degrees.	Distance in yards.
	° ′	
From centre of Pillar No. 1, on the east side of Mundesore road and 100 yards south of the new bridge, to centre of Pillar No. 2, 150 yards south of nulla on the edge of cultivated ground.	S. 268 45 W.	814
From centre of Pillar No. 2 to centre of Pillar No. 3, on the right bank of a nulla near Fukeer's hut.	N. 276 0 W.	344
From centre of Pillar No. 3 to centre of Pillar No. 4, on the south side of road leading to Oodeypoor by Nixon Gunj and 140 yards south-west of nulla.	N. 325 30 W.	863
From centre of Pillar No. 4 to centre of Pillar No. 5, near south-west corner of Commissariat Garden No. 25.	N. 316 45 W.	483
From centre of Pillar No. 5 to centre of Pillar No. 6, near the foot-path leading from Officers' compounds and which passes to east of the Fort towards village of Bugana.	N. 324 0 W.	316
From centre of Pillar No. 6 to centre of Pillar No. 7, on the south-west side of road leading from Bugana to Raneekhera.	N. 312 0 W.	915
From centre of Pillar No. 7 to centre of Pillar No. 8, on the edge of cultivated ground between two small nullas and near south side of road leading from Bugana to Raneekhera.	N. 306 45 W.	1,265
From centre of Pillar No. 8 to centre of Pillar No. 9, on the edge of cultivated ground and west bank of small nulla, and south side of road leading from Cantonment to Raneekhera.	N. 10 45 E.	770
From centre of Pillar No. 9 to centre of Pillar No. 10, on the edge of cultivated ground and about 50 yards to the south of European Infantry Plunge-bath.	N. 61 30 E.	518
From centre of Pillar No. 10 to centre of Pillar No. 11, on the left bank of the nulla near the junction of the road leading to European Infantry new Barracks and the main road to Nusseerabad.	N. 88 45 E.	1,225
From centre of Pillar No. 11 to centre of Pillar No. 12, on the edge of cultivated ground near the road leading from the town of Neemuch towards Kunowtee and Nusseerabad.	N. 83 30 E.	556
From centre of Pillar No. 12 to centre of Pillar No. 13, to the north of Ball Practice Butts on the edge of cultivated ground.	N. 83 15 E.	518
From centre of Pillar No. 13 to centre of Pillar No. 14, on rising ground.	S. 130 15 E.	698
From centre of Pillar No. 14, across the country cart road from Jawud, to centre of Pillar No. 15, on rising ground.	S. 129 30 E.	1,141
From centre of Pillar No. 15, across the tank, to centre of Pillar No. 16, on the west side of Gwall Tolla village.	S. 130 30 E.	675
From centre of Pillar No. 16 to centre of Pillar No. 17, on the west side of made road leading from the town of Neemuch to Jawud.	N. 38 30 E.	326
From centre of Pillar No. 17 to centre of Pillar No. 18, on the west side of made road leading to Jawud.	S. 162 15 E.	286
From centre of Pillar No. 18 to centre of Pillar No. 19, on the west side of made road leading to Jawud and at the north corner of Sooturkhana compound.	S. 154 0 E.	319
From centre of Pillar No. 19 to centre of Pillar No. 20, on the west side of road leading to Jawud.	S. 145 15 E.	187
From centre of Pillar No. 20 to centre of Pillar No. 21, on the west side of road leading to Jawud, and at the corner of Sooturkhana compound close to junction of road from Malkhera and that leading to Jawud.	S. 144 15 E.	286
From Pillar No. 21 to centre of Pillar No. 22, at the south-east corner of Sooturkhana compound at the junction of four roads.	S. 179 45	233
From centre of Pillar No. 22 to centre of Pillar No. 23, on the west side of road leading to town of Neemuch and about 30 yards north of Koombar's huts.	S. 225 45 E.	329
From centre of Pillar No. 23 to centre of Pillar No. 24, about 30 yards north-west of same Koombar's huts.	S. 250 45 W.	102
From centre of Pillar No. 24 to centre of Pillar No. 25, on the south side of road leading to Sudder Bazar and about 20 yards east of the nulla.	S. 171 15 E.	534
From centre of Pillar No. 25 past west side of town of Neemuch to centre of Pillar No. 26, on rising ground and midway between two branches of the nulla.	S. 187 0 W.	317
From centre of Pillar No. 26 to centre of Pillar No. 27, on rising ground surrounded by two branches of the nulla.	S. 214 30 W.	516
From centre of Pillar No. 27 to centre of Pillar No. 28, on the east side of a small nulla.	N. 281 15 W.	139
From centre of Pillar No. 28 to centre of Pillar No. 29, on the edge of cultivated ground and 70 yards south of the nulla and to the east of a row of gardens.	N. 318 45 W.	320
From centre of Pillar No. 29 to centre of Pillar No. 30, on the edge of cultivated ground and 100 yards south of the nulla and following south flank of row of gardens.	S. 262 0 W.	449
From centre of Pillar No. 30 to centre of Pillar No. 1, on the east side of Mundesore road near the new Masonry Bridge.	N. 274 15 W.	250

GENERAL.

The 7th December 1876.

No. 2590*G.*—With reference to Notification in this Department, No. 192G., dated 28th January 1876, Mr. C. U. Aitchison, C. S. I., has been granted extension of leave for eight months by Her Majesty's Secretary of State.

No. 2591*G.*—The under-mentioned Assistant Commissioners in the Mysore Commission have passed the examinations prescribed for Assistants in that Province as follows:—

By the Higher Standard.

Narsimmaiengar.	C. Soob Rao.
R. Vijayendra Rao.	Syed Nasiruddin.

By the Lower Standard.

P. N. Purnaiya.	Ananda Rao.
Syed Nasiruddin.	Ganes Singh.

No. 2592*G.*—The following promotions in the graded list of Political Officers are made, with effect from 25th November 1876:—

Major C. K. M. Walter, Political Agent, 1st Class, to be Resident, 3rd Class, but to continue to officiate temporarily as Resident, 1st Class.

Major W. Tweedie, Political Agent, 2nd Class (on furlough), to be Political Agent, 1st Class.

Captain W. J. W. Muir, Political Agent, 3rd Class, to be Political Agent, 2nd Class, but to continue to officiate as Political Agent, 1st Class.

Captain C. A. Baylay, Political Assistant, 1st Class, and Officiating Political Agent, 3rd Class, to be Political Agent, 3rd Class.

Major E. Temple, Political Assistant, 2nd Class, and Officiating Political Agent, 3rd Class, to be Political Assistant, 1st Class, but to continue to officiate as Political Agent, 3rd Class.

Captain F. H. Maitland, Supernumerary Political Assistant, 2nd Class, is brought on the list as Political Assistant, 2nd Class, but continues to officiate as Political Assistant, 1st Class.

No. 2593*G.*—Major E. C. Impey, Resident, 3rd Class, is posted as Political Agent, Meywar, with effect from 25th November 1876.

The 8th December 1876.

No. 2599*G.*—Mr. T. T. Cooper to be an Attaché in the Foreign Department, as a temporary arrangement, from the date on which he may report his arrival at Delhi.

No. 2601*G.*—In supersession of Notifications No. 2234 and No. 2235, dated 13th October 1876, Lieutenant-Colonel J. Johnstone is temporarily attached to the Foreign Department, with effect from the 22nd November 1876, and, while thus employed, is graded as a Political Assistant, 1st Class.

F. HENVEY,
for *Offg. Secy. to the Govt. of India.*

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 8th December 1876.

No. 3058.—The under-mentioned Officers of this Department are appointed to officiate as follows:—

Mr. F. C. Barnes, as Assistant to the Accountant General, North-Western Provinces.
Mr. J. W. McNair, as Assistant to the Comptroller General.
Mr. F. J. Atkinson, as Assistant to the Comptroller General.
Mr. T. Krishna Murti Iyengar, as Assistant to the Accountant General, Madras.
Mr. H. J. Brereton, as Assistant to the Accountant General, North-Western Provinces.
Babu Ishan Chunder Basu, as Assistant to the Accountant General, Punjab.
Mr. R. C. Chapman, as Assistant to the Accountant General, British Burmah.

MINT AND CURRENCY.

The 8th Decemher 1876.

No. 3037.—Surgeon-Major P. F. Bellew received charge of the Office of Assay Master of Her Majesty's Mint at Bombay from Surgeon-Major H. W. Graham, and Mr. F. W. Peterson, F.C.S., received charge of the Office of Deputy Assay Master of the said Mint from Surgeon-Major P. F. Bellew, after noon on the 30th November 1876.

No. 3043.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency.*

DATE.	Circles of Issue.	Currency Notes in Circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	TOTAL RESERVE.
		Rs.	Rs.	Rs.	Rs.	Rs.
30th November 1876	Calcutta	4,94,07,910	2,31,93,761	50,48,906	2,54,39,528	5,36,82,195
Ditto	Madras	1,33,62,490	61,23,095	...	60,00,000	1,11,23,095
Ditto	Bombay	3,54,73,135	1,71,98,265	...	1,56,00,000	3,27,98,265
Ditto	Allahabad	72,86,395	51,19,205	...	31,00,000	82,19,205
Ditto	Lahore	62,68,215	25,64,745	...	33,00,000	58,64,745
Ditto	Calicut	20,42,150	13,75,350	...	7,00,000	20,75,350
Ditto	Coconada	8,45,255	3,55,005	...	5,00,000	8,55,005
Ditto	Nagpore	15,04,525	6,61,295	...	8,00,000	14,61,295
Ditto	Kurrachee	18,96,805	6,62,390	...	12,00,000	18,62,390
Ditto	Akola	12,21,005	10,96,340	...	3,00,000	13,96,340
	TOTAL	11,93,07,885	5,73,19,451	50,48,906	5,69,39,528	11,93,07,885

The Gazette of India,

EXTRAORDINARY.

Published by Authority.

CALCUTTA, FRIDAY, DECEMBER 15, 1876. {Register No. 33.}

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 15th December 1876.

HIS GRACE THE DUKE OF BUCKINGHAM AND CHANDOS, G.C.S.I., Governor of the Presidency of Fort St. George, being expected to arrive at Calcutta on board the Indian Government Steamer *Tenasserim* on or about the 20th instant on his way to the Imperial Assemblage at Delhi, the Honorable the President in Council is pleased to direct the following arrangements:—

When the *Tenasserim* passes Atcheepore, five guns will be fired from Fort William.

On the arrival of the vessel off Prinsep's Ghât, the Under-Secretary to the Government of India in the Home Department (in the absence of the Secretary), a Secretary to the Government of Bengal, the Chairman of the Justices of the Peace for the Town of Calcutta, and an Aide-de-Camp to the Viceroy, will proceed on board and ascertain when His Grace wishes to land.

These Officers, with the Brigadier General Commanding the Presidency District, will receive the Duke of Buckingham and Chandos on landing, and a detachment of Native Cavalry will escort His Grace to Government House.

A Guard of Honour of Native Infantry will be drawn up at Prinsep's Ghât, and one of British Infantry in front of the Grand Stairs of Government House.

A salute of seventeen guns will be fired on the landing of His Grace at Prinsep's Ghât.

On the departure of the Duke of Buckingham and Chandos for Delhi, the usual salute will be fired; Guards of Honour will parade at Government House and at the Howrah Railway Station, and His Grace will be escorted to the station by a detachment of Native Cavalry.

The Officers directed to be in attendance at the landing will also attend on His Grace at his departure from Calcutta.

By Order of the Honorable the President in Council,

C. E. BATES, *Major,*
Military Secretary to the
Hon'ble the President in Council.

Printed and Published for the GOVT. OF INDIA *at the Office of* SUPDT. GOVT. PRINTING, 8, *Hastings Street, Calcutta.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 51.] CALCUTTA, SATURDAY, DECEMBER 16, 1876. [Register No. 33.

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

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SUPPLEMENT No. 53.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

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The Officers directed to be in attendance at the landing will also attend on His Grace at his departure from Calcutta.

By Order of the Honorable the President in Council,

C. E. BATES, *Major*,
Military Secretary to the
Hon'ble the President in Council.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 15th December 1876.

No. 2131.—Under the provisions of Section 9 of Statute 24 & 25 Vic., Cap. 67, the Honorable the President in Council is pleased to direct that the Council of the Governor General shall assemble at Delhi in the jurisdiction of the Lieutenant-Governor of the Punjab.

ESTABLISHMENTS.

The 11th December 1876.

No. 811.—Mr. B. G. Geidt, of Her Majesty's Bengal Civil Service, reported his arrival at Calcutta on the 30th ultimo.

The 13th December 1876.

No. 816.—The services of Mr. R. B. McCabe, of Her Majesty's Bengal Civil Service, attached to the Lower Provinces of Bengal, are placed at the disposal of the Chief Commissioner of Assam.

Mr. McCabe reported his arrival at Calcutta on the 30th ultimo.

No. 820.—APPOINTMENT.—Captain E. J. Gunthorpe, Assistant District Superintendent of Police in the Hyderabad Assigned Districts, to officiate as District Superintendent of Police of the 3rd Grade, with effect from the 24th July last, and until further orders.

No. 822.—APPOINTMENT.—Mr. D. Cargill, to be District Superintendent of Police, 5th Grade, in Oudh, with effect from the 26th February last.

No. 823.—APPOINTMENT.—Mr. H. F. Smith, to be District Superintendent of Police, 5th Grade, in Oudh, with effect from the 1st March last.

No. 825.—Mr. A. M. B. Irwin, of Her Majesty's Bengal Civil Service, reported to the Government of the Punjab his arrival at Lahore, on the 24th ultimo.

The 14th December 1876.

No. 832.—The services of Lieutenant-Colonel J. Johnstone, an Assistant Commissioner in Assam, are placed at the disposal of the Foreign Department.

No. 834.—Mr. C. Rustomjee, of Her Majesty's Bengal Civil Service, reported his arrival at Allahabad on the 29th ultimo.

The 15th December 1876.

No. 848.—Messrs. R. H. Anderson, F. A. Slack, and C. J. S. Faulder, of Her Majesty's Bengal Civil Service, reported their arrival in Calcutta on the 7th, 8th, and 9th instant, respectively.

MEDICAL.

The 14th December 1876.

No. 678.—The services of 2nd Grade Assistant Surgeon Unnoda Churn Kastogree are placed at the disposal of the Chief Commissioner of Assam for appointment to the medical charge of the civil station at Sibságar.

PATENTS.

The 15th December 1876.

No. 627.—Specifications of the under-mentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same, on payment of the expense of copying:—

No. 29 of 1876.—Mr. T. Pridham, of Nazira, in the Province of Assam, for "an improved apparatus for drying tea and other substances by means of heated air."

No. 33 of 1876.—Mr. J. F. Robinson, Mechanical Engineer, of Allahabad, in the North-Western Provinces, for "an improved continuous kiln for burning bricks, tiles, and other ware."

No. 36 of 1876.—Mr. E. W. Stoney, Civil Engineer, residing at Arconum, in the Madras Presidency, for "excavating under water clay, gravel, kunkur, or other similar materials from the interior of wells, cylinders, &c.; and for under-cutting and excavating beneath the edges or curbs of the same, to any extent which may be found necessary or desirable, by means of machines entitled 'expansive, enlarging, and under-cutting excavators.'"

No. 50 of 1876.—Mr. C. R. Cowie, Manager, Rangoon Oil Works, Rangoon, British Burmah, for "improvements in utilizing as fuel the husks of paddy or rice or other combustible substances containing a considerable quantity of ash or incombustible matter, and for furnaces employed therefor."

No. 55 of 1876.—Mr. J. F. W. Niebuhr, of Cavendish Chambers, Duke Street, Portland Place, in the County of Middlesex, for "certain improvements in the manufacture of gas for lighting purposes."

No. 56 of 1876.—Mr. H. J. Cole, of Wondsworth road, in the County of Surrey, England, Mechanical Engineer, for "improvements in syphon-tops for aerated liquid bottles."

No. 61 of 1876.—Mr. C. H. Denham, C.E., District Engineer, East Indian Railway, Howrah, Bengal, for "a cast-iron Railway sleeper."

No. 68 of 1876.—Mr. W. Jackson, Engineer, 103, Clive Street, Calcutta, for "an improved quadrilateral, angular, ovular, cross-action, self or hand-feeding, and discharging tea-leaf rolling machine, given by two rolling plates moving directly across each other, each guided in a parallel line and moving at comparative different rates of speed to each other."

No. 70 of 1876.—Mr. H. R. Newton, of 43, Seymour Street, Portman Square, in the County of Middlesex, Architect and Surveyor, England, for "improvements in apparatus for the combined sanitary objects for supplying and regulating water filtered or unfiltered to houses, and in locking or fastening apparatus therefor, and for discharging and separating waste and surface waters from houses and lands, and in the construction of drains, sewers, and connections therefor, parts of all of which methods of construction and apparatus are applicable to other useful purposes."

No. 72 of 1876.—Mr. T. B. Redwood, of Fairlawn, Fenchley, in the County of Middlesex, England, for "improvements in the manufacture of gas for burning."

No. 74 of 1876.—Mr. J. L. Besnard, of the Island of Guernsey, in the Dominion of Great Britain, Manufacturer of Aerated Waters, for "improvements in apparatus for stoppering bottles or jars, for containing aerated or other liquids."

No. 75 of 1876.—Mr. J. G. Cooke, Locomotive Carriage and Wagon Superintendent, Oude and Rohilkund Railway, Lucknow, for "a water-heating apparatus for domestic and other purposes."

No. 76 of 1876.—Mr. P. Tyrer, of No. 425, King Street, Melbourne, in the Colony of Victoria, Engine-driver, for "an improved apparatus for extracting corks from bottles."

No. 83 of 1876.—Mr. A. K. Rider, of Walden, in the County of Orange and State of New York, United States of North America, but at present residing in London, England, for "improvements in air engine."

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—CUSTOMS—INLAND.

Fort William, the 14th December 1876.

No. 344.—In exercise of the power conferred by Section 28 of the Inland Customs' Act, 1875, the President in Council is pleased to make the following Rules, that is to say—

1. When any salt is, after the 16th day of December 1876, brought from foreign territory, no person shall move such salt into or over any tract of British territory lying to the west of the Customs Zone between the rivers Sutlej and Nerbudda, except subject to the following conditions, namely—

(*a*) that such salt be in transit to some place within or to the eastward of the Customs Zone;

(*b*) that it be covered by a pass issued by such Officer as the Commissioner of Inland Customs from time to time appoints in this behalf; and

(*c*) that it be taken direct from the point at which it enters British territory to its destination within or to the eastward of the Zone, by such route as may be prescribed in such pass, and without stopping at any intermediate place for a longer time than may be permitted by an order endorsed on such pass by such Officer as the Commissioner of Inland Customs from time to time appoints in this behalf.

2. No person shall move any salt which may be within the limits of any such tract on the said 16th day of December 1876, except under a pass granted by such Officer as the Commissioner of Inland Customs from time to time appoints in this behalf.

3. The Commissioner of Inland Customs may from time to time, by a general order under his hand, exempt from the operation of this Notification, upon such conditions as he thinks fit, such quantities of salt, not exceeding in each case ten maunds, as are intended for consumption within any such tract.

4. Nothing herein contained shall apply to any salt covered by a rawanna issued under paragraph 10 of the rules contained in Notification No. 156, dated the 30th June 1876.

SURVEYS.

The 11th December 1876.

No. 933.—Captain R. V. Riddell, R.E., Deputy Superintendent of the 3rd Grade in the Topographical Survey Department, is appointed to officiate in the 2nd Grade, *vice* Captain Geo. Strahan, R.E., Supernumerary, with effect from the 8th November 1876.

Lieutenant-Colonel A. D. Vanrenen, B.S.C., Deputy Superintendent of the 2nd Grade in the Revenue Survey Department, is promoted to the 1st Grade, with effect from the 23rd October 1876, to fill an existing vacancy.

GENERAL.

The 14th December 1876.

No. 1071.—Mr. G. H. M. Batten, Commissioner of Inland Customs, is appointed to officiate as Secretary to the Government of India, in the Department of Revenue, Agriculture, and Commerce, during the employment of Mr. A. O. Hume, C.B., on special duty, or until further orders.

Mr. W. S. Halsey, Inspector General of Registration, and Commissioner of Excise and Stamps, North-Western Provinces, is appointed to officiate as Commissioner of Inland Customs, *vice* Mr. Batten, or until further orders.

The Honourable T. C. Hope, Additional Member of the Council of the Governor General for making laws and regulations, is appointed to be Additional Secretary to the Government of India, in the Department of Revenue, Agriculture, and Commerce, as a temporary measure.

T. C. HOPE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 15th December 1876.

No. 3139P.—The following Notification which appeared in the *London Gazette* of the 27th October 1876, is re-published for general information :—

At the Court at *Balmoral*, the 23rd day of *October* 1876.

PRESENT,

The Queen's Most Excellent Majesty in Council.

Whereas Her Majesty the Queen has power and jurisdiction within the dominions of the Kings of Siam :

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1843 to 1875, and by the Act of the session of the twentieth and twenty-first years of Her Majesty's reign (chapter 75), "to confirm an Order in Council concerning the exercise of jurisdiction in matters arising within the Kingdom of Siam," or otherwise, in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1. This order may be cited as the Siam (Foreign Jurisdiction) Order in Council of 1876.
2. Words in this Order have the same meaning as in the Order in Council of the 28th day of July, 1856, relative to Her Majesty's power and jurisdiction within the Kingdom of Siam (which Order may be cited as the Siam (Foreign Jurisdiction) Order in Council of 1856.)
3. Her Majesty's Consul-General at Bangkok shall, on receipt of this Order, cause a printed copy thereof to be affixed and publicly exhibited in his Court, and shall cause a printed copy thereof to remain publicly exhibited there for one calendar month; and on the expiration of that month the following provisions of this Order shall commence and have effect.
4. The Siam (Foreign Jurisdiction) Order in Council of 1856 shall, as regards the exercise of jurisdiction by Her Majesty's Consul-General at Bangkok, but not further, be read and have effect as if, in Article 14 thereof, for the words "twelve months" there were substituted the words "three years."
5. Where a British subject, being a native of Her Majesty's Possession of British Burmah, is charged with the commission of a crime or offence, the cognisance whereof appertains to Her Majesty's Consul, and it is in the opinion of Her Majesty's Consul expedient that the crime or offence be inquired of, tried, determined, and punished, within Her Majesty's Dominions, then, notwithstanding anything in the Siam (Foreign Jurisdiction) Order in Council of 1856, the accused may, under section 4 of the Foreign Jurisdiction Act of 1843, be sent for trial, if the Consul thinks fit, to Her Majesty's Possession of British Burmah.

(2.) The Consul may, by warrant under his hand and official seal, cause the accused to be taken for trial to British Burmah, accordingly.

(3.) The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up at any place in British Burmah, according to the warrant.

And the Right Honourable the Earl of Derby, and the Most Honourable the Marquis of Salisbury, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

C. L. Peel.

No. 3140P.—The Honorable the President in Council is pleased to recognize the appointment of Chevalier G. Gallian as Consul General for Italy at Calcutta.

GENERAL.

The 12th December 1876.

No. 2635G.—Major P. W. Powlett, Political Agent, 2nd Class, on returning from furlough, is placed in charge of the Kotah State, and is ranked for the period during which he may be thus employed, or until further orders, as an Additional Political Agent of the 1st Class.

The 13th December 1876.

No. 2658G.—Mr. C. E. R. Girdlestone, Resident of the 2nd Class, and Resident in Nepal, is granted furlough for one year and ten months from February 1st, 1877, or subsequent date.

Mr. Girdlestone is also granted subsidiary leave for 30 days, from such date as he may avail himself thereof, preparatory to furlough.

The 15th December 1876.

No. 2672G.—APPOINTMENT.—Mr. G. R. Aberigh-Mackay, to be Principal of the Indore Residency College, with effect from the forenoon of the 24th November 1876.

No. 2675G.—Major A. G. Mayne, Cantonment Magistrate, Secunderabad, has passed the prescribed examination in Persian.

No. 2677G.—ADDENDUM.—In Notification No. 2493G., dated 23rd November 1876, appointing Captain J. R. McK. Homfray, Wing Subaltern, Bhopal Battalion, to officiate as Adjutant, with effect from date of assuming charge, *vice* Captain Ransford, after the word "Adjutant," insert "*in addition to his other duties.*"

No. 2678G.—Mr. R. H. Pilcher, Political Assistant, 1st Class, and Assistant Resident, Mandalay, passed, on the 8th November 1876, the examination in International Law and Treaties prescribed for Officers employed in the Political Department.

F. HENVEY,
for *Offg. Secy. to the Govt. of India.*

FINANCIAL DEPARTMENT.

NOTIFICATION.

Fort William, the 15th December 1876.

No. 3259.—ERRATA.—CIVIL PENSION CODE.—In Rule 4, under Section 50, page 26, for "Section 96," read "Section 97."

ACTING ALLOWANCE CODE.—In the note under Section 7, page 226, for "Section 19, Rule 1," read "Section 20, Rule 1."

D. BARBOUR,
Under-Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 12th December 1876.

No. 1224.—APPOINTMENTS—

Military Accounts Department.

Captain C. A. E. S. Carter, Officiating Military Accountant, 2nd Class, 1st Grade, to officiate as Military Accountant, 1st Class, 2nd Grade.

Major H. G. Saunders, Officiating Military Accountant, 2nd Class, 2nd Grade, to officiate as Military Accountant, 2nd Class, 1st Grade.

Lieutenant J. A. Miley, Officiating Military Accountant, 3rd Class, to officiate as Military Accountant, 2nd Class, 2nd Grade.

} From 21st November 1876, during the absence on furlough to Europe of Colonel W. C. Clarke, and until the return of Captain H. G. Pritchard.

Captain H. F. Woodcock, Assistant Military Accountant, on probation, to officiate as Military Accountant, 3rd Class, from date of appointment to the Department.

No. 1225.—Her Majesty has been pleased to appoint the under-mentioned gentlemen to be Surgeons in Her Majesty's Indian Military Forces in the Presidency of Bengal. They are accordingly admitted into the service :—

Medical Department.

Surgeons E. B. Meredith, W. A. Mawson, G. H. Peevor, D. J. Macdonald, H. Hamilton, M.D., N. J. Halpin, A. E. R. Stephens, B. Doyle, W. H. Cadge, and S. H. Dántrá,—arrived at Bombay, 21st November 1876.

No. 1226.—The services of Surgeon-Major S. C. Amesbury, Medical Department, in medical charge, 6th Regiment of Native (Light) Infantry, are placed temporarily at the disposal of the Home Department.

No. 1227.—The under-mentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval :—

Lieutenant-Colonel Augustus Kirkwood Comber, Bengal Staff Corps.
Lieutenant-Colonel William Robert Gordon, Bengal Staff Corps.
Lieutenant-Colonel James Burn, Bengal Staff Corps.
Lieutenant-Colonel James Dowell Swayne, Bengal Staff Corps.
Lieutenant-Colonel James Creighten Wood, Bengal Staff Corps.

} 12th December 1876.

Lieutenant-Colonel Thomas Francis Forster, Bengal Staff Corps.
Lieutenant-Colonel Frederick Cortlandt Anderson, Bengal Staff Corps.
Lieutenant-Colonel Montgomery Hunter, Bengal Staff Corps.

} 13th December 1876.

No. 1228.—The under-mentioned Officers of the Bengal Staff Corps, having completed 26 years' service, are promoted to the rank of Lieutenant-Colonel, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval :—

Major George Charles Depree.
Major Henry Roche Osborn.
Major Edward Henry Cassan Simpson.
Major George Bowen Cassan Simpson.

} 9th December 1876.

Major (Brevet Lieutenant-Colonel) John Hadow Jenkins.
Major Eugene Cluttorbuck Impey.
Major William Cavendish Bentinck Ryan.
Major Lawrence Henry Williams.

} 10th December 1876.

No. 1229.—The under-mentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval :—

Captain Arthur Donald Butler,—12th December 1876.

Captain Lionel Smith.
Captain Robert Cecil Richard-Clifford.
Captain Henry Sullivan Jarrett.
Captain Leopold John Herbert Grey.
Captain Edmund Swetenham.
Captain Wardlaw Cortlandt Anderson.
Captain Henry Marsh Pratt.
Captain Charles Henry Cantor.

} 13th December 1876.

No. 1230.—The following promotion is made subject to Her Majesty's approval :—

Corps.	Rank and Name.	To what rank promoted.	From what date.	In whose room.
Cadre of the late 1st European Light Cavalry.	Captain (Brevet Major) Alfred Robert Davidson Mackenzie.	Major ...	Sep. 6, 1876	Major R. Baring (19th Hussars), retired.

No. 1231.—Supernumerary Surgeon-Major Robert Gray, M.B., of the Medical Department, is brought on the Establishment of Surgeons-Major to fill an existing vacancy.

No. 1232.—The under-mentioned Officers of the Bengal Staff Corps having completed twelve years' service in the rank of Lieutenant-Colonel, are admitted to the Colonel's allowance, with effect from the dates specified, under the operation of G. G. O. No. 808 of 1866, paragraph 61, clause 5 :—

Major-General Albert Fytche, C. S. I.,—11th December 1876.

Lieutenant-Colonel (Brevet Colonel) George Cliffe Hatch,—12th December 1876.

No. 1233.—Lieutenant-Colonel (Brevet Colonel) G. C. Hatch, Bengal Staff Corps, having vacated his appointment as Judge Advocate General on succeeding to Colonel's allowance, is, with the approval of the Right Honorable the Secretary of State for India, re-appointed to that office for one year from the 12th December 1876.

The 14th December 1876.

No. 1234.—In accordance with the provisions of G. G. O. No. 370 of 1863, paragraph 10, Sub-Conductor William Howes, who was appointed on

probation in the Ordnance Commissariat Department in G. G. O. No. 665 of 1876, is confirmed in his present grade of Sub-Conductor from 25th May 1876.

No. 1235.—FURLOUGH AND LEAVE—

The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Major (Brevet Colonel) Gordon Douglas Pritchard, Royal Engineers, Executive Engineer, 1st Grade, N. W. P., Public Works Department,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Major John Magee McNeile, Royal Engineers, Executive Engineer, 1st Grade, P. W. Department, Superintendent of Works, Irrigation, Rajpootana, Nusseerabad,—private affairs, for eight months, under Rule IX of the Regulations of 1868.

Captain Charles Harley Bridges, Bengal Staff Corps, Wing Officer, 22nd (Punjab) Regiment of Native Infantry,—private affairs, for twenty-one months, under Rule IX of the Regulations of 1868.

Surgeon Warwick Jackson, Medical Department, in medical charge, 2nd Punjab Infantry, Punjab Frontier Force,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Captain Arnold Dashwood Strettell, Bengal Staff Corps, Adjutant, 2nd Punjab Infantry, Punjab Frontier Force,—private affairs, for two years, under Rules IX and XV of the Regulations of 1868.

Lieutenant George Frederick Young, Bengal Staff Corps, 1st Wing Subaltern, 30th (Punjab) Regiment of Native Infantry,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Lieutenant Adelbert Cecil Talbot, Bengal Staff Corps, Political Assistant, 3rd Class, Assistant Agent to the Governor General for Rajpootana, Officiating Political Assistant, 1st Class,—private affairs, for one year, under Rule IX of the Regulations of 1868.

No. 1236.—FURLOUGH AND LEAVE—

With reference to G. G. O. No. 229 of 1875, Captain J. Butler, Bengal Staff Corps, has been permitted by the Right Honorable the Secretary of State to return to India with a view to spending the residue of his furlough in this country.

No. 1237.—REPORT OF ARRIVALS—

Lieutenant-Colonel (Brevet Colonel) R. G. F. Henegan, Royal Artillery, Superintendent of the Gun Carriage Factory at Fatehgarh,—Bombay, 16th November 1876.

Lieutenant-Colonel H. H. Lyster, V.C., Bengal Staff Corps, 2nd-in-Command and Wing Officer, 3rd Goorkha (The Kemaoon) Regiment,—Bombay, 6th December 1876.

Liutenant Colonel E. Tierney, Royal Artillery, Superintendent, Gunpowder Factory, Ishapore,—Bombay, 6th December 1876.

Surgeon-Major J. L. Bryden, M.D., Medical Department, Statistical Officer to the Sanitary Commissioner with the Government of India,—Bombay, 30th November 1876.

Surgeon-Major J. B. Scriven, Medical Department,—Bombay, 30th November 1876.

Surgeon-Major J. A. C. Hutchinson, M.D., Medical Department, in medical charge, 18th (The Alipore) Regiment of Native Infantry—Fort William, 3rd December 1876.

Major R. G. Smyth, Royal Engineers, Executive Engineer, 1st Grade, Public Works Department,—Fort William, 7th December 1876.

Major H. P. Pearson, 12th Foot, Deputy Assistant Quartermaster General,—Bombay, 6th December 1876.

Captain E. J. de Lautour, Royal Artillery, Commandant, Hazara Mountain Battery, Punjab Frontier Force,—Bombay, 30th November 1876.

Captain W. G. Hughes, Madras Staff Corps, Deputy Commissioner, 4th Grade, British Burmah, Superintendent of the Hill Tracts of Arracan,—Fort William, 29th November 1876.

Captain W. Hopkinson, General List, Infantry, Cantonment Magistrate, and Judge, Small Cause Court, Barrackpore,—Fort William, 29th November 1876.

Captain M. O. Boyd, Bengal Staff Corps, 2nd Grade, Assistant Commissioner, Darrang, Assam,—Fort William, 6th December 1876.

Captain C. S. Pratt, Bengal Staff Corps, Wing Officer, 34th (The Fatehgarh) Regiment of Native Infantry,—Bombay, 6th December 1876.

Captain W. E. Chambers, Bengal Staff Corps,—Bombay, 6th December 1876.

Captain F. B. Morris, General List, Infantry, Assistant Commissioner, Central Provinces,—Bombay, 6th December 1876.

Captain G. B. Wolseley, 65th Foot, Brigade Major on the Establishment,—Bombay, 7th December 1876.

Lieutenant J. P. C. Neville, Bengal Staff Corps, 1st Squadron Subaltern, 14th Bengal Lancers,—Bombay, 27th November 1876.

Conductor J. Kelly, Ordnance Commissariat Department,—Bombay, 6th December 1876.

Conductor J. Beatty, Ordnance Commissariat Department,—Bombay, 6th December 1876.

No. 1238.—REPORT OF DEPARTURES—

Lieutenant-Colonel (Brevet Colonel) C. H. Byers, Bengal Staff Corps, G. G. O. No. 1040 of 1876,—*Assiria*, 15th October 1876, from Bombay.

Lieutenant-Colonel R. E. Oakes, Bengal Staff Corps, G. G. O. No. 311 of 1876,—*Poonah*, 24th March 1876, from Calcutta.

Lieutenant-Colonel A. Francis, Madras Staff Corps, Madras G. O. No. 506 of 1876,—*Assiria*, 15th October 1876, from Bombay.

Captain G. H. Jackson, General List, Infantry, G. G. O. No. 1204 of 1876,—*Pekin*, 20th November 1876, from Bombay.

Captain A. Fishe, Bengal Staff Corps, G. G. O. No. 1056 of 1876,—*City of Baltimore*, 11th October 1876, from Bombay.

Captain E. N. D. LaTouche, General List, Infantry, G. G. O. No. 1058 of 1876,—*Avoca*, 16th October 1876, from Bombay.

Lieutenant W. H. Salmon, Bengal Staff Corps, G. G. O. No. 1107 of 1876,—*Bokhara*, 9th October 1876, from Bombay.

Lieutenant G. F. Wilson, Royal Engineers, G. G. O. No. 1046 of 1876,—*India*, 21st October 1876, from Bombay.

Lieutenant W. J. B. Bird, Bengal Staff Corps, G. G. O. No. 1178 of 1876,—*Thibet*, 30th October 1876, from Bombay.

Conductor W. Jack, G. G. O. No. 1106 of 1876,—*Jumna*, 5th December 1876, from Bombay.

No. 1239.—The following extract from list No. 19, dated the 17th November 1876, received from the India Office, is published for general information:—

Permitted to return.

Captain H. S. Jarrett, S.C.
Surgeon-Major W. B. Beatson.
Major P. C. Rynd, S.C.

Colonel C. F. G. Lamb, S.C.
Surgeon W. F. Murray.
Major P. W. Powlett, S.C.
Lieutenant-Colonel W. Hichens, R.E.
Colonel L. B. Jones, S.C.
Honorary Lieutenant J. Cargin, Barrack Department.
Lieutenant-Colonel E. Tierney, R.A.
Captain H. J. Barton, S.C.
Major-General R. Maclagan, R.E.
Captain G. B. Wolseley, 65th Foot.
Surgeon-Major W. Moir.
Captain E. S. Neave, S.C.

Granted extensions of leave.

Lieutenant-Colonel H. H. Gough, C.B., V.C., 1 month, P. A.
Major-General R. Maclagan, 1 week, P. A.
Apothecary W. B. Grassby, 6 months, M. C.
Colonel C. C. Johnson, S.C., 1 month, P. A.
Colonel F. R Maunsell, C.B., R.E., 1 month, urgent P. A.

Retirement.

Principal Veterinary Surgeon A. Turnbull, 29th October 1876.

No. 1240.—The under-mentioned native medical pupils of the Agra Medical School, who have passed their final examination, are promoted to the grade of passed medical pupil, with effect from the 11th October 1876, and placed at the disposal of the Surgeon-General, Indian Medical Service:—

Hamid Hossein
Moomtaz Hossein (*a*.)
Shew Narain.

(*a*) Passed the English qualification examination on the 15th May 1872.

No. 1241.—Third Class Hospital Assistants Abdool Rohoman 1st, and Bainee Pershad, admitted into the service by G. G. Os. Nos. 632 and 1080 of 1869, are permitted to resign the service.

No. 1242.—Jemadar Shere Mahomed, appointed on probation to the 36th (The Bareilly) Regiment of Native Infantry, in G. G. Os. Nos. 944 and 1119 of 1874, is confirmed in that rank with effect from the 8th November 1874.

No. 1243.—The following alterations are made in the Artillery Equipment tables referred to in G. G. O. No. 747 of 1875:—

Royal Horse Artillery tables page 14, in column 3, opposite "Esses for chains field," *for* 4, *read* 5.

Page 16, in column 3, opposite "Washers iron, travelling carriage, drag 2nd class, field," *for* 20, *read* 18.

Field Battery tables, page 14, in column 3, opposite "Esses for chains field," *for* 6, *read* 7, and in page 16, column 3, opposite "Washers iron, travelling carriage, drag 2nd class, field, *for* 20, *read* 18.

No. 1244.—The following clause in list of changes in War matériel is made applicable to India:—

Dated 1st June 1876.

2926.—Tube, electric (No. 10) gun, low tension, Naval service (mark I).

No. 1245.—PAY AND ALLOWANCES—

The Hon'ble the President in Council is pleased to decide that the Brevet pay of Rs. 25 per mensem attached to the Commission of a Subadar Major shall be considered a personal allowance, and drawn while on leave, as was formerly the practice.

G. G. O. No. 652 of 1871 is accordingly cancelled.

In accordance with the above, the following corrections will be made in the Pay Code for India, Volume II, "Native Troops":—

The following is to be substituted in place of Article 96 and note, which is cancelled—

"96. The Brevet pay attached to the Commission of Subadar Major is a personal allowance, and may be drawn while on leave." (G. G. O. No. 1245 of 1876.)

Article 247, clause (*a*), is cancelled.

No. 1246.—TRAVELLING ALLOWANCES—

In modification of G. G. O. No. 586 of 1876, it is hereby notified, under the authority of the Right Hon'ble the Secretary of State for India, that Officers of Royal Artillery transferred from one brigade or battery to another by order of superior authority, will, whatever may be the circumstances of the case, be allowed travelling expenses, but that those who are merely permitted to exchange for their own convenience, will not be allowed that advantage.

In accordance with the above, the following correction will be made in the Pay Code for India, Volume I, "British Troops":—

Article 1170, revised clause *p*, is reconstructed as follows:—

"When, being an Officer of Artillery, he is transferred by order of superior authority from one brigade or battery to another, under any circumstances. If permitted to exchange for his own convenience, he will not be allowed free conveyance." (G. G. O. No. 1246 of 1876.)

No. 1247.—PENSIONS—

Sergeants John Dearkin and Joseph Neill, late 6th Brigade, Royal Artillery, out-pensioners of the Royal Hospital at Chelsea, are permitted to draw their pensions (which are chargeable to Imperial revenue) in India, *viz.*, two shillings each per diem, from the dates they cease to receive regimental pay.

No. 1248.—Buffatee, Camel Surwan, is admitted to a wound pension of Rs. 3-8 per mensem from the 6th December 1873, payable in the N. W. Provinces Circle.

No. 1249.—Jemadar Bisheshur Sing, 1st Oudh Irregular Infantry, Havildar Sheomungul Sing, 48th Native Infantry, and Sepoy Doorjun, Oudh Local Infantry, members of the Lucknow Garrison, are granted pensions at the rate of Rs. 10, Rs. 7, and Rs. 3-8 per mensem, respectively, with effect from the 7th January 1876.

No. 1250.—The under-mentioned are granted pensions from date of their discharge:—

Subadar Mehir Alli, 45th Regiment, Native Infantry, Rs. 25 per mensem—Punjab Circle.

Bhisties Hur Sing Gossaie, 3rd Goorkha Regiment, and Mudar Bux, 35th Regiment, Native Infantry, Rs. 3 each per mensem—N. W. Provinces Circle.

Tabbee *alias* Sudhân, widow of Sepoy Peer Bux, 1st Punjab Infantry, family pension Rs. 2-12 per mensem, from the 29th November 1876—Punjab Circle.

No. 1251.—The under-mentioned men are transferred to the Pension Establishment :—

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		15th (The Loodiana) Regiment of Native Infantry.			
	Subadar...	Sunt Sing ...	Subadar...	25	Punjab.
	Havildar	Bussawah Sing...	Havildar	7	„
	Sepoy ...	Futtah ...	Sepoy ...	4	„
		35th (The Mynpooree) Regiment of Native Infantry.			
	Jemadar...	Buldeo ...	Jemadar...	12	N. W. P.
	Naick ...	Dummer ...	Naick ...	7	„
	„ ...	Nakeram ...	„ ...	7	„
	„ ...	Jodha ...	„ ...	7	„
	Sepoy ...	Gunness ...	Sepoy ...	4	„
	„ ...	Baljeet ...	„ ...	4	„
		1st Goorkha Regiment (Light Infantry).			
	Subadar-Major.	Nain Sing Khuttrie "Bahadoor."*	Subadar-Major.	40*	Punjab.
	Subadar...	Gungaram Bist "Bahadoor."*	Subadar...	40*	„
	Havildar	Sufram Damaie...	Havildar	7	„
	„ ...	Burun Sing Thappa.	„ ...	7	„
	„ ...	Lalbeer Goorung	„ ...	7	„
	„ ...	Maigburn Goorung.	„ ...	7	„
	Sepoy ...	Chunderbeer Nugurkottee.	Sepoy ...	4	„
	„ ...	Narain Bhundaree	„ ...	4	N. W. P.
	„ ...	Kulsea Booratboki.	„ ...	4	„
	„ ...	Nurbeer Rana ...	„ ...	4	Presidency.
		2nd (Prince of Wales' own) Goorkha Regiment (The Sirmoor Rifles).			
	Subadar...	Lall Sing Ghurtee	Subadar...	25	N. W. P.
	„ ...	Narain Thappa*	„ ...	40*	„
	Havildar	Runbeer Poon ...	Havildar	7	„
	„ ...	Toolla Groon ...	„ ...	7	„
	„ ...	Moneyraje Nugerkotee.	„ ...	7	„
	„ ...	Dabee Sahie ...	„ ...	7	„
	„ ...	Kurnbeer Kwas	Naick ...	7	„
	Bugle-Major.	Umer Sing Damie	Bugle-Major.	7	„
	Drum-Major.	Bhageeruth Damie	Drum-Major.	7	„
	Naick ...	Parralad Groon...	Naick ..	7	„
	„ ...	Kalloo Kour ...	„ ...	7	„
	„ ...	Joodhbeer Ghullay.	„ ...	7	„
		2nd (Prince of Wales' own) Goorkha Regiment (The Sirmoor Rifles)—contd.			
	Naick ...	Gudgebeer Groon	Naick ...	7	N. W. P.
	„ ...	Dhurm Chund ...	„ ...	7	„
	Tindal ...	Soobdhaun ...	Tindal ...	7	„
	Sepoy ...	Puddum Sing Ghundially.	Sepoy ...	4	„
	„ ...	Munbeer Thappa	„ ...	4	„
	„ ...	Dulsoor Thappa	„ ...	4	„
	„ ...	Kalloo Allay ...	„ ...	4	„
	„ ...	Purteemun Thappa.	„ ...	4	„
		3rd Goorkha (The Kemaoon) Regiment.			
	Subadar...	Kiertee Sing Thappa.	Subadar...	25	N. W. P.
	„ ...	Hurruk Sing Ranah.	„ ...	25	„
	Jemadar...	Munbeer Thappa	Jemadar...	12	„
	Havildar	Jugbeer Thakoor	Havildar	7	„
	„ ...	Juhar Sing Muhra	„ ...	7	„
	„ ...	Jummun Sing Rawut.	„ ...	7	„
	Naick ...	Runjeet Bisht ...	Naick ...	7	„
	„ ...	Soorbeer Thappa	„ ...	7	„
	„ ...	Urjoon Khuttree	„ ...	7	„
	„ ...	Dhunnee Bisht...	„ ...	7	„
	„ ...	Ramchunder Kundka.	„ ...	7	„
	Sepoy ...	Soorjoo Dhobee...	Sepoy ...	4	„
	„ ...	Jeet Sing Rawut	„ ...	4	„
	„ ...	Nurbeer Kowur	„ ...	4	„
	„ ...	Ruttonman Nuggerkotee.	„ ...	4	„
	„ ...	Dudeeram Dangee	„ ...	4	„
	„ ...	Singbeer Khuttree	„ ...	4	„
	„ ...	Gopal Sing Nagee	„ ...	4	„
	„ ...	Myander Sing Khattee.	„ ...	4	„
	„ ...	Bhew Sing Sahee	„ ...	4	„
		4th Goorkha Regiment.			
	Havildar	Mudna Lohar ...	Havildar	7	N. W. P.
	„ ...	Mola Bundola ...	„ ...	7	„
	Naick ...	Nurr Sing Nunderwal.	Naick ...	7	„
	„ ...	Gunga Sing Nuggerkotie.	„ ...	7	„
	Sepoy ...	Dilleep Sing Nuggerkotie.	Sepoy ...	4	„

* Increased rate of pension.

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
		4th Goorkha Regiment—contd.			
	Sepoy ...	Jusbeer Sarkie...	Sepoy ...	4	N. W. P.
	„ ...	Mahabeer Bisht	„ ...	4	„
	„ ...	Ummur Sing Bureree.	„ ...	4	„
	„ ...	Ummur Sing Rana.	„ ...	4	„
	„ ...	Bheemraj Ghurtie	„ ...	4	„
	„ ...	Dulbhan Goorung	„ ...	4	Punjab.
	„ ...	Nundbeer Rana	„ ...	4	„
	„ ...	Mahabeer Thappa	„ ...	4	N. W. P.
		5th Goorkha Regiment.			
	Subadar...	Balbhader Rai ...	Subadar...	25	Presidency.
	„ ...	Harrackbir Allea	„ ...	25	Punjab.
	Havildar	Mockmu Raot ...	Havildar	7	N. W. P.
	„ ...	Dan Sing Panjai	„ ...	7	„
	„ ...	Narbir Bhatt ...	Naick ...	7	„
	„ ...	Kallean Sing Negi.	Havildar	7	„
	„ ...	Taigi Kanaith ...	Naick ...	7	Punjab.
	„ ...	Narain Dass Jaici	„ ...	7	N. W. P.
	Naick ...	Urjun Sing Bohra	„ ...	7	„
	„ ...	Man Sing Mohat	„ ...	7	„
		5th Goorkha Regiment—contd.			
	Naick ...	Hima Chand ...	Naick ...	7	N. W. P.
	„ ...	Ranjit Raot ...	„ ...	7	„
	„ ...	Dassi Chand ...	„ ...	7	„
	Bugler ...	Dhanbir Damae	Bugler ...	4	„
	Sepoy ...	Gammir Sing Bisht.	Sepoy ...	4	„
	„ ...	Kammall Sing Raot.	„ ...	4	„
	„ ...	Dhan Sing Maniari.	„ ...	4	„
	„ ...	Pattiram Jaici ...	„ ...	4	„
	„ ...	Maihinder Sing Raot.	„ ...	4	„
	„ ...	Bhow Sing Lohar	„ ...	4	„
	„ ...	Lall Sing Sunar	„ ...	4	„
	„ ...	Mockmu Raot ...	„ ...	4	Punjab.
	„ ...	Motiram Jaici ...	„ ...	4	N. W. P.
	„ ...	Lallu Mohar ...	„ ...	4	„
	„ ...	Bhaniram Sawand	„ ...	4	„
	„ ...	Sham Sing Raot	„ ...	4	„
	„ ...	Kamdaib Thapa	„ ...	4	„
	„ ...	Jassea Gusain ...	„ ...	4	„
	„ ...	Fattea Thatera...	„ ...	4	Punjab.

No. 1252.—Brevet pay of rank is continued to Subadar-Major Nain Sing Khuttrie, "Bahadoor," 1st Goorkha Regiment (Light Infantry), admitted to pension in G. G. O. No. 1251 of 1876.

No. 1253.—In G. G. O. No. 1141 of 1876, for "25th October 1876," read *24th* October 1876.

The 15th December 1876.

No. 1254.—The following corrections are to be made in the Pay Code for India, Volume I, "British Troops" :—

Article 2413 is reconstructed as follows :—

"2413.—A pensioned warrant officer during temporary absence from India on furlough, whether in England, the Colonies, or elsewhere, will receive his pension at the Indian rate, which, however, may be drawn in India through an agent," &c., &c.

G. L. Nos. 610-13 of 25th October 1876.

Article 174.—Add an additional sentence to the following effect :—

"There are no such restrictions as regards leave taken in India, which will be regulated by the rules under which the officer is serving."

G. L. No. 561-5 of 14th November 1876.

Article 901 as revised by G. G. O. No. 1098 of 1876.

Add a separate clause to the following effect :—

"Leave in India taken by the officers mentioned in this Article will be regulated by the rules under which they are serving."

G. L. Nos. 561-5 of 14th November 1876.

In revised page No. 316, issued by Superintendent Government Printing, opposite "Bandmaster" in the eighth column, instead of Rs. $\frac{53\text{-}1\text{-}9}{52\text{-}14\text{-}6}$, substitute Rs. $\frac{53\text{-}11\text{-}9}{53\text{-}4\text{-}6}$.

G. G. O. No. 1007 of 1876.

Article 212.—The stations of "Jhansi" and "Saugor," to be expunged from the 3rd class, and entered as 4th class stations.

G. G. O. No. 1063 of 1876.

Article 309.—To the words "Military Administration," affix a dagger (†), and to the allowances (Rs. 1,200 and Rs. 1,000) for examination in other subjects, affix an asterisk (*).

G. L. No. 8078 of 22nd September, and No. 441 of 20th October 1876.

Enter the following notes at foot of page :—

"† Appointment abolished prospectively from 1st April 1879.

"*Allowances reduced to one-half these amounts from 1st April 1878."

Article 42, clause *g*, page 11.—After the words "Deputy Judge Advocate General," enter "Deputy Judge Advocate."

G. G. O. No. 1259 of 1873.

Article 652, Clause *a*.—After the words "four weeks," add "but this restriction of time does not apply to captains of troops and companies of British regiments."

Article 223 is reconstructed as follows :—

"223.—An officer acting in an appointment is entitled to such of the staff and other allowances as may be available under the following rules :—

I.—When an officer is allowed to draw the *full* staff salary of an acting appointment, he can draw no por-

G. G. O. No. 1034 of 1876.

tion of the salary of his substantive appointment, which will be available for his successor.

II.—When more than half (but not the full) staff salary of an appointment is available, the acting officer will be allowed to draw it in addition to such portion, not exceeding half, of the staff salary of his substantive appointment as will not, in the aggregate, exceed the amount he would draw if he held the acting appointment permanently. The officer or officers acting in succession, will draw whatever portion of the staff salary is available, on the same principle.

III.—In case of an officer who, while on furlough, may be transferred to another appointment and allowed a continuance of the furlough pay he formerly drew, the amount of such furlough pay shall be considered as a charge against his new appointment; the allowances of the officer acting in the latter being regulated accordingly.

IV.—When an officer is transferred during furlough from a better to a worse paid appointment, the officer acting for him in the latter will be allowed the half staff of the appointment, notwithstanding the additional charge involved thereby."

Insert the following :—

"Article 1749*b*.—A soldier employed as saddle-tree maker in a cavalry regiment will receive working pay at the rate of six annas a day for every day of the week; and one employed as assistant, four annas for each day he may be employed."

G. G. O. No. 1043 of 1876.

Insert the following :—

"Article 314*a*.—An officer of the staff corps or Indian Army, who may be selected for admission to the Staff College, Sandhurst, will be treated, as respects pay, passage, &c., under the following rules :—

G. G. O. No. 1044 of 1876.
G. L. No. 414-16 of 10th November 1876.

I.—He will travel at the public expense and be provided with passage in a troop-ship.

II.—From date of leaving India to the date of his return, he will receive English pay of rank, and in addition, while at the Staff College, quarters, or the usual allowances in lieu, the ordinary extra allowance to Staff College officers, forage, fuel and light, and be on exactly the same footing as an officer of the British Army.

III.—The whole time from date of leaving appointment or duty in India, to the date of rejoining the same, after passing through the College, will count as "duty" both for promotion and pension (but not for furlough as service in India), provided the final examination be passed successfully.

IV.—An officer recommended for removal from the College by the Commandant as unlikely to make an efficient Staff officer, or failing to pass the probationary examination at the end of the first year, or the final examination, will be required to rejoin in India, at his own expense, with the least possible delay; and the time spent from date of leaving regiment, appointment or duty in India, to the date of rejoining the same, will be absolutely forfeited, but will not be counted as furlough."

Article 1287 is reconstructed as follows :—

"1287.—The scale of personal baggage and stores to be conveyed at the public expense on all ordinary movements by sea, is that laid down in the Transport Regulations, Part I. For officers and troops proceeding beyond sea on active service, special scales of baggage and equipment will be determined at the time, according to the nature of the service."

G. G. O. No. 1088 of 1876.

Article 1043G.—Add—

"An officer of less than two years' service, from date of coming under the new rules, falling sick, will be sent to England on medical certificate, on English furlough pay, subject to the decision of Her Majesty's Government as to his ultimate disposal; a special report on each case being submitted to Her Majesty's Government by the Government of India, or, in the case of officers of the Madras or, Bombay Army, by the Governments of those Presidencies."

Article 1043I.—Add—

"The amount of leave which may be granted under this rule will be restricted to such period as the Government granting it, is satisfied is actually necessary with reference to the urgency of the case."

Article 1043A, page 197.—To the last clause, after the words "then subject," add—

"An officer takes with him so much service for pension as he had become entitled to under former rules. Under the rules of 1854 and 1868, two years' leave in 20 years' service counts for pension, but in periods of less than 20 years, no leave counts. Therefore, if an officer, now under the rules of 1854 or 1868, of 20 years' service, with two years' leave, elects the present rules, his service for pension will be 20 years; if an officer of 19 years' service, with the same amount of leave, elects these rules, his service for pension will be 17 years only."

Article 1043A, page 196.—To the words "Staff Corps," affix an asterisk (*), and enter the following at foot of page :—

"* *Note*.—The date of entry into the Staff Corps is that of entry for choice of furlough rules, *viz*., the date on which the officer was originally appointed on probation. An officer, therefore, whose date of admission to the Staff Corps is not after the 31st December 1875, will have the choice of rules, but an officer whose date of admission is after that date, will have no option."

G. G. O. No. 1110 of 1876.

Page 197.—To the clause ending with the word "respectively," add—

"An officer coming on this Schedule, having furlough to his credit under previous rules, forfeits such furlough absolutely, he being required to serve five years from date of applying to be placed on the Schedule before he can take one year's furlough, unless it

be sick furlough under Article 1043G. An officer similarly circumstanced, but having furlough to his debit, is equally with the others entitled to take one year's furlough, five years after joining the new rules."

Article 2069, Clause (*f*).—Instead of the word "to" in the third line, substitute "by Court Martial to a long period of."

G. L. No. 1138-40 of 24th November 1876.

Clause (*j*), page 381.—In the first line, after the word "sentenced," insert "by Court Martial."

G. L. No. 1138-40 of 24th November 1876.

Article 1881.—Expunge the scale of gratuities opposite "Bengal / Madras / Bombay", and substitute the words "See rules for distribution of gratuities commencing Article 1890."

Article 1882.—Add the following :—

"*Note*.—Men whose fathers and maternal grandfathers, or whose mothers and paternal grandfathers, were of pure European origin, are considered to be of European parentage."

G. O. No. 27 of 1872.

Article 1890 is reconstructed as follows,—the existing Note being expunged :—

"1890.—A gratuity, the amount of which will be fixed by the Government of India, from time to time, but not exceeding Five Pounds in amount, will be granted, on the recommendation of the Commander-in-Chief, in addition to ordinary pension on discharge, to the classes mentioned in Articles 1881-1882, who shall have served in the army for 18 years with an irreproachable character, and either shall not have been convicted by a court martial during that period, or shall have been relieved from the consequences of such conviction under the circumstances specified in Article 1892."

G. G. O. No. 992 of 1876.

Article 1891.—Expunge the first portion of this article commencing "No soldier is eligible" and ending with the word "application."

Insert the following additional article :—

"1891*a*.—Non-Commissioned officers and men who may have distinguished themselves by the display of zeal and brilliant gallantry in the service, shall be eligible for these gratuities, although their cases do not strictly fulfil the conditions specified in Article 1890."

G. G. O. No. 992 of 1876.

Article 1892.—Instead of the words "in the Articles of War," substitute the words "in the 81st and 168th Articles of War (1875)."

G. G. O. No. 992 of 1876.

Article 1901 is reconstructed as follows :—

"1901.—In the case of a gratuity relinquished under the provisions of Article 1900, or forfeited under the provisions of Article 1894, some other deserving soldier or soldiers of the same corps, serving in the year in which the medal and gratuity were originally awarded, and who, having fulfilled the required conditions as to service and character in that year, have since been discharged, may be recommended by the Commander-in-Chief for a medal and gratuity."

G. G. O. No. 992 of 1876.

Insert the following additional article :—

"1901*a*.—A gratuity for distinguished service in the field, which may have been forfeited by desertion, may be restored, but without interest, to the soldier on his being pardoned, and allowed to wear the medal which accompanied the gratuity."

G. G. O. No. 992 of 1876.

Article 1905 is cancelled.

Article 2063.—Add the following :—

"*Note*.—The whole of the Royal Artillery in India will be treated as one body in calculating the regulated percentage of married men."

G. L. No. 387-90 of 9th April 1870, and No. 468-9 of 18th May 1876.

Article 1158, page 220.—Immediately above the words "Inspecting Veterinary Surgeon," *enter* "Director of Army Remount Operations."

G. L. No. 1534-5 of 30th November 1876.

Article 231.—After the word "acting" in the *third* line, insert the words "except under the provisions of Article 223."

No. 1255.—The following corrections are to be made in the Pay Code for India, Vol. II, "Native Troops" :—

Article 280. After the word "private" insert a comma, and enter "Veterinary Pupil with Native Cavalry."

G. L. No. 1120 of 24th November 1876.

Article 559, page 114. For "G. G. O. No. 1066 of 1874," read "G. G. O. No. 1066 of 1875." Omit the word "Sirdars" after the word "workman."

Article 481. After the word "prohibited" add "(Bombay)."

Article 547. Add a clause to the following effect :—

"A hospital assistant whose unfitness for further service is pronounced by a medical committee to be the result of intemperance or irregular habits, will be restricted to a pension equivalent to three-fourths of that to which he would otherwise have been entitled under this article."

G. L. No. 493-4 of 11th November 1876.

Article 219 is reconstructed as follows :—

"When troops are on the line of march, claims to compensation will be regulated by striking an average between the prices of the several articles prevailing at the station whence the men proceed and those prevailing at the station at which they are finally located."

Bombay G. G. O. No. 365 of 1876.

Article 629, page 181. In the scale of rations *on board-ship*—for "Bengal," read "Bengal and Bombay." Expunge the scale of rations under "Bombay," also the *Note* appertaining thereto.

Bombay G. G. O. No. 599 of 1876.

Article 155*a* is reconstructed as follows :—

"When the cost of carriage to native commissioned, non-commissioned officers, and rank and file, marching with their corps in relief or on duty, exceeds half the marching batta (Article 131, clause II) drawn by each rank, the difference between it and the expense actually incurred in the conveyance of the regulated amount of baggage will be paid by the State."

Bombay G. G. O. Nos. 801 of 1875 and 640 of 1876.

No. 1256.—HOSPITAL EQUIPMENT—

The following revised scale of hospital supplies for British Troops is published for general information and guidance :—

	ARTICLES.	QUANTITIES ALLOWED FOR ONE MONTH. Over 750 men, and Kasauli, Murree and Dalhousie Hill Depôts during the season.	From 500 to 750 men, and Naini Tal, Landour, Darjeeling and Pachmarhi Hill Depôts during the season.	From 250 to 499 men.	From 50 to 249 men.
	Sec. I.—Bazar Medicines.				
1	Alum—for gargles, &c.	2 lbs.	1 lb.	8 oz.	4 oz.
2	Assafœtida	2 oz.	1 oz.	1 „	½ „
3	Bael-fruit	*	*	*	*
4	Camphor—for liniments, &c.	1 lb.	8 oz.	4 oz.	2 oz.
5	Coriander-seeds	2 oz.	1 „	1 „	1 „
6	Ginger, dry	8 „	6 „	4 „	2 „
7	Gunda-beroza	*	*	*	*
8	Kaladana—to save jalap	*	*	*	*
9	Kuth, catechu	4 oz.	2 oz.	1 oz.	½ oz.
10	Mustard, Europe—for sinapisms... ...	2 lbs.	1 lb.	12 oz.	8 oz.
11	„ seed—for plasters	3 „	1½ lbs.	12 „	8 „
12	Oil, cocoanut—for ointments	10 „	5 „	2½ lbs.	1 lb.
13	„ linseed—for carron oil, &c.	3 „	1½ „	12 oz.	8 oz.
14	„ mustard—for liniments	3 „	1½ „	12 „	8 „
15	Orange-peel—for tinctures, &c.	1 lb.	8 oz.	4 „	4 „
16	Pepper, red—for cholera pills, gargles, &c. ...	*	*	*	*
17	Pomegranate-root	*	*	*	*
18	Poppy-heads—for stupes	*	*	*	*
19	Rose-water—for eye-washes	*	*	*	*
20	Russout— for eye-paste	2 oz.	1 oz.	½ oz.	½ oz.
21	Sulphur, country—for fumigations ...	*	*	*	*
22	Treacle—for electuaries, &c.	*	*	*	*
23	Vinegar, Europe—for lotions	3 lbs.	1½ lbs.	1 lb.	1 lb.
24	Wax, white—for ointments	4 „	2 „	1½ lbs.	1 „
	Sec. II.—Necessaries.				
1	Arrowroot—for native sick	*	*	*	*
2	Baskets—for sweepers	No. 2	No. 2	No. 1	No. 1
3	Bladders—for application of ice	„ 4	„ 2	„ 2	„ 2
4	Bottles, empty, quarts—for dispensing ...	„ 16	„ 8	„ 4	„ 2
5	„ „ pints—for „ ...	„ 12	„ 6	„ 3	„ 3
6	Brandy—for native sick	*	*	*	*
7	Brooms—for sweepers	No. 6	No. 4	No. 2	No. 2
8	Candles, sperm—for night visits... ...	2 lbs.	1 lb.	1 lb.	1 lb.
9	Chatties—for cooking poultices	*	*	*	*
10	Chunam, lime—for lime-water	6 lbs.	3 lbs.	2 lbs.	1 lb.
11	„ „ for sanitary purposes ...	*	*	*	*
12	Cloth, long, fine—for adhesive plaster ...	*	*	*	*
13	„ muslin—for straining	*	*	*	*
14	„ nynsook—for dressing	20 yards	10 yards	5 yards	2½ yards.
15	„ sheeting—for bandages	30 „	15 „	10 „	5 „
16	Cotton, clean—for burns, dressings, &c. ...	8 lbs.	4 lbs.	2 lbs.	1 lb.
17	Flannel, country—for fomentations ...	12 yards	8 yards	6 yards	6 yards.
18	„ Europe—for bandages	8 „	4 „	2 „	1 yard.
19	Gumlahs, glazed—for spittoons for native sick	*	*	*	*
20	Honey—for linctus	1 lb.	6 oz.	4 oz.	4 oz.
21	Jallahs—for holding water	*	*	*	*
22	Lard, hog's—for ointments	*	*	*	*
23	Leeches	No. 700	No. 500	No. 250	No. 100
24	Linseed—for infusions	10 lbs.	6 lbs.	4 lbs.	2 lbs.
25	Matches—for lights...	8 boxes	2 boxes	1 box	1 box.

* Means "as required."

	ARTICLES.	QUANTITIES ALLOWED FOR ONE MONTH. Over 750 men, and Kasauli, Murree and Dalhousie Hill Depôts during the season.	From 500 to 750 men, and Naini Tal, Landour, Darjeeling and Pachmarhi Hill Depôts during the season.	From 250 to 499 men.	From 50 to 249 men.
26	Naunds—for washing sand. crockery, &c. ...	*	*	*	*
27	Needles—for stitching bandages	No. 2	No. 1	No. 1	No. 1
28	Oil, common—for liniments, native sick ...	20 lbs.	10 lbs.	5 lbs.	2 lbs.
29	Paper, country, unglazed—for latrine ...	One sheet per patient daily.			
30	Phials, common—for dispensing... ...	2 doz.	1 doz.	1 doz.	1 doz.
31	Plantain-leaves—for dressing	8 „	4 „	2 „	1 „
32	Pots, glazed—for lotions	3 „	No. 18	No. 9	No. 6
33	Poultice material—Bran	*	*	*	*
34	„ „ Bread	*	*	*	*
35	„ „ Carrots	*	*	*	*
36	„ „ Charcoal in powder ...	40 lbs.	20 lbs.	10 lbs.	5 lbs.
37	„ „ Flour	*	*	*	*
38	„ „ Linseed-meal	*	*	*	*
39	Sago—for native sick	*	*	*	*
40	Silk, green—for eye-shades	*	*	*	*
41	Soap, country—for washing bandages ...	6 lbs.	3 lbs.	2 lbs.	1 lb.
42	Soap, Europe, carbolic acid—for medical officer's use	2 cakes	2 cakes	1 cake	1 cake.
43	Soorahies—for holding drinking water ...	*	*	*	*
44	Spirits, rum—of proof strength for lotion ...	4 bottles	2 bottles	1 bottle	½ bottle.
45	Suet, mutton—for ointments, *when hog's lard is not obtainable*	5 lbs.	2½ lbs.	1½ lbs.	8 oz.
46	Sugar, white, crystalized—for syrups ...	5 „	2 „	1 lb.	8 „
47	„ for arrowroot, and sago for native sick	*	*	*	*
48	Tape, country—for bandages	30 yards	15 yards	10 yards	5 yards.
49	Tow—cleaned and free from fibre for packing, &c.	*	*	*	*
50	Twine, English, colored—for dispensing ...	8 oz.	4 oz.	2 oz.	1 oz.
51	Wax cloth—for packing, &c.	6 yards	3 yards	2 yards	1 yard.
52	Wine, port—for native sick	*	*	*	*
53	Wood—for baths	Two seers for every hot foot-bath and five seers for every hot slipper-bath.			
54	„ for infusions and decoctions ...	6 mds.	3 mds.	2 mds.	1 md.

	ARTICLES.	QUANTITIES ALLOWED FOR ONE MONTH. Regiment of Infantry or Cavalry, Head Quarters Brigade of Royal Artillery, or a Hill Depôt.	Detached Battery of Royal Artillery, or Company of Royal Engineers.
	Sec. III. Stationery.		
1	Blank book—demi-royal [5 quires] ...	1 annually ...	1 annually.
2	„ foolscap [4 quires] ...	1 quarterly ...	1 quarterly.
3	„ country, narrow, long—for prescriptions [384 pages]	No. 3 ...	No. 1.
4	Envelopes, brown paper—11 × 5 inches ...	No. 100 ...	No. 50.
5	„ linen lined—13½ × 5½ inches ...	No. 50 annually ...	No. 50 annually.
6	„ official, small—for letter size paper...	*	*
7	File, paper	1 annually ...	1 annually.
8	Gum bottle, with brush	1 annually ...	1 annually.
9	Hone	1 every 2 years ...	1 every 2 years.
10	Ink-bottles, glass	4 annually ...	2 annually.
11	Ink-powders, black—bundles ...	No. 2 ...	No. 1.
12	„ „ red—bundles	No. 1 quarterly ..	No. 1 half-yearly.
13	Ink-erasers	1 annually ...	1 annually.
14	Paper, blotting	6 sheets ...	4 sheets.

* Means "as required."

	Articles.	Quantities allowed for one month. Regiment of Infantry or Cavalry, Head Quarters Brigade of Royal Artillery, or a Hill Depôt.	Detached Battery of Royal Artillery, or Company of Royal Engineers.
15	Paper, China or French foolscap [Cream wove, double foolscap, 24lbs.]	2 quires ...	1 quire.
16	„ demi-royal [Machine-made, Royal] ...	*	*
17	„ foolscap, English	3 quires ...	1½ quires
18	„ King's arm, royal [Cream wove, double foolscap, 24lbs.] or foolscap, English ...	2 quires ..	1 quire.
19	„ letter size—for demi-officials ...	*	*
20	„ cartridge, white	4 quires ...	2 quires.
21	Paper-folder—knife	1 every 2 years ...	1 every 2 years.
22	Paper-weights	*	*
23	Penknife	1 annually ...	1 annually.
24	Pencils, lead	No. 2 ...	No. 1.
25	Quills	No. 27 ...	No. 12.
26	Rubber	¼ piece	1 piece annually.
27	Ruler, round	1 annually ...	1 annually.
28	Sealing-wax	*	*
29	Slate	2 annually ..	1 annually.
30	Slate-pencil	No. 2 ...	No. 1.
31	Stamp—for sealing wax	1 every 2 years ...	1 every 2 years.
32	Steel-pen nibs [when quills are not taken] ...	1 to 2 quills ...	1 to 2 quills.
33	„ magnum bonum [when quills are not taken]	1 to 3 nibs or 6 quills	1 to 3 nibs or 6 quills.
34	Strop	1 every 2 years ...	1 every 2 years.
35	Tape, office, red	4 yards ...	2 yards.
	Sec. IV.—Blank Forms.		
1	Bed-head diet sheet ... M. C. F. No. 1	*	*
2	Daily diet requisition ... „ „ 2	*	*
3	Monthly diet return ... „ „ 3	*	*
4	Monthly supplies (Commissariat) ... ... „ „ 4	*	
5	Monthly supplies (Commissariat) ... ... „ „ 5	*	*
6	Monthly supplies (Barrack) „ „ 6	*	*
7	„ „ („) „ „ 7	*	*
8	Hot weather establishment „ „ 8	*	*
9	Transport ... ... „ „ 9	*	*
10	Certificate for extra carriage „ „ 9A	*	*
11	Review certificate of transport ... ... „ „ 10	*	*
12	Requisition form ... „ „ 11	*	*
13	Indent for bedding (Hospital apprentices) ... B. F. „ 451	*	*
14	Bed-head ticket for native sick ... ... „ „ 481	*	*
15	Survey report on rations ... „ „ 482	*	*
16	Review certificate of cattle „ „ 497	*	*
17	Muster roll and pay abstract of hospital establishment „ „ 535	*	*

	Articles.	Authorized Scale for one year. Regiment of Infantry, or a Hill Depot.	Brigade of Royal Artillery, or Regiment of Cavalry.	Detached Battery of Royal Artillery or Company Royal Engineers.
	Sec. V.—Disinfectants.			
1	Carbolic acid, fluid	120 lbs.	60 lbs.	30 lbs.
2	Macdougal's disinfecting powder ...	120 „	60 „	30 „

* Means "as required."

	Articles.	Authorized daily scale. 31 to 40 sick.	21 to 30 sick.	10 to 20 sick.	1 to 9 sick.
	Sec. VI.—Ice, &c.				
1	Ice ... American	14 seers	11 seers	9 seers	4½ seers.
2	Ice ... Common, pit	17 „	14½ „	11½ „	6 „
3	Ice ... Machine-made	21¼ „	18 „	15 „	7½ „
		Authorized scale for one month.			
4	Baskets—for carrying ice	No. 2	No. 2	No. 1	No. 1
5	Blankets, country—for enveloping ice ...	No. 4	No. 3	No. 2	No. 1
6	Cloth, doosooty, sheets—for ice	*	*	*	*

NOTES. 1.—All the above hospital supplies will be provided by the Commissariat Department on monthly requisitions furnished by medical officers and approved of by the administrative medical officer of the circle, and will be delivered at the hospital by the Commissariat Department.

2.—In estimating the scale, the strength of the women, children and camp-followers is not to be reckoned, but natives enlisted as fighting men may be included.

3.—Articles marked in the scale thus * will only be asked for when—and in such quantities as—they are actually required.

4.—The above scale of hospital supplies is not to be indented for in full every month, unless actually required, and it is never to be exceeded except with the approval of the administrative medical officer of the circle after full explanation

5.—For detachments not included in the above tables, the scale of these hospital supplies will be in proportion to the strength, and subject to the approval of the administrative medical officer of the circle.

6.—The scale for the several hill depôts during the winter months will be regulated according to the strength.

7.—One cake of Europe soap will be allowed monthly for every medical charge under 50 men.

8. *(a).*—One-fourth seer of ice extra is allowed daily when the number of patients requiring its use exceeds 40.

(b).—Only one description of ice is allowed at one time, which will be the cheapest procurable.

(c).—Whenever the cost of ice exceeds 4 annas a seer, the Executive Commissariat Officer will advise the administrative medical officer of the circle of the fact, in view to the supply being discontinued if not absolutely necessary for the well-being of the sick.

(d).—The quantity of ice required is to be based on the number of patients actually requiring its use, and not on the number of patients in hospital.

(e).—The full weight of ice should always reach the hospital, irrespective of wastage on the journey.

(f).—Empty bottles to contain iced water will be supplied by the Commissariat Department on requisitions from medical officers; the bottles—minus those broken by accident—to be returned when the supply of ice has ceased.

(g).—The date from which ice will be supplied, as well as that on which it should be discontinued, will be determined by the administrative medical officer of the circle.

* Means "as required."

No. 1257.—PAY AND ALLOWANCES—

With the sanction of Her Majesty's Government, the Hon'ble the President in Council is pleased to lay down the following rules for the adjustment of balances of sea pay, in English money, remaining in the hands of Pay Masters and Officers Commanding drafts on disembarkation in India, from which date a fresh account will be commenced with Indian money:—

1*st.*—When the voyage exceeds the period for which the advance was issued at home, the arrears of English pay, due up to the day the men were last messed on board, will be paid in India, according to the tables of Indian pay, with the deduction of grocery and spirit rations, prescribed in G. G. O. No. 96 of 29th January 1874.

2*nd.*—When the voyage falls short of the period for which the advance has been issued, Pay Masters and Officers Commanding drafts, on arrival in India, will pay to the Presidency Pay Master (or if more convenient on account of Bombay to the Pay Master, Deolalee Depôt), the amount in English money of the advances for which they have to account, and will be supplied with such sums in Indian money as may be required to cover the Indian pay of the troops from date of arrival.

No. 1258.—Consequent on the change of armament of the Punjab Light Field Artillery, the Batteries of Artillery of the Punjab Frontier Force will in future bear the following designations:—

No. 2 Horse Light Field Battery, to be No. 1 Mountain Battery.

No. 3 Horse Light Field Battery, to be No. 2 Mountain Battery.

Peshawar Mountain Battery, to be No. 3 (Peshawar) Mountain Battery.

Hazara Mountain Battery, to be, No. 4 (Hazara) Mountain Battery.

No. 4 or Garrison Battery of Artillery, to be No. 5 Garrison Battery.

No. 1259.—PROMOTIONS—

Ordnance Commissariat Department.

RANK AND NAMES.	To what rank promoted.	From what date.	In whose room.
Permanent.			
Sub-Conductor James William Watson, Assistant Overseer, Harness and Saddlery Factory.	*Conductor* ...	*Sept.* 8, 1876.	
Sub-Conductor John Pearson, Overseer, Harness and Saddlery Factory.	*Conductor* ...	*Sept.* 8, 1876.	
Sub-Conductor (Officiating Conductor) John Robinson.	Conductor ...	Sept. 8, 1876 ...	*Vice* Conductor G. Glover, retired.
Sub-Conductor (Officiating Conductor) Joseph Symington	Conductor ...	Oct. 5, 1876 ...	*Vice* Conductor J. Langhorn, deceased.
Magazine Sergeant (Officiating Sub-Conductor) Edward Austin.	Sub-Conductor, on probation.	Sept. 8, 1876 ...	*Vice* Sub-Conductor J. Robinson, promoted.
Magazine Sergeant (Officiating Sub-Conductor) James Utting.	Sub-Conductor, on probation.	Oct. 5, 1876 ...	*Vice* Sub-Conductor J. Symington, promoted.
Temporary.			
Sub-Conductor Robert Giltrap* ...	Officiating Sub-Conductor.	Oct. 5, 1876 ...	*Vice* Officiating Conductor J. Symington, promoted, or until further orders.
Magazine Sergeant Hugh Corrigan* ...	Officiating Sub-Conductor.	Oct. 5, 1876 ...	*Vice* Officiating Sub-Conductor J. Utting, promoted, or until further orders.
Sub-Conductor Daniel Buckley† ...	Officiating Conductor.	Nov. 25, 1876 ...	*Vice* Officiating Conductor W. Traynor, reduced to Sub-Conductor, or until further orders.

* Reverting to their respective grade of Sub-Conductor and Magazine Sergeant with effect from 31st October 1876, *vice* Conductor Holland, who rejoined his duties on that date from leave of absence.

† Reverting to Sub-Conductor from 9th December 1876, *vice* Conductor Beatty, who rejoined the Arsenal, Fort William, from furlough to Europe, on that date.

No. 1260.—It is notified that during the absence of the Government of India from Calcutta, Lieutenant-Colonel W. M. Lees, 1st Assistant Secretary, will officiate as Secretary in the Military Department at the Presidency.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 15th December 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts' Act of 1863, it is notified that report of the death of the under-mentioned Commissioned Officer, on the date specified, was received in the Military Department from 1st to 15th December 1876:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.
4th Battalion, Rifle Brigade ...	Surgeon-Major R. A. Allen, M.D. ...	4th December 1876 ...	Rawal Pindi.	

Statement of deposits on account of Estates from 1st to 15th December 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
BRITISH MILITARY SERVICE.					Rs. A. P.		
Maximilian Bieber *a*) ...	Captain ...	13th Hussars...	6th Aug. 1876	No Will found	373 0 0	...	16th February 1877.
James William Alexander Boothby(*b*) ...	Lieutenant	70th Foot ...	30th July 1876	Intestate ...	239 15 2	...	Ditto.
INDIAN MILITARY SERVICE.							
Hesketh Broderick Prichard (*c*) ...	Lieutenant	Bengal Staff Corps.	5th Oct. 1876 ...	Intestate ...	1,495 1 6	...	Ditto.

(*a*) Next-of-kin—Brother—Bieber,—Fulletby House, Horn Castle, Lincolnshire.
(*b*) Next-of-kin—Mother, Mrs. Jane Boothby,—Howden House, Midcaldar, Scotland.
(*c*) Widow—Mrs. Kate O'Brien Prichard,—Jhansi.
Child—Hesketh Vernon.
Father—Charles Prichard, Esq.,—East Lodge, Victoria Road, St. Leonards on Sea.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 12th December 1876.

No. 33.—Mr. M. V. Portman, 4th Class Officer, is, as a temporary arrangement, appointed to the charge of the Indian Government Steamer *Gemini* and Viceroy's Boat Establishment, *vice* Mr. E. Good, transferred to the Indian Government Steamer *Czarewitch*, with effect from the date on which he may take up the duties of the office.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 9th December 1876.

No. 508.—Dharm Sing Soin, Engineer Apprentice, on the Establishment under the Director of State Railways, is promoted to Assistant Engineer, 3rd Grade.

The 11th December 1876.

No. 509.—Mr. Henry Vacher, Executive Engineer, 4th Grade, on the Establishment under the Director of State Railways, is temporarily transferred to the Punjab Provincial Establishment.

The 12th December 1876.

No. 510.—Captain W. H. Rathborne, R.E., Executive Engineer, 3rd Grade, on special duty under the Government of Bengal, is appointed Deputy Consulting Engineer to the Government of India for Guaranteed Railways, and posted to Lucknow.

No 511.—Captain J. Grierson, Examiner of Public Works Accounts, is (on return from furlough) posted to Oudh.

Mr. A. R. Becher, Examiner, Public Works Accounts, Oudh, is transferred to Rajputana as Deputy Examiner.

The 14th December 1876.

No. 513.—The appointment* of Sergeant F. B. Simons, Supervisor, 2nd Grade, North-Western Provinces (at present attached to the Thomason College), is antedated to February 1870.

*Public Works Department Notification No. 376, dated 10th June 1874.

No. 514.—Baboo Bhobonashur Ghose, Officiating Accountant, 4th Grade, Oudh, is brought on the permanent Establishment, on probation, in the same grade, with effect from 1st October 1876.

No. 515.—Captain H. W. Clarke, R.E., Executive Engineer, 3rd Grade, on the Establishment under the Director of State Railways, is appointed to officiate as Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Sind, owing to the absence on special duty of Major A. Le Messurier, R.E., or until further order.

This cancels Public Works Department Notification No. 489, dated 1st December 1876.

No. 516.—Mr. W. Purdon, C. E., Superintending Engineer, 2nd Grade, Punjab, is permitted to retire from the service of Government, on medical certificate, under the rules of the Civil Pension Code, with effect from 1st May 1876.

The 15th December 1876.

No. 517.—Public Works Department Notification No. 495 of 3rd December 1875, transferring Mr. W. K. Stent, Assistant Engineer, from the Central Provinces to British Burmah, is cancelled.

No. 519.—In supersession of Notification No. 450, dated 2nd November 1876, Mr. E. J. Neuville, Accountant, 2nd Grade, is on return from leave posted to Bengal.

No. 520.—Mr. F. Morrison, Examiner of Guaranteed Railway Accounts, Lahore, (temporary rank) is granted privilege leave for three months, with effect from 5th January 1877, or such date as he may avail himself of it.

Mr. D. C. Gordon, Examiner of Accounts, Punjab Northern State Railway, is appointed Examiner of Guaranteed Railway Accounts, Lahore, the duties of which office he will assume in addition to his present duties until relieved of the latter.

Mr. R. G. Macdonald, Examiner of Accounts, Western Rajputana State Railway, and in temporary charge of the Rajputana Public Works Accounts, is transferred to the Examinership of the Punjab Northern State Railway. Mr. Macdonald will, however, retain his temporary charge for the present.

TELEGRAPH.

The 13th December 1876.

No. 512.—Mr. F. F. Hensley, Temporary Assistant Examiner of Telegraph Accounts, is granted seventeen days' privilege leave in extension of the leave granted him in Public Works Department Notification No. 442, dated 31st October 1876.

The 15th December 1876.

No. 518.—Mr. H. Carson, Assistant Superintendent, 1st Grade, officiated as a Superintendent, 3rd Grade, from the 11th to the 25th September 1876, both days inclusive.

C. H. DICKENS, *Colonel, R.A.*,
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 52.} CALCUTTA, SATURDAY, DECEMBER 23, 1876. {Register No. 33.

☞ Separate paging is given to this Part in order that it may be filed as a separat[illegible]

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Fort William, the 22nd December 1876.

No. 23.—His Excellency the Viceroy and Governor General, under the authority vested in him by 24 & 25 Vic., cap. 67, section 10, is pleased to nominate the Hon'ble Ashley Eden, C. S. I., of the Bengal Civil Service, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

WHITLEY STOKES,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 18th December 1876.

No. 854.—Mr. J. McC. Douie, of Her Majesty's Bengal Civil Service, reported to the Government of the Punjab his arrival at Lahore on the 6th instant.

The 19th December 1876.

No. 856.—Mr. C. W. Imrie, of Her Majesty's Bengal Civil Service, reported his arrival at Nágpur on the 21st ultimo, to the Chief Commissioner of the Central Provinces.

MEDICAL.

The 18th December 1876.

No. 686.—The services of Surgeon-Major S. C. Amesbury, in medical charge of the 6th Regiment of Native (Light) Infantry, are placed temporarily at the disposal of the Chief Commissioner of Oudh for special employment during the Imperial Assemblage at Delhi.

ECCLESIASTICAL.

The 21st December 1876.

No. 409.—The Reverend W. J. Burdett and the Reverend J. B Brunesson, Junior Chaplains on the Bengal Establishment, have been granted by Her Majesty's Secretary of State for India extensions of leave on medical certificate for six and three months, respectively.

No. 410.—The Reverend E. Jacob, a Junior Chaplain on the Bengal Establishment, has been permitted by Her Majesty's Secretary of State for India to resign the service.

ARTHUR HOWELL,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS—COMMERCE AND TRADE.

Fort William, the 21st December 1876.

No. 664.—The Honourable the President in Council is pleased to direct the publication of the following order, dated the 23rd October last, issued by Her Majesty the Queen in Council:—

AT THE COURT AT BALMORAL.

The 23rd day of October 1876.

PRESENT:

The Queen's most Excellent Majesty in Council.

Whereas by the "Foreign Deserters' Act, 1852," it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to such power, when within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient; and whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British ships in the territories of His Majesty the King of Hawaii.

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said "Foreign Deserters' Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the *London Gazette* seamen, not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to the Kingdom of Hawaii, shall be liable to be apprehended and carried on board their respective ships.

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent Court, and until his sentence (if any) has been fully carried into effect.

And the Secretaries of State for India in Council, the Home Department, and the Colonies are to give the necessary directions herein accordingly.

C. L. PEEL.

CUSTOMS—INLAND.

The 21st December 1876.

No. 347.—In modification of paragraph 3 of Notification No. 257, dated the 6th October 1876, it is hereby notified that until further orders the price of the bags supplied by the Assistant Commissioner of Inland Customs at Sambhar, to persons indenting on him for salt and bags, will be five annas instead of four annas each. Each bag is made to contain three maunds of salt.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 16th December 1876.

No. 3143*P.*—Subject to the confirmation of Her Majesty's Government, the Honorable the President in Council is pleased to recognize the appointment of Mr. F. C. F. deMenzes as Acting Vice-Consul for Portugal at Bombay.

GENERAL.

The 16th December 1876.

No. 2679*G.*—With reference to Notification No. 854 G, dated 20th April 1876, Surgeon J. H. Newman, Officiating Civil Surgeon, Ajmere, held medical charge of the Mhairwarra Battalion, in addition to his other duties, with effect from the afternoon of 3rd May 1876.

F. HENVEY,
for Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS—ACCOUNTS AND FINANCE.

Fort William, the 18th December 1876.

No. 3238.—In consequence of the retirement of Mr. J. L. Lushington, M.C.S., Accountant General, Bombay, the President in Council is pleased to sanction the following appointments:—

Mr. C. E. Chapman, B.C.S., to be Accountant General, Bombay.

Mr. C. R. C. Kiernander, to be Deputy Accountant General, British Burmah.

Mr. T. W. Biss, to be Deputy Accountant General, Punjab.

Mr. A. Anthony is confirmed in the office of Deputy Accountant General, N. W. Provinces.

Mr. G. H. R. Hart, to be Assistant to the Comptroller General.

Mr. F. C. Barnes is confirmed in the office of Assistant to the Accountant General, N. W. Provinces.

LEAVE, LEAVE ALLOWANCES, &C.

The 22nd December 1876.

No. 3397.—The President in Council directs that the following be inserted as a foot-note under Section 4 (*c*) of the Civil Leave Code:—

The Presidency allowance of an officer need not be suspended during his temporary absence (not exceeding one month) on duty from the Presidency town, unless a substitute draws it.

MINT AND CURRENCY.

The 22nd December 1876.

No. 3423.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year* 1876.

	Bullion or Coin received.		Coined and examined.
	From Government.	From Merchants.	
In the month of November 1876—	Rs.	Rs.	Rs.
Calcutta	50,21,011	73,76,795	35,53,965
Bombay	244	57,32,184	29,11,395
TOTAL ...	50,21,255	1,31,08,979	64,65,360
First 11 months—			
Calcutta	51,75,971	1,89,78,217	1,10,09,208
Bombay	11,714	2,95,57,637	2,78,61,835
TOTAL ...	51,87,685	4,85,35,854	3,88,71,043

Imports and Exports of Gold and Silver during the calendar year 1876.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net.	Imports.	Exports.	Net Imports.	Imports	Exports.	Net Imports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of November ...	6,08,520	2,44,000	Imports. 3,64,520	1,00,72,479	34,34,622	66,37,857	1,06,80,999	36,78,622	70,02,377
First 11 months	1,03,33,368	1,45,37,362	Exports. 42,03,994	6,89,37,429	2,54,71,368	4,34,66,061	7,92,70,797	4,00,08,730	3,92,62,067

SEPARATE REVENUE—STAMPS.

The 22nd December 1876.

No. 3421.—In exercise of the powers conferred by Section 35 of the Court Fees Act, 1870, the Hon'ble the President in Council is pleased to remit the fees chargeable under Schedule II of the said Act on the documents described as Form 2 in Rule 13 of the rules laid down by the Governor of Bombay in Council under the provisions of Section 28 of the Bombay Survey and Settlement Act, No. I of 1865.

No. 3422.—Whereas the fees chargeable under Article 11 of Schedule II of the General Stamp Act, 1869, on the documents described as Form 2 in Rule 13 of the rules laid down by the Governor of Bombay in Council under the provisions of Section 28 of the Bombay Survey and Settlement Act I of 1865, in some cases exceed the amount of yearly revenue assessed on the lands to which such documents refer, the Hon'ble the President in Council, in exercise of the powers conferred by Section 16 of the General Stamp Act, 1869, is pleased, in every such case, to reduce the fees so chargeable to an amount equal to the yearly revenue assessed on the lands to which such document refers.

D. BARBOUR,
Under Secretary to the Govt. of India.

MILITARY DEPARTMENT.

Delhi, the 21st December 1876.

No. 1261.—APPOINTMENT—

Medical Department.

Surgeon-Major J. Lamprey, M.B., Madras Medical Department, is brought on the Administrative Staff of the British Medical Service in Bengal and appointed to the medical superintendence of the Presidency Circle, with effect from the date on which he may take up the duties of the office.

No. 1262.—The services of Lieutenant H. H. Pengree, Royal Artillery, are placed temporarily at the disposal of the Government of Bombay, with effect from the date on which he was appointed to officiate in the Ordnance Department at that Presidency.

No. 1263.—The services of Lieutenant-Colonel F. W. Stubbs, Royal Artillery, late Officiating Superintendent, Gunpowder Factory at Ishapore, are replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 14th December 1876.

No. 1264.—The under-mentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Edward James Fandon Wood, 4th Hussars, Officiating 2nd Squadron Subaltern, 12th Bengal Cavalry,—20th October 1875.

No. 1265.—The under-mentioned Officers of the Staff Corps, having completed five years' service as

substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Alexander James Bruce, Madras Staff Corps.
Lieutenant-Colonel Thomas Branfill Harrison, Bengal Staff Corps.
Lieutenant-Colonel Walter Henry Smith, Bengal Staff Corps.
} 20th December 1876.

No. 1266.—The under-mentioned Officers of the Bengal Staff Corps, having completed 26 years' service, are promoted to the rank of Lieutenant-Colonel, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Major Gilbert James Pasley.
Major James Vere Hunt.
Major Charles Ferguson Sharpe.
Major Philip Henry Farrell Harris.
Major Thomas Edward Vander-Gucht.
Major Brooke Rynd Chambers.
} 20th December 1876.

No. 1267.—The under-mentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Henry Bristow Sanderson.
Captain Connel O'Donel.
Captain Horace Christopher Fagan.
Captain George Farquhar Irving Graham.
Captain Charles James Garstin.
Captain Alan Murray.
Captain George Atkins.
} 20th December 1876.

No. 1268.—The following extracts from the *London Gazette* are published for general information:—

"*London Gazette,*" *dated the* 10*th November* 1876.
Pages 5963 *and* 5964.

WAR OFFICE, PALL MALL, 10TH NOVEMBER 1876.

The under-mentioned Warrant Officers to be granted a step of honorary rank:—

To be Captains.

Lieutenant and Deputy Commissary George Hall, Bombay Establishment. Dated 24th April 1876.
Lieutenant and Deputy Commissary John Keily, Bombay Establishment. Dated 24th April 1876.
Lieutenant and Deputy Commissary John Clabby, Bombay Establishment. Dated 24th April 1876.
Lieutenant and Deputy Commissary Henry Telfer, Bengal Establishment. Dated 2nd May 1876.

To be Lieutenants, but junior of that rank for one year.

Deputy Assistant Commissary Charles Pain, Bombay Establishment. Dated 24th April 1876.
Deputy Assistant Commissary Henry Doyle Ford, Bombay Establishment. Dated 25th June 1876.
Deputy Assistant Commissary William Swinnerton, Bengal Establishment Dated 2nd August 1876.

The under-mentioned Warrant Officers of the Bengal Medical Establishment to be granted the honorary and local rank of Surgeon in India. Dated 11th November 1876:—

Senior Apothecary W. J. Hannagan.
First Class Apothecary R. D. Logg.
First Class Apothecary J. Connor.

The under-mentioned Officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement:—

To be Major-Generals. Dated 11*th November* 1876.

Lieutenant-Colonel and Brevet Colonel John Ruggles, Bengal Staff Corps.
Lieutenant-Colonel and Brevet Colonel Joseph Fletcher Richardson, C.B., Bengal Staff Corps.
Lieutenant-Colonel and Brevet Colonel Charles Chester Dandridge, Bengal Staff Corps.
Lieutenant-Colonel and Brevet Colonel Edward Charles Marston, Bombay Staff Corps.
Lieutenant-Colonel and Brevet Colonel Chamberlen William Walker, Bombay Staff Corps.

To be Colonel. Dated 11*th November* 1876.

Lieutenant-Colonel Jocelyn Pickard Cambridge, Bengal Staff Corps.

"*London Gazette,*" *dated the* 21*st November* 1876, *page* 6197.

MARLBOROUGH HOUSE, NOVEMBER 9TH, 1876.

The Prince of Wales has been pleased to appoint Ressaldar Sirdar Anoop Sing, Bahadoor, 11th Regiment (P. W. O.), Bengal Lancers, and Ressaldar Sirdar Mahomed Afzul Khan, Khan Bahadoor, 11th Regiment (P. W. O.), Bengal Lancers, to be Native Orderly Officers to His Royal Highness.

No 1269.—PROMOTIONS—

7th Regiment of Native Infantry.—Color Havildar Soonder Sing, to be Jemadar, *vice* Dyah Sing, promoted. Dated the 1st May 1876. Color Havildar Chuttur Sing, to be Jemadar, *vice* Jugdut Misser, deceased. Dated the 5th November 1876.

Punjab Frontier Force—2nd Sikh Infantry.—Jemadar Mehr Buksh, to be Subadar, *vice* Sheikh Nathu, invalided. Havildar Pir Buksh, to be Jemadar, *vice* Mehr Buksh, promoted. Dated the 16th October 1876.

No. 1270.—The under-mentioned Officers of the East Indian Railway Volunteer Rifle Corps have been permitted to resign, from the dates specified:—

Lieutenant William Rouse,—28th October 1876.
Lieutenant David Neville,—9th November 1876.
Lieutenant James Higby,—29th August 1876.

No. 1271.—The services of 2nd Class Hospital Assistant Shadee Shah, 4th Punjab Cavalry, Punjab Frontier Force, admitted by G. G. O. No. 521 of 1863, are dispensed with.

No. 1272.—FURLOUGH AND LEAVE—

The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) Blair Thomas Reid, Bengal Staff Corps, Superintendent of Chumba, Punjab,—Private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel Richard Sanderson Simonds, Bengal Staff Corps,—Private affairs, for two years, under Rule IX of the Regulations of 1868.

Surgeon-Major John James Clarke, M.D., Medical Department, in medical charge, 3rd Bengal Cavalry,—Private affairs, for two years, with permission to proceed to Australia, under Rule IX of the Regulations of 1868.

Major John Shakespear Irvine, late 2nd European Light Cavalry, Brigade-Major on the Establishment,—Private affairs, for one year, under Rule IX of the Regulations of 1868.

Captain Lorn Robert Henry Dick Campbell, Bengal Staff Corps, Adjutant, 1st Punjab Infantry, Punjab Frontier Force,—Private affairs, for two years, under Rules IX and XV of the Regulations of 1868.

Lieutenant Henry Sidney Freeman Haynes, Royal Engineers, Assistant Engineer, 1st Grade, Public Works Department,—Medical certificate for one year, under note I, Rule IX of the Regulations of 1868.

Lieutenant John Simpson Nicholson, Royal Engineers, Executive Engineer, 4th Grade, Public Works Department,—Private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 1273.—PENSIONS—

Joseph Chapman, late 13th Brigade, and John Carroll, late 5th Brigade, Royal Artillery, out-pensioners of the Royal Hospital at Chelsea, are permitted to draw their pensions (which are chargeable to Imperial Revenue) in India, *viz.*, one shilling each per diem, from the dates they cease to receive regimental pay.

No. 1274.—The under-mentioned men are transferred to the Pension Establishment:—

Serial No.	Rank.	NAME.	In what rank pensioned.	Amount of pension.	Circle of payment.
		Mhairwarrah Battalion.			
	Subadar...	Dhurma ...	Subadar...	40*	N. W. P.
	Havildar.	Mahasinga ...	Havildar	7	„
	„ ...	Ralla ...	„ ...	7	„
	„ ...	Bhowana ...	„ ...	7	„
	Naick ...	Ooda ...	Naick ...	7	„
	„ ...	Himta ...	„ ...	7	„
	„ ...	Meyda ...	„ ...	7	„
	„ ...	Bagga ...	„ ...	7	„
	„ ...	Futta ...	„ ...	7	„
	Sepoy ...	Khooma(1) ...	Sepoy ...	4	„
	„ ...	Bunna ...	„ ...	4	„
	„ ...	Dulla ...	„ ...	4	„
	„ ...	Ramzan ...	„ ...	4	
	Sepoy ...	Neemba ...	Sepoy ...	4	N. W. P.
	„ ...	Bhowana ...	„ ...	4	„
	„ ...	Rama(1) ...	„ ...	4	„
	„ ...	Bunna(1) ...	„ ...	4	„
	„ ...	Dulla ...	„ ...	4	„
		Nepal Escort.			
	Havildar	Seoraje Sing ...	Havildar	7	
	Naick ...	Shaikh Umjied...	Naick ...	7	
	Sepoy ...	Bhawani persad Sing.	Sepoy ...	4	
	„ ...	Ramasur Sing (1st).	„ ...	4	
	„ ...	Sewnundun Sing	„ ...	4	
	Bugler ...	Khoosiall Ram...	Bugler ...	4	

* Increased rate of pension.

No. 1275.—Naib Duffadar Deysa Sing, of the 2nd Regiment, Central India Horse, is admitted to a wound pension of Rs. 7 per mensem, payable in the Punjab Circle.

No. 1276.—Sirajan Nissa, widow of Ghulami Khan, late Kote Duffadar, 2nd Bengal Cavalry, is admitted to the Sowar's rate of 3rd Class Order of Merit pension, *viz.*, Rs. 2-10-8 per mensem, for three years, from the 9th February 1876, payable in the North-Western Provinces Circle.

No. 1277.—*Clothing*—

In publishing for information and guidance the following Statement showing an account of great coats, cloaks and capes of both the new and old patterns, their value when new, periods of duration, value when worn out, and annual depreciation of value for each year's service, the Hon'ble the President in Council is pleased to prescribe that, in determining the value of great coats, cloaks, or capes lost by

neglect, each year's wear in England, previous to embarkation, will, for cloaks and capes of Cavalry Mounted Artillery and Schoolmasters, be reckoned as one and a half year's wear, and in all other cases as two years' wear, in India.

2. This order is applicable to the three Presidencies.

ARTICLES.	Value when new.	Duration in years.	Value when worn out.	Annual depreciation of value for each full year's service or use.
	Rs. A. P.		Rs. A. P.	Rs. A. P.
Great coats, cloaks and capes of new pattern.				
Cavalry ... Artillery ... Engineers.. Cloak without cape for mounted men ...	18 2 8	15	3 0 0	1 0 2
Cavalry ... Artillery ... Engineers.. Cape only for ditto (all ranks) ...	5 9 4	15	1 0 0	0 4 10
Artillery ... Engineers.. Great coat without cape for dismounted men ...	10 11 [illegible]	8	3 0 0	0 15 5
Artillery ... Engineers.. Cape only for ditto (all ranks) ...	5 10 0	8	1 0 0	0 9 3
Infantry ... Great coat without cape — Staff ...	11 8 0	10	2 8 0	0 14 4
Infantry ... Great coat without cape — Other rank ...	7 9 4	8	2 8 0	0 10 2
Infantry ... Cape only ... — Staff ...	5 0 0	10	1 0 0	0 6 4
Infantry ... Cape only ... — Other rank ...	4 2 8	8	1 0 0	0 6 4
Schoolmaster's cloak	15 2 8	15	3 0 0	0 13 0
Great coats, cloaks and capes of old pattern.				
Cavalry ... Artillery ... Engineers.. Cloak without cape for mounted men ...	17 4 8	15	3 0 0	0 15 3
Cavalry ... Artillery ... Engineers.. Cape only for ditto (all ranks) ...	7 4 8	15	1 0 0	0 6 8
Artillery ... Engineers.. Great coat with cape attached (all ranks) ...	16 15 4	8	3 0 0	1 11 11
Infantry Ditto ditto — Staff ...	15 3 4	10	2 8 0	1 [illegible] 4
Infantry Ditto ditto — Other rank ...	10 10 8	8	2 8 0	1 0 4
Schoolmaster's cloak	15 0 0	15	3 0 0	0 12 9

No. 1278.—The Hon'ble the President in Council is pleased to notify that, with the approval of Her Majesty's Government, the contract* allowances for shoeing and line gear, hitherto drawn by Officers Commanding Troops of British Cavalry serving in India, will cease from the 1st April 1877, from which date the supply and repairs of these articles will be effected in accordance with the practice in force in Her Majesty's Service in England and in the Colonies.

	Per mensem. Rs. A. P.
* Gram pot allowance ...	20 0 0
Cavesson allowance ...	5 0 0
Shoeing and line gear, each horse...	2 0 0

2. Detailed instructions for the supply and repair of line gear will be issued hereafter.

3. The following sums will be allowed, monthly, to officers commanding troops:—

	Rs.
Troop command allowance ...	30
Repairs of arms and accoutrements	10
Stationery	10

4. An allowance of twelve annas per mensem, to be paid to the troop farriers, will be given for shoeing each horse.

5. Country veterinary medicines and appliances, according to the sanctioned† scale, will be supplied by the Commissariat Department, half-yearly, on indents countersigned by the Inspecting Veterinary Surgeon.

† *Vide* G. O. by Commander-in-Chief in India, No. 354 of 30th November 1875.

6. An allowance of P½ annas per maund for grinding gram, barley, or other grain, will be given to cover all petty charges incurred in preparing the food.

7. Two drachms of salt per horse, daily, will be supplied by the Commissariat Department.

8. One private per squadron will be allowed as an assistant to the farriers, receiving, whilst so employed, the pay of a shoeing smith, *vis.*:—

	Gross pay.	Net pay, *i. e.*, gross pay minus nine pies per diem for grocery ration.
	Rs. A. P.	Rs. A. P.
For a month of 28 days	27 6 1	26 1 1
Ditto 29 days	28 5 8	26 15 11
Ditto 30 days	29 5 4	27 14 10
Ditto 31 days	30 5 0	28 13 9

9. In accordance with the practice in the Bengal Presidency one native shoeing smith, or nalband, per troop will be allowed to regiments of British Cavalry serving in Madras and Bombay on the following rates of pay:—

Madras, Rs. 14 }
Bombay, „ 15 } per mensem.

10. A monthly allowance will be given, of Rs. 2 each, for two syces per troop employed in the repair of line gear, and of Re. 1 for one syce or grass-cutter per troop employed as choudries of grass-cutters.

No. 1279.—ORDNANCE—

The following clauses in list of changes in War Matériel are made applicable to India:—

Dated 1st September 1875.

No. 2770.—Whip, drivers'.

Dated 1st September 1876.

No. 2953.—Arms, interchangeable, rifles, B. L., Martini-Henry, parts of:—
Bayonet, common, complete, with locking ring, long.
Scabbard, leather, complete, long.

No. 2954.—Arms, interchangeable, rifles, B. L., Martini-Henry, parts of:—
Bayonet, sword, saw-backed.
Scabbard, black leather, with steel mountings. } Mark I.

No. 2955.—Arms, interchangeable, rifles, B. L., Martini-Henry, parts of:—
Rod, cleaning. Alteration of mark I.

No. 2956.—Arms, interchangeable, rifles, B. L., Martini-Henry, parts of:—
Rod, cleaning, mark II.

No. 2957.—Jack, lifting, general service, except R. E. (mark II).

No. 2958.—Jack, lifting, general service, (mark III).

No. 1280.—EQUIPMENT TABLES—

With reference to G. G. O. No. 747 of 1875, the following note is to be made in the equipment tables for 9-pounder M. L. R. Batteries of Royal Horse and Field Artillery, page 4, against the entry—"Traces, Web, Maude's pattern":—

NOTE.—If rope traces are used, *substitute* for traces Web—

	Per Battery of Royal Horse Arty.	Field Battery.
Traces, rope, saddlery, breast, harness, pairs	70	20
Straps, trace, breast, harness ...	140	40
Tugs, trace do. do. ...	140	40

No. 1281.—Referring to G. G. O. No. 56 of 1875, the following alterations and additions are to be made in the equipment table for British Infantry:—

Instruments, Drawing, &c.

Page 9, Cancel Cases, Leather, Binocular.
„ „ „ Glasses, Field, do.
„ „ „ Stands, Telescope, tripod with legs complete.
„ „ Add Cryptographs 2 } per Regt.
„ „ „ Heliographs 2 }
„ 10, Cancel Belts, Leather, waist, Army signalling.
„ 11, „ Books, Signal, Army and Navy.
„ „ „ Bottles, tin, for oil, with screw top, 2 quarts.
„ „ „ Bugles, fog, horn.
„ „ „ Cans, tin, oil, feeding, 1 pint.
Page 11, Cancel Cases, leather, for waist belt. } Books feeding can.
„ „ „ Chest, Wood, Army signalling stores.

Miscellaneous.

„ „ Add Cards, Signalling Morse, 7 per Regiment.
„ „ For Flags, Army signalling, 4 feet square, black or blue, 2 per Regiment.
„ „ „ Flags, Army signalling, 4 feet square, white with a black or blue stripe, 2 per Regiment.
„ „ Substitute Flags, 4 feet square, black, 3 per Regiment.
„ „ „ Flags, 4 feet square, white, 3 per Regiment.
„ „ Cancel Flags, Army signalling, 2½ feet square, black or blue, 4 per Regiment.
„ „ „ Flags, Army signalling, 2½ feet square, white with black or blue stripe, 4 per Regiment.
„ „ Add Staves, Bamboo, 7 feet 9 inches long, 6 per Regiment.
„ „ Cancel Staff, Wood {8 feet 2} per Army signalling. {4½ „ 4} Regt.
„ „ For Lamps, Signalling, Bulls'Eye, 4 per Regiment.
„ „ Substitute Lamps, hand, signalling, 2 per Regiment.
„ 12, Cancel Scissors, Lamp, Army signalling.
„ „ „ Wheels, Cypher, Bolton's.
„ 21, Enter Candles, to be procured as required.
„ „ Cancel Cotton, raw.
„ 22, „ Oil Colza.
„ „ „ Wick, Cotton, Lamp, round, signalling, ⅜."

No. 1282.—ERRATUM—

In G. G. O. No. 1229 of 1876, for Captain A. D. "Butler," read Captain A. D. *Butter*.

H. K. BURNE, *Colonel*,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 22nd December 1876.

Under Clause 26 of the Regulations appended to the Regimental Debts' Act of 1863, it is notified that report of the death of the under-mentioned Commissioned Officer, on the date specified, was received in the Military Department from 16th to 22nd December 1876:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.
Royal Artillery ...	Colonel R. G. F. Henegan ...	17th December 1876 ...	Futehgarh.	

Statement of deposits on account of Estates from 16th to 22nd December 1876.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
BRITISH MILITARY SERVICE.							
Edward Dean Fisher (a) ...	Captain ...	4th Hussars ...	8th Aug. 1876	Intestate* ...	4,908 8 7	...	22nd February 1877

* A Will found, dated before marriage.

(a) Widow—Mrs. Agnes Fisher, 25, Addison Gardens, London, W.
Child—Frederic Edward.

W. M. LEES, *Lieut.-Colonel,*
Offg. Secretary to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Delhi, the 22nd December 1876.

No. 34.—APPOINTMENTS—

Commander H. A. Street, Royal Navy, to be Commander (temporarily) of the Indian Government Troopship *Tenasserim*.

In consequence of the above appointment—

Mr. C. King, late Indian Navy, Acting Commander of the *Tenasserim*, will revert to his substantive appointment as Commander of the Indian Government Steamer *Enterprise*;

Mr. J. S. J. Kortright, Acting Commander of the *Enterprise*, will revert to his substantive appointment as First Officer of the Indian Government Ship *Czarewitch*; and

Mr. E. R. Wells, Supernumerary First Officer of the *Czarewitch*, to be Supernumerary First Officer of the Indian Government Troopship *Tenasserim*, until further orders.

The above arrangements to have effect from the date on which Commander Street takes up the duties of his office.

H. K. BURNE, *Colonel,*
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 20th December 1876.

No. 521.—Mr. W. Girling, Sub-Engineer, 3rd Grade, Bengal, is placed temporarily under the orders of the Superintending Engineer, Simla, Imperial Circle, with effect from 1st December 1876.

No. 522.—Mr. J. L. Macpherson, Deputy Examiner of Public Works Accounts, British Burmah, is granted two months' privilege leave with effect from 2nd January 1877, or such date as he may avail himself of it.

The 21st December 1876.

No. 523.—Mr. J. W. Joakim, Overseer, 1st Grade, Military Works Branch, is permitted to resign his appointment.

The 22nd December 1876.

No. 524.—Baboo Womesh Chunder Chatterjee, Accountant, with temporary rank of 3rd Grade, Northern Bengal State Railway, reverted to his substantive rank of Accountant, 4th Grade, with effect from the 21st November 1876, consequent on the return to duty of Baboo Khetter Chunder Chatterjee, Accountant, 3rd Grade.

No. 526.—The following transfers of Accountants are ordered :—

Baboo Womesh Chunder Chatterjee, Accountant, 4th Grade, from the Northern Bengal State Railway to Oudh.

Baboo Adya Nath Mitra, Accountant, 4th Grade, from the Rajpootana State Railway to the Northern Bengal State Railway.

Mr. G. R. Smith, Accountant, 3rd Grade (on probation), from the Tirhoot State Railway to the Rajpootana State Railway.

C. H. DICKENS, *Colonel, Rad.,*
Secretary to the Govt. of India.

The Gazette of India,

EXTRAORDINARY.

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CAMP DELHI, TUESDAY, DECEMBER 26, 1876.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Camp Delhi, the 25th December 1876.

His Excellency the Viceroy and Governor General made his entry into Delhi at 2 P. M. on Saturday, the 23rd December 1876.

His Excellency was received at the Railway Station by the President of the Council, the Lieutenant-Governors of the Punjab, Bengal, and North-West Provinces, the Commander-in-Chief in India, and the Commissioner of Delhi.

In accordance with an invitation addressed to them, the Ruling Chiefs present in Delhi assembled at the Railway Station to meet His Excellency on arrival.

The Resident of Hyderabad, the Chief Commissioners of Mysore, Assam, Central Provinces, Oude, and British Burmah, and the Governor General's Agents in Rajpootana, Central India, and Baroda were also present at the Station to receive His Excellency.

A European and Native Guard of Honor was drawn up on the platform on each side of the exit from the Station, and presented arms as His Excellency the Viceroy alighted from his carriage.

At the same moment, a Royal salute was fired from a Battery stationed at the junction of the Kauriapul and Queen's Roads.

The Viceroy then delivered the following address:—

"PRINCES, CHIEFS, AND NOBLES! It is with feelings of unusual pleasure that I find you here assembled from all parts of India to take part in a ceremonial which I trust will be the means of drawing still closer the bonds of union between the Government of Her Majesty and the great Allies and Feudatories of the Empire.

"I thank you for the cordiality with which you have responded to my invitation, and trust that the close of our proceedings will confirm the auspicious character of their commencement. Accept my hearty welcome to Delhi."

Having saluted the Ruling Chiefs present, His Excellency mounted his elephant, and, followed by his Personal Staff and the Lieutenant-Governors of the Punjab, Bengal, and the North-West Provinces, the Commander-in-Chief in India, and Sir Henry Norman, moved to the head of the Procession between the double line of elephants drawn up in the Queen's Road.

The Procession was formed in the following order:—

The Deputy Assistant Quarter-Master-General in charge of His Excellency's Camp.

The 11th (Prince Albert's Own) Hussars.

A/C Battery Royal Horse Artillery.

The 3rd (Prince of Wales' Own) Bombay Light Cavalry.

The Orderly Officer, Personal Escort. | The Brigade-Major, Personal Escort.

The General Officer Commanding Personal Escort.

(On Elephants.)

Two Aides-de-Camp to His Excellency the Viceroy. | Two Aides-de-Camp to His Excellency the Viceroy.

(On Horseback.)

The Chief Herald of the Imperial Assemblage.

Twelve Trumpeters (six abreast).

The Body-Guard.

(On Elephants.)

THE VICEROY
&
LADY LYTTON.

The family of His Excellency the Viceroy.

Detachment of the Body-Guard.

Staff of His Excellency the Viceroy on six elephants.

Head-Quarters and 2 Squadrons of the 10th (Prince of Wales' Own Royal) Hussars.

(On Horseback.)

The Inspector-General of Police, Punjab. | The Officer Commanding the Station.

(On Elephants.)

THE LIEUTENANT-GOVERNOR OF THE PUNJAB.

Two Members of the Staff of the Lieutenant-Governor of the Punjab. | Two Members of the Staff of the Lieutenant-Governor of the Punjab.

THE LIEUTENANT-GOVERNOR OF BENGAL.

Two Members of the Staff of the Lieutenant-Governor of Bengal. | Two Members of the Staff of the Lieutenant-Governor of Bengal.

THE LIEUTENANT-GOVERNOR OF THE NORTH-WEST PROVINCES.

Two Members of the Staff of the Lieutenant-Governor of the North-West Provinces. | Two Members of the Staff of the Lieutenant-Governor of the North-West Provinces.

THE COMMANDER-IN-CHIEF IN INDIA.

Two Members of the Staff of the Commander-in-Chief in India. | Two Members of the Staff of the Commander-in-Chief in India.

Staff of His Excellency the Governor of Madras. | Staff of His Excellency the Governor of Bombay.

(On Horseback.)

Officers of the Head-Quarters Staff of the Army.

Officers of the Staff of the Force at Delhi.

One Squadron of the 10th (Prince of Wales' Own Royal) Hussars.

(On Elephants.)

Major-General the Hon'ble Sir H. W. Norman, K. C. B. — Chief Justice of Bengal.

The Hon'ble Arthur Hobhouse, Q. C. — Chief Justice of the N. W. P.

Colonel the Hon'ble Sir A. Clarke, K. C. M. G., C. B. — The Hon'ble Sir A. J. Arbuthnot, K. C. S. I.

Commander-in-Chief, Bombay. — The Hon'ble E. C. Bayley, C. S. I.

Members of the Legislative Council, Native Noblemen and Gentlemen, Secretaries to Government, &c.

3rd Regiment Madras Light Cavalry.

4th Regiment Bengal Cavalry.

F/F Battery Royal Horse Artillery.

15th (King's) Hussars.

The following was the line of route of the Procession:—

Queen's Road.	Futtehpooree Bazar.
Lothian Road.	Circular Road.
Khas Road.	Continuation of Hamilton Road.
Round the Musjid.	Grand Trunk Road.
The Dariba.	Ridge Road.
Chandnee Chowk.	Main Street to Viceroy's Camp.

The troops available at Delhi were disposed along the line of route of the Procession, under orders from His Excellency the Commander-in-Chief in India.

The troops and followers of the Ruling Chiefs were drawn up at various points along the line of route. They were disposed as follows:—

Rajpootana Chiefs.

Commencing from the Canal on both sides of the Lothian Road till its junction with the Chandnee Chowk, where British Troops were stationed. Continued on both sides of the Lothian Road as far as the Khas Road, and again on both sides of the Khas Road up to the Jumma Musjid.

Punjab Chiefs.

Commencing outside the Lahore Gate, and extending thence along both sides of the Circular Road till its junction with the road leading from the Cabulee Gate to the Grand Trunk Road. Thence along a portion of the Grand Trunk Road till it enters the Subzee Mundee, where British Troops were stationed.

Bombay, North-West Provinces, and Central Provinces Chiefs.

From the position occupied by the British Troops last mentioned along both sides of the Grand Trunk Road, up to the point of junction with the road which leads to the Ridge. Thence along the latter road as far as the Mutiny Monument, where British Troops were stationed.

Central India and Madras Chiefs.

From the Mutiny Monument along the Ridge on both sides of the road as far as Hindoo Rao's house, where British Troops were stationed. Continued thence as far as the Chowboorjee Musjid, where British Troops were stationed.

Bengal Chiefs.
Gaekwar of Baroda.
Maharaja of Mysore.
Nizam of Hyderabad.

From the Chowboorjee Musjid, in the order marginally noted, along the Ridge on both sides of the road as far as the Flagstaff Tower.

Foreign Princes and Governors, Deputations or Envoys from Foreign States, and the Foreign Consuls present at Delhi, were provided with suitable accommodation to witness the Procession at the Jumma Musjid, where also accommodation was provided for titular Chiefs and persons specially invited.

As His Excellency passed the Fort, a Royal salute was fired from it and his standard hoisted.

On arrival at the foot of the Ridge, the troops preceding the Procession turned off, and the Viceroy, attended by his Personal Staff and accompanied by the Lieutenant-Governors and the Commander-in-Chief in India, proceeded down the main street of the Camp.

The remaining Civil and Military Officers of Government and others taking part in the Procession turned to the right, on arrival at the entrance of the Viceregal Camp, and dispersed after clearing the front of the Camp.

As His Excellency entered the Grand Street of the Camp, a Royal salute was fired from a Battery placed on the Ridge, and at the sound of the first gun the Viceroy's standard was displayed at the Flagstaff.

A Guard of Honor, European and Native, was drawn up in front of the Viceroy's Tent, and presented arms as His Excellency arrived opposite the main entrance.

The Lieutenant-Governors of the Punjab, Bengal, and North-West Provinces, and Commander-in-Chief in India took leave of His Excellency at the Viceregal Camp.

By Command,

G. POMEROY COLLEY, *Colonel*,
Military Secretary to the Viceroy.

PRIVATE SECY.'S OFFICE PRESS,—CAMP DELHI, 1876.

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EXTRAORDINARY.

Published by Authority.

CAMP DELHI, WEDNESDAY, DECEMBER 27, 1876.

FOREIGN DEPARTMENT.

NOTIFICATION.

No. 10 *D. C. P., dated the* 26*th December* 1876.

IMPERIAL ASSEMBLAGE.

On Monday, the 25th December 1876, a Deputation from His Excellency the Viceroy and Governor General proceeded to enquire after the health of the following Chiefs:—

Ajeygarh. The Maharaja of
Alwar. The Maharao Raja of
Baroda. The Gaekwar of
Bhaunagar. The Thakur Saheb of
Bhawulpur. The Nawab of
Bhopal. The Begum of
Bhurtpore. The Maharaja of
Bijawur. The Maharaja of
Bilaspur. The Raja of
Bundi. The Maharao of
Cashmere. The Maharaja of
Chamba. The Raja of
Chirkari. The Maharaja of
Chutterpur. The Maharaja of
Dattiah. The Maharaja of
Dewas. The Raja of

Dhar. The Raja of
Dholpur. The Rana of
Faridkot. The Raja of
Gwalior. Maharaja Sindia of
Hyderabad. The Nizam of
Indore. Maharaja Holkar of
Jawrah. The Nawab of
Jaipur. The Maharaja of
Jhallawar. The Maharaj Rana of
Jhind. The Raja of
Jodhpur. The Maharaja of
Junagarh. The Nawab of
Karauli. The Maharaja of
Khairpur. Mir Ali Murad of
Kishengarh. The Maharaja of
Maler Kotla. The Nawab of
Mandi. The Raja of
Mysore. The Maharaja of
Nabha. The Raja of
Nahun. The Raja of
Nowanagar. The Jam of
Oorcha (Tehri). The Maharaja of
Panna. The Maharaja of
Rajpipla. The Raja of
Ratlam. The Raja of
Rewah. The Maharaja of
Suket. The Raja of
Sumpthur. The Raja of
Tehri. The Raja of
Tonk. The Nawab of
Udaipur. The Maharana of

T. H. THORNTON,
Officiating Secretary.

PRIVATE SECY.'S OFFICE PRESS,—CAMP DELHI, 1876.

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No. 53.] CALCUTTA, SATURDAY, DECEMBER 30, 1876. [Register No. 33.

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

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SUPPLEMENT No. 55.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

FINANCIAL DEPARTMENT.

NOTIFICATIONS—ACCOUNTS.

Fort William, the 28th December 1876.

No. 3496.—In supersession of Financial Resolution No. 4051, dated 31st December 1873, the Governor General in Council is pleased to prescribe, with reference to para. 3 of Financial Resolution No. 2422, dated 21st August 1873, the following Regulations for the training of Junior Officers of this Department:—

Regulations for the training of Junior Officers of the Financial Department.

1. The work of an Indian Account Office, as at present constituted, is divided into Audit and Account, of which the former leads up to, and prepares materials for, the latter. When therefore a Junior Officer has been long enough in the office to have a general knowledge of its working, he should be attached to the Audit Section and make himself practically acquainted with the procedure of testing, checking, and recording payments to gazetted Officers, establishments and pensioners, and payments on account of contingent charges; and he should be required, without assistance, to audit and record the audit of some vouchers of each class.

2. When a Junior Officer reports himself ready to prepare a classified abstract, the Accountant General should cause the original cash account and lists of payments received from some one treasury in a past month to be brought up, the vouchers and schedules being first arranged in the order in which they were received from the treasury, and the Junior Officer will then prepare and prove a classified abstract and objection statement, which will be checked with the abstract already passed and posted, and a report of any differences made to the Accountant General. In Madras and Bombay, classified accounts are still submitted, and in these Presidencies Junior Officers should be required to post blank forms from the separate vouchers and schedules as far as the materials serve.

3. At this stage the Junior Officer should be placed in charge of the objection book of one or more districts for a few months; this work will not occupy his whole time and need not interfere with his further training.

4. Next he must prepare for some months, other than March or April, the abstract of transfer entries and statement of disbursers' accounts, and also post the closing entries of the month on as many pages of the detailed book as the Accountant General may consider sufficient to afford a fair test of his practical knowledge; the Superintendent of the Compilation Department will [illegible] the Accountant General again with a report of the corrections found necessary.

5. Next the Junior Officer should prepare the journal entry of a month; he should also be required to prepare rough drafts of the entries, both journal and ledger, required to close the books of one year, and to open those of the next, the entries in fact which will be necessary in the local office to close and open the books in use at the time of his probation.
6. At some stage in this course of training the Junior Officer should, for some months, be put in charge of one or more accounts current with other offices, both outward and inward, gathering materials for the outward account from the original district accounts, preparing the account current, and agreeing it with the books, watching the action of the other party to the amount in adjustment, and also taking the necessary steps to pass the inward amounts through the books, preparing the objection statement and any letters connected with his work for the approval of the Accountant General.
7. The necessary duration of the course of training must vary with the opportunities available, and the industry and ability of the Officer, and it is therefore not desirable to name any particular period; but on no account should the training be hurried, and the Accountant General must satisfy himself that the Junior Officer has acquired a competent knowledge of the ordinary duties of the several branches of an Accountant General's Office; the certificate to that effect should be sent to the Government of India through the Comptroller General.

No. 3495.—*Cash Balances in the Government Treasuries in India on the last day of the month of November* 1876, *compared with those on the same date in* 1875 *and* 1874:—

	Nov. 1874.	Nov. 1875.	Nov. 1876.
	Rs.	Rs.	Rs.
Govt. of India ...	2,68,80,981	1,93,23,257	1,69,80,208
Bengal ...	2,12,66,030	1,97,49,235	96,84,875
Assam ...	24,35,135	37,93,486	32,64,213
British Burmah ...	35,93,972	38,39,166	36,81,320
N. W. Provinces ...	1,42,36,631	1,78,61,943	1,71,11,482
Oudh ...	45,37,446	57,36,624	49,46,389
Punjab ...	1,23,16,275	1,00,28,639	1,04,41,973
Bombay ...	1,54,09,411	1,71,83,787	2,27,96,924
Central Provinces...	35,41,533	31,27,946	31,35,590
Madras ...	1,80,01,336	2,06,20,354	1,63,67,856
TOTAL ...	12,22,18,750	12,12,64,437	10,84,10,830

The 29th December 1876.

No. 3510.—*Bills drawn upon India by the Secretary of State,* 1876-77.

	£	Rs.	Average rate.	Loss compared with outturn of an exchange of 2s. the rupee.
			s. d.	
Estimated for the whole year ...	13,660,000	15,99,20,000	1 8·5	2,33,20,000
In the month of December ...	1,271,943	1,40,00,000	1 9·8	12,80,570
First 9 months ...	10,255,117	12,17,15,501	1 8·22	1,91,64,331
Remains to make estimate good...	3,404,883	3,82,04,499	1 9·39	41,55,669

Estimated expenditure in excess of the cost at 2s. the rupee in	...	£10,255,117 at 1s. 8·5d.	Rs. 1,75,07,271
Actual ditto ditto	...	" " 1-8·22	" 1,91,64,331
Expenditure in excess of estimate	...	...	Rs. 16,57,060

PENSIONS, GRATUITIES, &c.

The 28th December 1876.

No. 3486.—The Governor General in Council directs that the following be substituted for Section 1 (*a*) of the Civil Pension Code:—

(*a*) "Local Government" includes a Chief Commissioner, the Resident at Hyderabad, and the Agents to the Governor General in Rajputana and Central India.

Also that the following be substituted for Section 80:—

Section 80.—All claims to pension and gratuity are considered by the Government of India in the Financial Department.

D. BARBOUR,
Under Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Delhi, the 23rd December 1876.

No. 1283.—APPOINTMENTS—

To be Extra Aides-de-Camp on the Personal Staff of His Excellency the Viceroy and Governor General of India for the Imperial Assemblage at Delhi, from the dates specified:—

Captain W. C. Clayton, 9th Lancers,—25th October 1876.

Major J. Upperton, Bengal Staff Corps, 2nd in Command and Squadron Officer, 16th Bengal Cavalry,—20th December 1876.

Lieutenant C. M. Haggard, Royal Artillery,—20th December 1876.

Lieutenant C. W. Muir, of the Bengal Staff Corps,—24th December 1876.

Subadar-Major Nutha Sing, "Sirdar Bahadoor," 23rd (Punjab) Regiment of Native Infantry (Pioneers),—20th December 1876.

Local Captain Golab Sing,—20th December 1876.

The 26th December 1876.

No. 1284.—APPOINTMENT—

Medical Department.

Her Majesty has been pleased to appoint the under-mentioned gentleman to be a Surgeon in Her Majesty's Indian Military Forces in the Presidency of Bengal. He is accordingly admitted into the service:—

Surgeon A. Tomes,—arrived at Bombay 6th December 1876.

No. 1285.—The services of Lieutenant **F. Benson**, 12th Lancers, are placed temporarily at the disposal of the Honorable the Lieutenant-Governor of the North-Western Provinces, for appointment on His Honor's Personal Staff during the Imperial Assemblage at Delhi, with effect from the 1st December 1876.

The 27th December 1876.

No. 1286.—The under-mentioned Officer of the Staff Corps, having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Arthur Francis, Madras Staff Corps,—27th December 1876.

No. 1287.—The under-mentioned Officer, having completed twelve years' army service, is promoted to the rank of Captain by Brevet, from the date specified, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant Cecil Coles Dyce,—23rd December 1876.

No. 1288.—FURLOUGH AND LEAVE—

The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) **Charles** Herbert, Bengal Staff Corps,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel (Brevet Colonel) **Robert** Alexander Napper, Bengal Staff Corps,—private affairs, for one year four months and six days, under Rule IX of the Regulations of 1868.

Captain George Woodward Willock, General List, Cavalry, 3rd Squadron Officer, 3rd Bengal Cavalry,—private affairs, for one year, under Rules IX and XV of the Regulations of 1868.

No. 1289.—Native Medical Pupil Abdool Rymon Khan, No. 1197, admitted by G. G. O. No. 841 of 1876, is dismissed the service.

No. 1290.—The services of the under-mentioned Native Medical Pupils, who were admitted into the service by G. G. Os. noted against their respective names, are dispensed with:—

General No.	Names.	General Orders.	Attached to
294	Seetla Deen	No. 49 of 18th January 1872...	Agra Medical School.
455	Dost Muhummud Khan	No. 819 of 8th August 1872 ...	
494	Toolsee Ram	No. 1054 of 3rd October 1873	
656	Besunt Singh	No. 1022 of 30th October 1874	
713	Shaikh Abdool Wahid...		
974	Abdool Razak		
954	Shew Gobind		
952	Sakhawut Hossein Khan		
1035	Amjud Ali	No. 1046 of 21st October 1875.	
989	Mehboollah		
994	Mooneer Ahmed		
993	Jowalla Pershad		
949	Bhugwan Dass (1st)		
950	Ashurfee Lall		
1029	Murdan Sing	No. 1046 of 21st October 1875.	Nagpur Medical School.
881	Anwar Khan		
884	Toffuzzool Hussein		
886	Abdul Kadir		
889	Shaik Raheem Bux		
893	Mool Chund		
931	Jung Bahadur Khan		
943	Abdul Rohim		
944	Shekh Karim Ali		
945	Maksu Ali		
1002	Balaji Shiveram		
1004	Mahadeo Rowyadee		
682	Fazl Elahie	No. 1022 of 30th October 1874.	Lahore Medical School.
685	Albert Anthony		
668	Nanuck Chund		
868	Murli Dhur	No. 1046 of 21st October 1875	
853	Karam Din		
1008	Afazoodeen	Ditto ...	Temple Medical School.

No. 1291.—Subadar Nund Sing, No. 2 Mountain Battery, Punjab Frontier Force, is transferred to the Pension Establishment on a stipend of Rs. 25 a month, payable in the Punjab Circle.

No. 1292.—His Excellency the Governor General of India in Council is pleased to extend the provisions of Article 166, Indian Articles of War (Act V of 1869), to the frontier out-posts of Michni, Shabkadar, and Abazai.

No. 1293.—The following is to be substituted for paragraph 3, G. G. O. No. 775, dated 30th July 1872:—

"In case of extra issues under the authority of this order, a report detailing the extent of the issue and the necessity for it, is to be made for the information of Government through the Controller of Military Accounts."

No. 1294.—The following order to be substituted for G. G. O. of same number and date published in the *Gazette of India* of 23rd December 1876:—

Delhi, the 21st December 1876.

No. 1277.—CLOTHING—

In publishing for information and guidance the following statement shewing, on account of great coats, cloaks, and capes of both the new and old patterns, their value when

new, periods of duration, value when worn out and annual depreciation of value for each year's service, the Hon'ble the President in Council is pleased to prescribe that, in determining the value, when lost by neglect, of great coats and capes of Infantry and dismounted men of Artillery and Engineers, which are required, as at present, to last double the periods of duration at home, each year's wear in England, previous to embarkation, will be reckoned as two years' wear in India.

2. This order is applicable to the three Presidencies.

Articles.	Value when new.	Duration in years.	Value when worn out.	Annual depreciation of value for each full year's service or use.
	Rs. A. P.		Rs. A. P.	Rs. A. P.
Great coats, cloaks and capes of new pattern.				
Cavalry ... / Artillery ... / Engineers.. Cloak without cape for mounted men ...	18 2 8	10	3 0 0	1 8 3
Cape only for ditto (all ranks) ...	5 9 4	10	1 0 0	0 7 4
Artillery ... / Engineers.. Great coat without cape for dismounted men ...	10 11 4	8	3 0 0	0 15 5
Cape only for ditto (all ranks) ...	5 10 0	8	1 0 0	0 9 3
Infantry... Great coat without cape... Staff ...	11 8 0	10	2 8 0	0 14 4
Other rank ...	7 9 4	8	2 8 0	0 10 2
Cape only ... ... Staff ...	5 0 0	10	1 0 0	0 6 4
Other rank ...	4 2 8	8	1 0 0	0 6 4
Schoolmaster's cloak	15 2 8	10	3 0 0	1 3 6
Great coats, cloaks and capes of old pattern.				
Cavalry ... / Artillery ... / Engineers.. Cloak without cape for mounted men ...	17 4 8	10	3 0 0	1 6 10
Cape only for ditto (all ranks) ...	7 4 8	10	1 0 0	0 10 1
Artillery ... / Engineers.. Great coat with cape attached (all ranks) ...	16 15 4	8	3 0 0	1 11 11
Infantry ... Ditto ditto Staff ...	15 3 4	10	2 8 0	1 4 4
Other rank ...	10 10 8	8	2 8 0	1 0 4
Schoolmaster's cloak	15 0 0	10	3 0 0	1 3 3

No. 1295.—EQUIPMENT TABLES—

The wooden targets required for the annual practice of Batteries of Royal Artillery in India will in future be of the same dimensions as in the Home Service, *viz.*, $6' \times 6' \times \frac{1}{2}''$ instead of $9' \times 9' \times 2''$.

The necessary corrections will be made in Equipment Tables R. M. L. Batteries, "Stores supplied annually," page 6.

H. K. BURNE, *Colonel,*
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 23rd December 1876.

No. 527.—The following transfers of Accountants are ordered:—

Mr. P. Sullivan, Accountant, 3rd Grade, from the Office of the Examiner, Guaranteed Railway Accounts, Calcutta, to the Tirhoot State Railway.

Baboo Obhoy Churn Moytro, Accountant, 3rd Grade (temporary rank), from the Office of the Examiner, Guaranteed Railway Accounts, Lahore, to that of the Examiner, Guaranteed Railway Accounts, Calcutta.

Baboo Greeja Bhosun Mookerjee, Accountant, 3rd Grade, from the Office of the Director of State Railways, to that of the Examiner, Guaranteed Railway Accounts, Lahore.

Mr. J. Jamieson, Accountant, 4th Grade, from the Office of the Auditor, Oudh and Rohilcund Railway, to the Northern Bengal State Railway.

No. 528.—In consequence of the return from furlough of Captain J Grierson, B.S.C., Examiner, Public Works Accounts, Mr. A. R. Becher will revert to his substantive rank of Deputy Examiner of Accounts, with effect from the 6th December 1876.

No. 529.—Major P. Lambert, R.E., Officiating Examiner of Guaranteed Railway Accounts, Madras, was granted privilege leave from 5th to 17th November 1876, both days inclusive.

C. H. DICKENS, *Colonel, R.A.,*
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 1, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I–IV, and V of the *Gazette of India* and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

	Rs. A. P.
Subscription for *Gazette* and Supplement per annum	15 0 0
Postage	5 8 0
Subscription for Supplement only ...	6 0 0
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For a single copy of the *Gazette* ...	0 8 0
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E. J. DEAN,
Publisher, Gazette of India.

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 28th June 1876.

No. 391.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 7½*d.* per rupee. Schedule 19 of the Supplementary Tariff Table, which will be circulated presently, is therefore in force until further notice.

E. F. HARRISON,
Comptroller General.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 26th June 1876.

No. 34.—Dr. J. E. Baker, Medical Superintendent, has been granted by the Director, Persian Telegraph, furlough for six months under Section 10(*a*), and subsidiary leave, not exceeding thirty days, under Section 18(*a*) of the Civil Leave Code, with effect from afternoon of 11th May 1876, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

No. 35.—Mr. F. T. B. Daniell, Superintendent, has been granted by the Director, Persian Telegraph, leave on medical certificate for six months, under Section 3, Supplement F, of the Civil Leave Code, with effect from afternoon of 11th May 1876, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

No. 36.—Mirza Hassan Ali Khan has been granted by the Director, Persian Telegraph, furlough for six months, under Section 7, Supplement F, of the Civil Leave Code, with effect from 1st May 1876, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

The 28th June 1876.

No. 37.—Mr. K. Mackay, Cable Clerk, 2nd Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, subsidiary leave from 2nd to 10th February 1876, inclusive, under Section 10 of Supplement F of the Civil Leave Code, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

This cancels Notification No. 24, dated 24th February 1876.

R. G. MACDONALD,
Offg. Examiner of Telegraph Accounts.

CALCUTTA UNIVERSITY.

The Senate of the University of Calcutta will proceed, in the month of August next, to the election of a Tagore Law Professor for such term as the Senate may approve.

The salary of the Professorship is Rs. 10,000 per annum, and one of the conditions of the appointment is that the Professor shall deliver in each year a a course of lectures on some branch of law.

Condidates for the Professorship are requested to forward their applications to the Registrar before the 28th July, and at the same time to state in what subject or subjects they are prepared to lecture.

By order of the Vice-Chancellor,
J. SUTCLIFFE,
Registrar.

SENATE HOUSE,
The 24th June 1876.

INDIAN MUSEUM.

NOTIFICATION.
Calcutta, the 5th June 1876.

Mr. G. Nevill, Assistant Secretary, &c., of the Indian Museum, has been granted privilege leave for two months and eight days from the 5th June 1876, and availed himself of the leave from the same date.

By order of the Trustees,
J. WATERHOUSE, *Captain,*
Hony. Secy.

HYDERABAD RESIDENCY.

NOTIFICATION.
Hyderabad Residency, the 21st June 1876.

No. 44.—Mr. H. A. Heath, Officiating District Superintendent of Police, Hyderabad Assigned Districts, has been granted privilege leave for three months, with effect from 21st instant, or from such date as he may avail himself of it.

By Order,
A. J. DUNLOP,
Offg. 2nd Assistant Resident.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.
Mount Aboo, the 21st June 1876.

No. $\frac{2323}{933}$ *G.*—LEAVE.—Captain O. St. John, R.E., Principal, Mayo College, Ajmere, returned from the privilege leave of one month granted to him in Notification No. 2126—840G, dated 31st May last, on the 8th June 1876.

A. C. LYALL,
Offg. Agent, Govr. Genl., for Rajputana.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.
Indore, the 26th June 1876.

No. 23.—Mr. C. E. Gael, Executive Engineer, 4th Grade, is granted three months' privilege leave from the 1st proximo, or from such subsequent date as he may avail himself of it.

No. 24.—Baboo Nocoor Kristo Mookerjee, Overseer, 1st Grade, is granted three months' privilege leave from the 10th proximo, or from such subsequent date as he may avail himself of it.

A. CADELL, *Colonel, R. E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.
Mount Aboo, the 21st June 1876.

No. 1563*S.*—The Officiating Agent Governor General and Chief Commissioner is pleased to grant three months' privilege leave of absence to Mr. D. Joscelyne, Officiating Executive Engineer, 3rd Grade, attached to the Mhairwarra Division, from such date as he may avail himself of the same.

By order,
A. G. CROMMELIN,
Secy. to Agent, Govr. Genl., and Chief Commr., in the P. W. D., Rajputana.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.
Simla, the 23rd June 1876.

LEAVE OF ABSENCE.—Lieutenant Alexander James Corse-Scott, Bengal Staff Corps, Assistant Superintendent of Revenue Survey, 3rd Grade, (returned from furlough), is granted subsidiary leave for eighteen days, from the 6th to the 23rd April 1876, inclusive, under Chapter V, Section 18(*b*), of the Civil Leave Code, to enable him to rejoin his appointment.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATIONS.
Simla, the 22nd June 1876.

Privilege leave for one month which was granted to Mr. E. A. Wainright, Assistant Surveyor, 2nd Grade, in this Office Notification of the 18th April 1876, is hereby cancelled.

Privilege leave for one month is granted to Mr. G. L. Fleming, Assistant Surveyor, 4th Grade, attached to No. 4 or North-Eastern Division, Central Provinces Topographical Survey Party, from the forenoon of the 1st July 1876.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

BANK OF BENGAL.

Calcutta, the 26th June 1876.

Notice is hereby given that the Transfer Books of the Bank will be closed from 1st to 15th July, both days inclusive.

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

TIRHOOT STATE RAILWAY.

NOTIFICATION.
Dinapore, the 27th June 1876.

No. 46.—With reference to Director of State Railways' Notification, No. 106, dated 19th June 1876, Mr. A. Johnstone, Supervisor, 2nd Grade, reported his arrival at Dinapore on the forenoon of 18th April 1876, and is posted to the Durbhunga Division.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.
Darjeeling, the 26th June 1876.

No. 188.—With reference to Director's Notification No. 78 of 27th April 1876, Mr. A. D'Ortez, Overseer, 1st Grade, joined No. 4 Haldibari Division, Northern Bengal State Railway, on the forenoon of 15th June 1876.

No. 189.—Ardessur Hoormusjee Drogah, temporary Overseer, 2nd Grade, reported his return from one month and twenty-three days' privilege leave granted him in Notification No. 121 of 15th January last, on the forenoon of 6th March 1876.

The Overseer joined No. 6 Rungpore Branch Division on the forenoon of 6th March 1876.

No. 190.—Baboo Jadub Chunder Dey, Overseer, 1st Grade, No. 4 Haldibari Division, returned from the privilege leave granted him in Notification No. 172 of 18th May 1876, and joined No. 5 Mahanaddi Survey Division on the afternoon of 20th June 1876, to which division he is now transferred.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.
Lahore, the 24th June 1876.

No. 72.—ERRATUM.—In Notification No. 65 of 3rd June 1876—

For "T. Russell" read "F. Russell."

No. 73.—ERRATUM.—In Notification No. 71 of 17th June 1876—

For departure of Mirza Tahir Hoosain, Overseer, on the "forenoon of 13th" read on the "*afternoon*" of same date.

No. 74.—Baboo Khetter Chunder Chatterjee, Accountant, 3rd Grade, attached to the Office of the Executive Engineer, Jhelum Division, is allowed six months' leave on medical certificate, with effect from the afternoon of the 17th June 1876.

No. 75.—Mr. J. A. S. Ellis, Accountant, 3rd Grade, is transferred from the Office of Examiner of Accounts to the Ravi Division, which he joined on the 17th April 1876.

No. 76.—Lalla Jumna Dass, Accountant, 4th Grade, is transferred from the Ravi Division, which he left on the afternoon of 22nd April 1876, to the Office of the Examiner of Accounts, which he joined on the 24th April 1876.

No. 77.—Mr. H. Leonard, Accountant, 4th Grade, on probation, is transferred from the Office of the Examiner of Accounts, which he left on the 3rd June 1876, to the Office of the Executive Engineer, Open Line, which he joined on the 5th idem.

No. 78.—Lalla Lahori Mull, Accountant, 4th Grade, on probation, is transferred from the Office of the Executive Engineer, Open Line, which he left on the 13th June 1876, to the Office of the Examiner of Accounts, which he joined on the 14th idem.

ALEX. GRANT,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.
Mhow, the 23rd June 1876.

No. 45.—Mr. E. Johnston, Executive Engineer, 4th Grade, returned from the three months' privilege leave granted him in this Office Notification No. 22 of 8th March 1876, on the 19th June 1876.

No. 46.—With reference to Director of State Railways' Notification No. 99 of 3rd June 1876, Sergeant G. Preece, R.E., Supervisor, 2nd Grade, reported his departure to join the Northern Bengal State Railway on the afternoon of the 16th June 1876.

No. 47.—Mr. G. E. Moore, Executive Engineer, returned from the two months' privilege leave granted him in this Office Notification No. 32 of 15th April 1876, and resumed charge of the Gutta Quarry Sub-Division, Nerbudda Division, from Mr. T. J. Browning, Sub-Engineer, 2nd Grade, on the afternoon of the 20th June 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.
The 20th June 1876.

No. 57.—Mr. R. Winder, Executive Engineer, 4th Grade, is granted three months' privilege leave, with effect from 15th May 1876, or such subsequent date as he may have availed himself of it.

The 22nd June 1876.

No. 59.—Mr. C. G. C. Davis, Accountant, 3rd Grade, Kotri Division, is granted six months' leave on medical certificate, with effect from 5th June 1876.

M. RAYNE,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.
Agra, the 22nd July 1876.

No. 29.—Mr. J. A. Kearney, Accountant, 4th Grade, attached to the Office of the Examiner of Accounts, Rajputana State Railway, was granted leave without allowance, under Section 9, Supplement F, of the Civil Leave Code, from 22nd April to 31st May last.

The 26th June 1876.

No. 30.—Privilege leave of absence for three months is granted to Mr. T. W. Bartlett, Assistant Engineer, 1st Grade, employed in the Sambhur Division of this Railway, with effect from the 1st of August 1876, or such date as he may be able to avail himself of it.

HORACE BELL,
Offg. Manager.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

Register No.	No. of Notes.		NOTES WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
19	... B 49—72717	...	10	... Peroomall, Private, 37th Regiment, N. I., Madras.
20	... B 34—08112	...	10	... S. Abdul Razzack, Kolar.
			NOTES PARTIALLY LOST OR DESTROYED. Rs.	
59	... B 39—63904	...	5	... Mr. A. G. King, Bangalore.
60	... B 49—66137	...	10	... D. Ramasawmy Naidu, Madras.
61	... B 49—49915	...	10	... Maruthanaikum Pillay, Palani.
62	... B 42—10229	...	20	... Bajee Row Sundha, Shemoga.
63	... B 39—66979	...	5	... Mr. H. S. Bedford, Calcutta.
	„ —66980	...	5	...
64	... B 49—73306	...	10	... M. Valoo Pillay, Madras.
65	... B 43—51568	...	50	... A. Chithambala Chetty, Darampoory, Salem District.
	„ —51570	...	50	...
	„ —51567	...	50	...
	„ —51569	...	50	...
66	... B 43—39267	...	50	... P. Masilamony Moodr., Madras.
67	... B 44—99450	...	100	... N. Patchayappah Chetty, Darumpoory.
	B 50—01840	...	100	...
	„ —02044	...	100	...
8	... B 35—59876 wrongly			
	„ —59879 joined.		20	... V. Dasapah Iyah, Salt Agent, Erode.
9	... B 49—42249 ditto	...	10	... R. V. M. Narayana Chetty, Madras.
	„ —42246			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 19th June 1876.

W. DONALD,
Asst. Acctt. Genl., in charge of Paper Currency Dept.

Bombay Circle.

Register No. 1876-77.	No. of Notes.		NOTES PARTIALLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
17	... M 18—27420	...	10	... Lala Piyare Lal, Curator, Government Central Book Depôt, Punjab.
18	... C 95—80942	...	10	... Mr. Gopal Govind Ghate, at Tatta, in Sind.
29	... M 3—26687	...	5	... Hari Babaje Supee, Kandewady, Bombay.
	M 4—50288	...	5	...
1875-76.				
89	... M 17—91348 wrongly			
	M 18—88087 joined.		10	...
	M 2—03503			... Messrs. Heptoola Shaik Adum and Co., Bombay.
	„ —11641 ditto	...	5	...
90	... C 99—08686			
	„ —60764 ditto	...	20	... E. D. Sassoon, Esq., Bombay.
1876-77.				
21	... M 5—79393			
	„ —79394 ditto	...	50	... Beheram Aspendiar, Bombay.

BOMBAY,—Paper Currency Dept.;
The 20th June 1876.

G. W. CLINE, LL.B.,
Assistant Commissioner.

Allahabad Circle.

Register No.	No. of Notes.		NOTES PARTIALLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
31	... D 10—82458	...	5	... Tota Ram, Banda.
	„ —82459	...	5	...
32	... D 4—51595	...	50	... Nana Mull Janki Dass, Delhie.
33	... L 47—27404	...	20	... Nundo Lall Sein, Allahabad.
34	... D 5—83408	...	20	... Captain S. E. Pemberton, R.A, Meerut.
11	... D 11—36047 wrongly			
	„ —36048 joined.		10	... Ghamundee Lall Rungee Lall, Delhie.
12	... L 49—89672 ditto	...	50	... Messrs. C. Smith and Co., Faizabad.
	„ —89673			

ALLAHABAD,—Paper Currency Office;
The 22nd June 1876.

T. H. S. BIDDULPH,
Asst. Acctt. Genl., in charge of Paper Currency Office.

Nagpur Circle.

No. of Note.	NOTE PARTIALLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
F 9—64670	... 50	... Captain S. J. Dunlop, Executive Engineer, Hoshungabad, Central Provinces.

NAGPUR,—Paper Currency Office;
The 26th June 1876.

H. KEENE,
Asst. to Acct. Genl., C. P., in charge of Paper Currency.

Calcutta Circle.

Register No.	No. of Notes.		NOTES WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
102	... L 79—26121	...	20	... Babu Ram Lal Mookerjee.
	„ —26102	...	20	...
	„ —18358	...	20	...
103	... L 61—40659	...	10	... Major B. J. Carsons, S. C.
	„ —31642	...	10	...
104	... L 67—91132	...	50	... F. Pelzer, Esq.
	L 79—48246	...	20	...
105	L 70—33886	...	1,000	... Messrs. Lal Chund Buldio Das and Sew Bukhsh Soorj Mull.
			NOTES PARTIALLY LOST OR DESTROYED. Rs.	
92	... A 94—94212			
	„ —94214	...	20	... Babu Ram Kissen.
	L 15—71624			
	„ —71626	...	5	...
	L 15—95425			
	„ —95429	...	5	...
93	... L 9—82355			
	„ —83976	...	5	... Babu Koondeen Lal.
94	... L 77—01182			
	„ —01185	...	20	... Messrs. Handford & Crew.
95	... L 61—82767			
	„ —82768	...	10	... T. Crinion, Esq.
96	... L 16—09978			
	„ —55858	...	5	... Babu Kartick Chandra Coondoo.
78	... L 21—99426			
	„ —99425	...	5	... F. O. Bridgeman, Esq.
99	... L 7—93896			
	L 12—53996	...	20	... Kurim Bukhsh.
100	... L 33—53406			
	„ —53409	...	10	... Babu Gosto Behari Sen.
101	L 17—32673			
	„ —32663	...	5	... W. E. Morrell, Esq.
141	... L 62—14519	...	10	... Babu Moti Lal Mookerjee.
142	... L 78—62109	...	20	... The Post Master General, North-West Provinces.
	„ —41846	...	20	...
	„ —77886	...	20	...
143	... L 36—75578	...	20	... Major C. S. S. Taylor, R.A.
	L 57—73174	...	10	...
144	... L 23—96481	...	5	... Babu Dwarka Nath Bose.
145	... L 67—55960	...	50	... Machulooddeen Mollah.
	„ —55961	...	50	...
146	... A 53—93791	...	20	... Babu Khetter Mohun Nag.
	A 98—45055	...	20	...
	L 1—94083	...	10	...
	L 10—08762	...	5	...
147	... L 17—35386	...	5	... Babu Monmotho Nath Chuckerbutty.
148	... L 60—46455	...	10	... John Stalkartt, Esq.
149	... L 51—99821	...	100	... Mahomed Aslum.
	„ —99822	...	100	...
	„ —99818	...	100	...
	„ —99819	...	100	...
	„ —99820	...	100	...
150	... A 9—16089	...	20	... Babu Lal Sing.
	A 10—02361	...	20	...
	L 2—18486	...	10	...
	A 96—45439	...	10	...
	L 2—18485	...	10	...

CALCUTTA,—Paper Currency Office;
The 30th June 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Lahore Circle.

Register No.	No. of Notes.		NOTES WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
20	E 4—91580	...	50	... Sookdeo Bux, Treasurer, Multan.
21	E 1—80977	...	1,000	... Shunker Mull, Shroff, Shahdera *viâ* Lahore.
22	... E 6—96959	...	10	... Major B. J. Parsons, Executive Engineer, Bareilly.
			NOTES PARTIALLY LOST OR DESTROYED. Rs.	
31	... E 4—70106	...	50	... Lieutenat-Colonel C. C. Ekins, 30th P. N. Infantry, Peshawar.
	„ —70111	...	50	...
	E 3—96080	...	100	...
	F 2—25250	...	500	...

LAHORE,—Paper Currency Office;
The 23rd June 1876.

J. C. BOSE,
Asst. to Acct. Genl., in charge of Currency Office.

Kurrachee Circle.

No. of Notes.	NOTE PARTIALLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
G 13—14151	... 5	... Khuttaoo Vurroo Khosa, Weighingman, Town, Kurrachee.

KURRACHEE,—Paper Currency Dept.;
The 19th June 1876.

W. A. INGLE,
Asst. Depy. Commr. of Paper Currency.

Akola Circle.

No. of Notes.	NOTE WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
K 5—02726	... 500	... Sadasiva Visanatha Bapata, Poona.

AKOLA,—Paper Currency Dept.;
The 22nd June 1876.

C. W. A. DAVIES,
Assistant Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 15th June 1876.

RULES FOR THE CUSTODY, DISTRIBUTION, AND SALE OF POSTAGE STAMP LABELS.

Approved by the Government of India in Financial Department letter No. 801, *dated 8th June* 1876.

(N. B.—These Rules apply both to Service Stamps and to Ordinary Stamps with the exceptions noted in Rules V and VIII.)

Supplies from Central Depôts.

I.—Supplies of postage stamps for the Madras Presidency, including Mysore and the local depôts subordinate to Madras, shall be supplied by the Superintendent of Stamps at Madras on the indent of officers in charge of local depôts.

II.—Supplies of postage stamps for the Presidency of Bombay, including Sind, Berar, the Central Provinces, and local depôts subordinate to Bombay, shall be supplied by the Superintendent of Stamps at Bombay on the indent of officers in charge of local depôts.

III.—Stamps for the Bengal Presidency, including the North-Western Provinces, Oudh, the Punjab, Central India, Rajpootana, Assam, and British Burmah, and local depôts subordinate to Calcutta, shall be supplied by the Superintendent of Stamps at Calcutta on the indent of officers in charge of local depôts.

IV.—The above-mentioned supplies from central to local depôts shall be issued on credit.

Local depôts.

V.—Every treasury throughout India, including those attached to political, customs, and salt agencies, shall be a local depôt for the sale of postage stamps, provided that the value of the stamps sold at one time to any purchaser shall not be less than Rs. 5, and shall not include any fraction of a rupee. At any station at which there is a collector of land revenue, neither a salt agent nor collector of customs shall be entrusted with the custody and sale of postage stamps. All sales under this rule will be for cash on delivery; and when the purchaser is one of those who are required to retail stamps under Rule VIII, or is one specially authorized under Rule IX, a discount of one half-anna per rupee will be allowed. But to purchasers other than the above, no discount will be allowed, and officers in charge of local depôts must see that discount is not allowed except to the privileged officers above referred to. The sale of embossed envelopes shall be subject to the same conditions, except that they shall be sold in packets containing sixteen envelopes each, portions of a packet not being saleable. The price of each packet shall be the value of the stamps borne by the envelopes contained in it, the discount (if any) being calculated on that value.

The above rule is only partially applicable to "Service Stamps," which may be sold *only to Government officials on a written application, accompanied by payment of the value in cash*, and on which *no discount is allowed*. A receipt containing in detail the gross value of each description of Service Postage Stamps sold will be granted by the treasury officer for the amount paid to him.

VI.—A supply equal to the probable consumption for five months of the district attached to each local depôt shall be kept in each, and as soon as the number in store has fallen below the number expended during the preceding six months, the collector, or other officer in charge of the depot, shall indent* on the central depôt of his Presidency for a number equal to the consumption of the last three months for which accounts have been rendered to the central depôt of the Presidency. If by any accident the stock of stamps of any value should run short before the receipt of a fresh supply from the central depôt, the officer in charge of the treasury will indent on neighbouring districts for a quantity sufficient to meet the demand, which may be supplied or not, according to the discretion, and on the responsibility of the officer indented on, with reference to the wants of his own district. It will be the duty of the Superintendent of Stamps of the Presidency to report to the Director General of the Post Office, for the orders of Government, every occasion on which it may appear, from the monthly statement or otherwise, that the store of stamps of any particular value in any district has fallen below the authorized amount.

* Form 1.

Branch depôts.

VII.—Every branch treasury and every tehsil treasury shall be a branch depôt for the sale of postage stamps under the conditions described in Rule V. It will receive its stamps from the local depôt to which it is subordinate, keeping always in store a supply sufficient to meet the probable demands of one month, estimated according to the average of former sales. It will keep an account of sales in the same form (3) hereafter prescribed for the treasurer's account, and will indent for supplies in the same form (4) as hereafter prescribed for the treasurer's indent. It will render an account monthly to the local depôt in Form 6A immediately on the expiration of the month.

Retail sale of Stamps.

VIII.—A supply of stamps *for sale by retail* shall be kept available at every post office, receiving house, tehsildaree, thana and every police station at which letters are received for despatch, and with every licensed stamp-vendor; and it shall be the duty of the officer, to whom the person in charge of any of the above-named places is subordinate, to take steps to ensure that the supply kept on hand is at all times equal to at least one week's demand. Persons in charge of the above-mentioned places will receive discount on purchases under Rule V.

This rule does not apply to "Service Stamps."

By the term "licensed vendor," as used above, is meant a stamp-vendor licensed under rules framed by the local Government in accordance with Section 48 of the General Stamp Act (XVIII of 1869).

Authorization of certain retail vendors other than the above.

IX.—A district officer may authorize the grant of discount at half-anna per rupee on purchases under Rule V to any person who is a *bonâ fide* retail vendor of postage stamps, although he may not be one of those required to retail them under the above rule. Such authority shall be given in writing, and must be produced by the person authorized when claiming discount on purchases: the authority will hold good for only 12 months from the date on which it is given, and may be revoked at any time at the discretion of the district officer. No such authority may be given to any person employed in a Government Treasury. A register showing the name, residence, and occupation of every person so authorized, and the date of the authority, shall be kept by the district officer.

Custody of Stamps in Local Depôts.

X.—The bulk of postage stamps in store at any local depôt shall be kept in parcels, containing a known number of sheets, in the treasury or other

secure place, in one or more strong chests or presses, under double locks,—the key of one lock of each chest or press always remaining in the hands of the collector or other officer in charge of the stamps, and the key of the other in the hands of the treasurer.

XI.—The remainder of the stamps in store shall be in the hands of the treasurer, and shall not exceed the probable demand of fourteen days, estimated according to the average of former sales.

XII.—The treasurer shall keep a daily account of receipts and sales* in the vernacular of the district, in which the transactions of each succeeding day shall be entered consecutively, a balance being struck at the close of each day, and attested by the initials of the officer in charge of the treasury.

* Form 3.

XIII.—On the first open day of each month, and on every Monday during the month, the treasurer shall prepare in the vernacular, and submit to the officer in charge of the postage stamps, an indent* for a supply of postage stamps for the following week. The indent, after being approved or altered by the officer in charge of the postage stamps, shall be signed by him, and complied with as directed in the following rule. The indent thus signed shall be the warrant for the issue of the stamps.

* Form 4.

XIV.—The officer in charge of the postage stamps shall cause the store under double locks to be opened, and the required number to be counted and delivered to the treasurer in his presence. A store-book* shall be kept in English, in which the number and value of the stamps delivered to the treasurer shall be entered, and a balance struck at the time of delivery. This balance will be attested by the initials of the officer in charge and of the treasurer, both of whom shall invariably be present during the whole time that the store under double locks, or any part of it, remains open. The deliveries shown in the store-book will agree with the indent as approved.

* Form 5.

XV.—If the treasurer require stamps at any intermediate time, the same process will be observed as is prescribed in the two preceding rules.

XVI.—Stamps will be supplied from the store under double locks only to the treasurer and to branch depôts, and on indent from them, respectively. Sales should be made not out of store, but from the supply in the hands of the treasurer or the supply in branch depôts.

XVII.—As soon as possible after the arrival of a despatch of postage stamps from a central depôt, or from any other local depôt, the packets or boxes are to be opened, one at a time, in the presence of the officer in charge of stamps. The stamps contained in each box or packet are then to be immediately counted and compared with the invoice,* which, after being receipted, will be returned by the first post to the depôt whence they were despatched. Unless the officer in charge of the stamps can certify that the stamps contained in any given packet or box were immediately counted by himself personally, or in his presence, he will be held responsible for the value of any that may be found deficient. The stamps are then to be placed in the store under double locks and entered in the store-books, and no stamps are to be delivered to the treasurer or sold to any party without being first brought into store.

* Form 2.

XVIII.—Officers in charge of stamps will have the stamps in store, both those under double locks and those in the hands of the treasurer, counted in their presence on the last open day of September and March in each official year, and will certify having done so in the following terms at the foot of the monthly accounts of sales and stock* for those months furnished to the Superintendent of Stamps :—

* Form 6.

"*I do hereby certify that I have personally counted the postage stamps in store on* 18 , *the actual value of which is Rupees* (here enter the amount in words and figures); *and that the rules prescribed by the order of the Government of India, dated* *are duly observed.*"

XIX.—On occasions of transfer of charge, postage stamps will be made over in the same manner and under the same precautions as the cash balance in the treasury.

XX.—The officer in charge of each local depôt will submit, within the first week of each month, an account* to the Superintendent of Stamps of his presidency, showing the balance in hand at the sudder and branch treasuries at the close of the preceding month, and the sales effected during that month.

* Form 6.

Returns to be made by Central Depôt.

XXI.—The Superintendent of Stamps of each Presidency will, on the 15th of each month, in addition to any account required by the Accountant General, furnish the Director General of the Post Office with a memorandum* showing the number of stamps distributed by him during the preceding month; and at the close of each month he will also furnish another memorandum† showing the number and value of stamps in hand, and the total amount of the actual sales of each local depôt and of all the local depôts supplied by him.

* Form 7.

† Form 8.

A. M. MONTEATH,

Dir. Genl. of the Post Office of India.

Form No. 1.

Indent for Postage Labels on the Superintendent of Stamps at _____

1	2		3		4				5		6				7			
Particulars.	Half-anna Envelopes 16 = 1 packet = 8 annas, 480 = 1 ream = Rs. 15.		One-anna Envelopes 16 = 1 packet = 1 Rupee, 480 = 1 Ream = Rs. 30.		Half-anna Labels 320 = 1 sheet = Rs. 10.				Nine-pie Labels 320 = 1 sheet = Rs. 15.		One-anna Labels 320 = 1 sheet = Rs. 20.				Two-anna Labels 320 = 1 sheet = Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Number of each description in Sudder and Subdivisional Treasuries or Branch Depôts this day																		
Number of each description sold within the last three months for which accounts have been furnished ...																		
Number of each description now indented for ...																		
Number of each description passed by the Superintendent ...																		

8		9		10		11		12		13			14			15		
Four-anna Labels 320 = 1 sheet = Rs. 80.		Six-anna Labels 320 = 1 sheet = Rs. 120.		Eight-anna Labels 320 = 1 sheet = Rs. 160.		Twelve-anna Labels 320 = 1 sheet = Rs. 240.		One-rupee Labels 320 = 1 sheet = Rs. 320.		Gross Value of Ordinary Labels, including Embossed Envelopes.			Gross Value of Service Labels.			Total Value.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.						
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

I request that the above described Postage Labels be supplied to this Treasury.

Dated

Officer in charge of the Treasury

at _____

No.

Form

Invoice of Postage Labels consigned to the

Dated

1	2	3				4		5				6			
HALF-ANNA ENVELOPES 16 = 1 PACKET = 8 ANNAS, 480 = 1 REAM = Rs. 15.	ONE-ANNA ENVELOPES 16 = 1 PACKET = 1 RUPEE, 480 = 1 REAM = Rs. 30.	HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.				NINE-PIE LABELS 320 = 1 SHEET = Rs. 15.		ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.				TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.			
		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.

I acknowledge to have received the Postage Labels described above, the total

Dated

NOTE.—As soon as the labels arrive they must be compared with the

No. 2.

Officer in charge of the Treasury at

(Signed) *Superintendent of Stamps.*

7	8	9				10	11				12			13			14		
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.	SIX-ANNA LABELS 320 = 1 SHEET = Rs. 120.	EIGHT-ANNA LABELS 320 = 1 SHEET = Rs. 160.				TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.	ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.				GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.			GROSS VALUE OF SERVICE LABELS.			TOTAL VALUE.		
Ordinary Labels.		Service Labels.				Ordinary Labels.	Ordinary Labels.		Service Labels.										
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

value of which is Rs. (here enter value in words and figures).

Invoice, which should be receipted and returned immediately.

Officer in charge of the Treasury
at

Form No. 8.

Treasurer's or Branch Depôt Daily Account.

1	2	3	4	5				6		7				8			
		Half-anna Envelopes 16=1 packet=8 annas, 480=1 ream=Rs. 15.	One-anna Envelopes 16=1 packet=1 Rupee, 480=1 ream=Rs. 30.	Half-anna Labels 320=1 sheet=Rs. 10.				Nine-pie Labels 320=1 sheet=Rs. 15.		One-anna Labels 320=1 sheet=Rs. 20.				Two-anna Labels 320=1 sheet=Rs. 40.			
				Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
Date.	Particulars.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
	Closing Balance on the (date, month and year)																
	Add—Received on the (date and month) from the Officer in charge of the Treasury																
	Total ...																
	Deduct—Sold during the day ...																
	Closing Balance on the (date and month)																
	Deduct—Sold during the (date and month)																
	Closing Balance on the (date and month)																
	(And so on)																

9		10	11		12	13		14	15	16	17	18	19
Four-anna Labels 320=1 sheet=Rs. 80.		Six-anna Labels 320=1 sheet=Rs. 120.	Eight-anna Labels 320=1 sheet=Rs. 160.		Twelve-anna Labels 320=1 sheet=Rs. 240.	One-rupee Labels 320=1 sheet=Rs. 320.		Gross Value of Ordinary Labels, including Embossed Envelopes.	Gross Value of Service Labels.	Total Gross Value.	Deduct from Gross Value of Sales discount allowed under Rule V.	Net Value of Sales.	Signatures of the Officer in charge of the Treasury and of the Treasurer.
Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.						
Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	

Form

Indent for Postage Labels required by the

1	2	3	4				5		6				7			
	HALF-ANNA ENVELOPES 16 = 1 PACKET = 8 ANNAS, 480 = 1 REAM = Rs. 15.	ONE-ANNA ENVELOPES 16 = 1 PACKET = 1 RUPEE, 480 = 1 REAM = Rs. 30.	HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.				NINE-PIE LABELS 320 = 1 SHEET = Rs. 15.		ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.				TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.			
PARTICULARS.			Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams. Packets.	Reams. Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Number of each description in hand this day ...																
Number of each description sold during the preceding week ...																
Number of each description now indented for ...																
Number of each description passed by the Treasury Officer.																

Dated

Officer in charge of the Treasury at

Dated

Form 4.

Branch Depôt

Treasurer of the Treasury at

8				9		10				11		12				13			14			15		
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.				SIX-ANNA LABELS 320 = 1 SHEET = Rs. 120.		EIGHT-ANNA LABELS 320 = 1 SHEET = Rs. 160.				TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.		ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.				GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.			GROSS VALUE OF SERVICE LABELS.			TOTAL VALUE.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.									

Treasurer, or

Officer in charge of the Branch Depôt.

2 e

Form No. 5.

Store Book of Postage Labels of the Treasury at _____

1	2	3	4	5				6		7				8			
		Half-anna Envelopes 16 = 1 packet = 8 annas, 480 = 1 ream = Rs. 15.	One-anna Envelopes 16 = 1 packet = 1 rupee, 480 = 1 ream = Rs. 30.	Half-anna Labels 320 = 1 sheet = Rs. 10.				Nine-pie Labels 320 = 1 sheet = Rs. 15.		One-anna Labels 320 = 1 sheet = Rs. 20.				Two-anna Labels 320 = 1 sheet = Rs. 40.			
				Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
Date.	Particulars.	Reams. Packets.	Reams. Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
	Closing Balance on the (date, month and year) ...																
	Add—																
	Received on the (date and month) from the Superintendent of Stamps																
	Ditto ditto from the Treasury at																
	Total																
	Deduct—																
	Issued to the Treasurer																
	Despatched to the Head Depôt at																
	Transferred to the Treasury at																
	Total																
	Closing Balance on the (date, month) ...																

9				10		11				12		13				14			15			16		17
Four-anna Labels 320 = 1 sheet = Rs. 80.				Six-anna Labels 320 = 1 sheet = Rs. 120.		Eight-anna Labels 320 = 1 sheet = Rs. 160.				Twelve-anna Labels 320 = 1 sheet = Rs. 240.		One-rupee Labels 320 = 1 sheet = Rs. 320.				Gross Value of Ordinary Labels, including Embossed Envelopes.			Gross Value of Service Labels.			Total Value.		Signatures of the Officer in charge of the Treasury and of the Treasurer.
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.										
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	

Form

Account of Receipts, Sales and Stock in hand of Postage Labels in the Treasury

1	2		3		4				5		6				7			
PARTICULARS.	HALF-ANNA ENVELOPES 16 = 1 PACKET = 8 ANNAS, 30 = 1 REAM = Rs. 15.		ONE-ANNA ENVELOPES 16 = 1 PACKET = 1 RUPEE, 480 = 1 REAM = Rs. 30.		HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.				NINE-PIE LABELS 320 = 1 SHEET = Rs. 15.		ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.				TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.			
					Ordinary Labels.		Service Labels.						Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Stock in hand at the close of last month ...																		
Received from the Superintendent of Stamps during the month																		
Received from the Treasury at during the month																		
TOTAL																		
Sold during the month at and Branch Treasuries as per credit in cash account																		
Transferred to Treasuries at																		
TOTAL																		
Balance Stock in hand																		

NOTE.—Discount allowed during the month

No. 6.

at _____, *including Branch Treasuries, for the month of* _____ 187 .

8		9		10				11		12				13			14		15		
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.		SIX-ANNA LABELS 320 = 1 SHEET = Rs. 120.		EIGHT-ANNA LABELS 320 = 1 SHEET = Rs. 160.				TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.		ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.				GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.			GROSS VALUE OF SERVICE LABELS.		TOTAL VALUE.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.									
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

Schedule V, Ba.

Officer in charge of the Treasury
at _____

Form No. 6A.

Account of Receipts, Sales, and Stock in hand of Postage Labels in the Branch Depôt at _____ *for the month of* _____ 187 .

1	2		3		4				5		6				7			
PARTICULARS.	HALF-ANNA ENVELOPES 16 = 1 PACKET = 8 ANNAS, 480 = 1 REAM = Rs. 15.		ONE-ANNA ENVELOPES 16 = 1 PACKET = 1 RUPEE, 480 = 1 REAM = Rs. 30.		HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.				NINE-PIE LABELS 320 = 1 SHEET = Rs. 15.		ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.				TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Stock in hand at the close of last month ...																		
Received from the Local Depôt during the month ...																		
TOTAL ...																		
Sold during the month as per credit in cash account ...																		
Balance Stock in hand ...																		

NOTE.—Discount allowed during the month, under Rule V, Rs.

8				9		10				11		12				13			14			15		
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.				SIX-ANNA LABELS 320 = 1 SHEET = Rs. 120.		EIGHT-ANNA LABELS 320 = 1 SHEET = Rs. 160.				TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.		ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.				GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.			GROSS VALUE OF SERVICE LABELS.			TOTAL VALUE.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.										
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

Dated

Officer in charge of the Branch Treasury at _____

Form

Memorandum of Receipts, Issues and Stock of Postage Labels in Store in the month of

1	2		3		4				5		6				7			
Particulars.	Half-anna Envelopes 16 = 1 packet = 8 annas, 480 = 1 ream = Rs. 15.		One-anna Envelopes 16 = 1 packet = 1 Rupee, 480 = 1 ream = Rs. 30.		Half-anna Labels 320 = 1 sheet = Rs. 10.				Nine-pie Labels 320 = 1 sheet = Rs. 15.		One-anna Labels 320 = 1 sheet = Rs. 20.				Two-anna Labels 320 = 1 sheet = Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Stock in hand at the close of last month ...																		
Received from ...																		
Total ...																		
Distributed during the month to the several Local Depôts ...																		
Balance Stock in hand this day ...																		

Dated

No. 7.

Central Depôt of the _____ *Presidency for the* _____ 187 .

8				9		10				11		12				13			14			15		
Four-anna Labels 320 = 1 sheet = Rs. 80.				Six-anna Labels 320 = 1 sheet = Rs. 120.		Eight-anna Labels 320 = 1 sheet = Rs. 160.				Twelve-anna Labels 320 = 1 sheet = Rs. 240.		One-rupee Labels 320 = 1 sheet = Rs. 320.				Gross Value of Ordinary Labels, including Embossed Envelopes.			Gross Value of Service Labels.			Total Value.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.										
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

Superintendent of Stamps.

Form

Memorandum of Sales and Stock in Store of Postage Labels in the several Local Depôts of the _____ *Presidency for the Quarter ending* _____

1	2		3		4				5		6				7			
NAMES OF DEPÔTS.	HALF-ANNA ENVELOPES 16=1 PACKET =8 ANNAS, 480=1 REAM =Rs. 15.		ONE-ANNA ENVELOPES 16=1 PACKET =1 RUPEE, 480=1 REAM =Rs. 30.		HALF-ANNA LABELS 320=1 SHEET=Rs. 10.				NINE-PIE LABELS 320=1 SHEET =Rs. 15.		ONE-ANNA LABELS 320=1 SHEET=Rs. 20.				TWO-ANNA LABELS 320=1 SHEET=Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
TOTAL ...																		

DETAIL OF

1	2		3		4				5		6				7			
NAMES OF DEPÔTS.	HALF-ANNA ENVELOPES 16=1 PACKET =8 ANNAS, 480=1 REAM =Rs. 15.		ONE-ANNA ENVELOPES 16=1 PACKET =1 RUPEE, 480=1 REAM =Rs. 30.		HALF-ANNA LABELS 320=1 SHEET=Rs. 10.				NINE-PIE LABELS 320=1 SHEET =Rs. 15.		ONE-ANNA LABELS 320=1 SHEET=Rs. 20.				TWO-ANNA LABELS 320=1 SHEET=Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
TOTAL ...																		

Dated

No. 8.

8				9		10				11		12				13			14		15		16			17		
FOUR-ANNA LABELS 320=1 SHEET=Rs. 80.				SIX-ANNA LABELS 320=1 SHEET=Rs. 120.		EIGHT-ANNA LABELS 320=1 SHEET=Rs. 160.				TWELVE-ANNA LABELS 320=1 SHEET =Rs. 240.		ONE-RUPEE LABELS 320=1 SHEET=Rs. 320.				GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.			GROSS VALUE OF SERVICE LABELS.		TOTAL GROSS VALUE.		DEDUCT FROM GROSS VALUE OF SALES DISCOUNT ALLOWED UNDER RULE V.			NET VALUE OF SALES.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.														
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

STOCK IN STORE.

8				9		10				11		12				13			14			15		
FOUR-ANNA LABELS 320=1 SHEET=Rs. 80.				SIX-ANNA LABELS 320=1 SHEET=Rs. 120.		EIGHT-ANNA LABELS 320=1 SHEET=Rs. 160.				TWELVE-ANNA LABELS 320=1 SHEET =Rs. 240.		ONE-RUPEE LABELS 320=1 SHEET=Rs. 320.				GROSS VALUE OF ORDINARY LABELS.			GROSS VALUE OF SERVICE LABELS.			TOTAL VALUE.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.										
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

Superintendent of Stamps.

Calcutta, the 30th June 1876.

Mails for Madras, Ceylon and the Intermediate Ports, for transmission per Steamer *Khandalla*, will be closed at the General Post Office on Monday, the 3rd July 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 2nd July 1876, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 7th July 1876, at 7 P. M.

Mails for Rangoon and Moulmein for transmission per Steamer , will be closed at the General Post Office on Friday, the 7th July 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 7th July, 1876, at 7 P. M.

Mails for France, Foreign Europe *viâ* France the intermediate Ports, Mauritius and China, for transmission per French Mail Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 1st July 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 4th July 1876, by which mails for Mauritius, St. Denis, and Reunion can be forwarded.

2. Book post and pattern packets must be posted on the

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 30th June 1876.

Alexander, Bose & Co., Messrs.
Anderson, Alex.
Atkinson, J. W., Mrs.
Banerjee, Samuel.
Biss, J. B.
Blackwell, James W.
Boyd, Mrs. C. A.
Brown, Miss Fanny.
Burenberg, Hentze.
Cooper, J. B.
Crolley, Peter.
Davison, Rev.
Day & Sons, O. B., Messrs.
Dogherty, D.
Downing, S. F.
Dudman, R. H.
Dwarka Nath Bose & Co., Messrs.
Farley, Chas.
Fiscse, Jos.
Foster & Sons, Messrs.
Freeman, A.
Freyberger, M.
Geddes, Clarke, and Patterson, Messrs.
Gibbs, Lieut.
Gilmore, Jas. T.
Goldenberg, L.
Guest, W. E.
Haley, S.
Henwood, D. B.
Hinger, G.
Hoisbrunner & Co., Messrs.
Irving, Hugh.
Jane, Miss A.
King, Hamilton.
Kynoch, Geo.
Leslie, Mrs. Isabella.
Lucas, H.
McBean, Major Donald.
McGovern, W.
Mercer, J. W.
Moyce, Harry, Sergt.
Mullane, R. O.
Octriano, P'
Palmer, M. Mrs.
Parker, G. E.
Patterson, W. H.
Pay, Captain C. M.
Peter, Mary.
Philpott, O.
Phunk, Major-Genl.
Po, E. T.
Richardson, A.
Robert, Mr.
Rowe, Mrs. P.
Sloam, Geo. S.
Smyth, R. B.
Spear, J.
Stuart, A. D.
Tawney, Revd. Jas. Jos.
Thorose, M.
VanDyk, H. & C.
Villiers, S. W
Waddington & Sons.
Walker, & Co., Messrs.
Waterson, E.
Wilson, Mrs.

Letters marked "Care of Post Office, to be kept till called for."

Affonso, A. B.
A. E. P.
Beadle, H.
Beagley, Miss M. A.
Boulter, R. F.
Bullers, T.
Busch, Henry.
Comte de Augerstin, M.
Croghan, W. J.
Davis, Mrs.
Dutton, B. C.
E. F. W.
Fernandez, J. T.
Harris, T. J. P.
Hazard, John.
Heath, F.
Henry, P. J.
Henty, J. C.
Holland, Capt. J.
Hollingsworth, J. B.
Humes, Thomas.
Jamarson, Wm.
Jones, A. G.
Kearns, E. W. F.
Lee, Mrs. A. J.
Leonard, C.
Lintott, James.
Locke, Henry.
MacIntyre, A.
MacPherson, J. J.
Mendes, V. E.
Micheli, Aristodemio, Signr.
Munro, Major C. A.
Myers, Rev. J. G.
Peters, W.
Pearce, G. S.
Phelan, T. W.
Phillips, James.
Pierie, H. W.
Preston, Geo.
Rean, T. R.
Rice, J. W.
Richards, T. W.
Ryall, Henry.
Shine, W. L.
Simpson, W.
Smyth, G. R. C.
Sutherland, Miss J.
T. B. Mrs.
Tanquarette, D.
Tietgens, Herm.
Tritsch, J.

Papers.

Beazley, J. L.
Croghan, W. J.
Davis, F. A.
Hindle, J. A.
Mackay, J. B.
Perrier, A.
Ring, J. B.
St. George, F.

Parcels.

Versepuy, Monsieur V.

Registered Letters.

Boulter, R. F.
Gill, Geo. (apothy.)
Horsenburg, Marie.
Jones, W.
Paxwell, E.
Shidd and Co.

W. ALPIN,
Offg. Post Master of Calcutta.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION — Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
June 19th, 1876 ...	...	2,13,128	8,24,273	76,15,265	...
„ 20th „ ...	...	2,09,225	6,27,732	77,41,744	...
„ 21st „ ...	...	2,12,065	4,28,549	79,40,809	...
„ 22nd „ ...	...	1,03,334	3,31,042	79,81,975	...
„ 23rd „ ...	...	2,03,945	1,30,123	81,71,021	...
„ 24th „ ...	6,82,000	1,48,354	6,82,141	83,13,243	...

CALCUTTA MINT, *The 26th June* 1876. } J. F. TENNANT, *Col., R.E., Offg. Mint Master.*

Statement of the Affairs of the Bank of Bengal for the week ending 27th June 1876.

LIABILITIES.			Rs.	A.	P.
Capital paid up	...	...	2,00,00,000	0	0
Reserve Fund	...	...	14,46,730	13	1
	Rs.	A. P.			
Public Deposits at Head Office ...	2,23,47,765	7 10	4,14,86,663	8	9
Public Deposits at Branches ...	1,91,38,898	0 11			
Other Deposits at Head Office and Branches ...	...	...	1,98,28,940	4	9
Bank Post Bills, &c.	...	...	1,45,291	7	10
Sundries ...	...	...	11,83,107	15	0
Rupees ...			8,40,90,734	1	5

ASSETS.			Rs.	A.	P.
Government Securities ...	...	...	1,63,49,490	15	0
Loans on Government Securities, &c., at Head Office and Branches	...		53,09,973	15	8
Accounts of Credit on Government Securities, &c., at Head Office and Branches	...	...	46,77,795	1	6
Bills discounted and purchased at Head Office and Branches ...	...	...	2,25,86,048	1	3
Balances with other Banks	...	...	8,65,139	5	8
Bullion ...	...	...	14,796	7	0
Dead Stock ...	...	...	10,56,760	5	8
Stamps ...	...	...	11,618	8	4
Sundries ...	...	...	3,65,615	8	7
			5,12,37,238	4	10
	Rs.	A. P.			
Cash and Currency Notes at Head Office ...	1,51,92,380	3 1	3,28,53,495	12	9
Cash and Currency Notes at Branches ...	1,76,61,115	9 8			
Rupees ...			8,40,90,734	1	5

By order of the Directors,

BANK OF BENGAL; *Calcutta, 29th June* 1876. } J. GORDON, *Chief Accott. & Depy. Secretary.* R. HARDIE, *Secy. & Treasurer.*

WANTED

For the Executive Engineer's Office, Dagshai Division, Special Military Works, for a period of about six months, a Surveyor on Rs. 50 per month, and a Draftsman on Rs. 80 per mensem. Copies of testimonials and specimens of drawing, which will not be returned, to be addressed to the undersigned.

Thoroughly competent men, only, need apply.

R. D. FALKNER, C.E., *Exe. Engr., Dagshai Divn.*

DAGSHAI, *The 21st June* 1876 }

WANTED

A Store-keeper for the 1st Division, Military Works, Rawalpindi. Salary to commence at Rs. 30, and to rise to Rs. 40 per mensem. Rs. 200 cash security is required on appointment. Application with copies of testimonials, which will not be returned, to be furnished to the Executive Engineer, 1st Military Works Division, Rawalpindi.

J. H. CROWDY, *Capt., R.E., Exe. Engr., 1st Rawalpindi Divn., Mily. Works.*

RAWALPINDI, *The 7th June* 1876. }

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Just published.

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Publications for sale at the Bengal Secretariat Press.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs.* 2; *with map, Rs.* 3-4.

The Bengal Administration Report for 1874-75. *Price, Rs.* 4-8; *postage,* 14 *annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage* 2 *annas.*

The Bengal Administration Report for 1873-74. *Price, Rs.* 4; *postage,* 10 *annas.*

The Bengal Administration Report for 1872-73. *Price, Rs.* 7-8; *postage, Re.* 1-4.

Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage, 2 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs.* 10; *postage, Re.* 1-2.

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price,* 8 *annas per copy, or including postage,* 10 *annas.*

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A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs.* 3; *postage,* 6 *annas.*

Further Notes on the Rungpore Records. Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price Re.* 1; *postage* 3 *annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs.* 5; *postage,* 8 *annas.*

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The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 8, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 6th July 1876.

No. 422.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 6½*d.* per rupee. Schedule 23 of the Tariff Table is therefore in force until further notice.

E. F. HARRISON,
Comptroller General.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 4th July 1876.

No. 38.—Mr. J. Scroggie, Assistant Superintendent, has been granted by the Deputy Director, Persian Gulf Telegraph, subsidiary leave from 14th to 20th June 1876 inclusive, under Sections 10 and 11 of Supplement F of the Civil Leave Code, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

R. G. MACDONALD,
Offg. Examiner of Telegraph Accounts.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATIONS.

Simla, the 27th June 1876.

Privilege leave for one month is granted to Mr. J. H. Wilson, Assistant Surveyor, 2nd Grade, attached to No. 4 Topographical Survey Party, under Chapter VI, Section 18, of the Civil Leave Code, from the forenoon of the 5th instant.

The 29th June 1876.

Privilege leave for one month is granted to Mr. C. T. Templeton, Assistant Surveyor, 3rd Grade, attached to No. 1 Topographical Survey Party, under Chapter VI, Section 21, of the Civil Leave Code, which he availed himself of on the forenoon of the 6th instant.

Mr. T. E. M. Claudius, Assistant Surveyor, 1st Grade, No. 8 Topographical Party, is granted fifteen days' privilege leave on such date in July 1876 as he may avail himself of it, under Chapter VI, Section 21, of the Civil Leave Code.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Simla, the 27th June 1876.

Captain Edward Walker Samuells, Bengal Staff Corps, Assistant Superintendent of Revenue Survey, 1st Grade, is granted privilege leave for three months, under Chapter VI, Section 21, of the Civil Leave Code, from the date on which his services may be spared.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

Calcutta, the 4th July 1876.

No. 11.—LEAVE OF ABSENCE.—Mr. Percy Sheels B. Ross, Probationary Assistant Surveyor, from the 9th April to the 21st June 1876, inclusive, under Section 9, Supplement F, of the Civil Leave Code.

Mr. Percy Sheels B. Ross, Probationary Assistant Surveyor, has been permitted to resign his appointment from the 22nd June 1876.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 4th July 1876.

No. 26.—Mr. T. H. Rendell, Assistant Surveyor, 1st Grade, is granted one month's privilege leave, with effect from 10th instant, or such date as he may avail himself thereof.

H. R. THUILLIER, *Capt., R.E.,*
Offg. Superintendent, G. T. Survey of India.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.

Mount Aboo, the 29th June 1876.

No. 1623*S.*—Captain H. Y. Murray, temporary Executive Engineer, 1st Grade, to revert to his substantive appointment as Executive Engineer, 2nd Grade, from 13th May 1876, *i. e.*, the date on which he availed himself of one month's subsidiary leave in addition to the sixteen months' furlough to Europe.

By order,

A. G. CROMMELIN,
Secy. to Agent, Govr. Genl., and Chief Commr., in the P. W. D., Rajputana.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 1st July 1876.

No. 49.—With reference to Notification in Residency Orders No. 32 of the 12th ultimo, the Resident is pleased to appoint Surgeon Major C. T. Eves in medical charge of the 6th Infantry, Hyderabad Contingent at Ellichpur, to officiate as Sanitary Commissioner, Inspector General of Jails and Dispensaries, and Superintendent of Vaccination, Hyderabad Assigned Districts, during the absence on privilege leave of Surgeon Major R. T. Abbott, M. D.

By Order,

A. J. DUNLOP,
Offg. 2nd Assistant Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 1st July 1876.

No. 75.—With reference to Public Works Department Notification No. 295, dated 28th June 1876, Corporal H. Good, R.E., Overseer, 1st Grade, is posted to the 5th Circle, Military Works.

The 3rd July 1876.

No. 76.—With reference to Public Works Department Notification No. 289, dated 21st June 1876, Mr. S. J. Pigott, Accountant, 1st Grade, joined the Office of the Examiner of Accounts, Military Works, on 26th June 1876, before noon.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 3rd July 1876.

No. 35.—Sergeant McGraw, Overseer, Lucknow Division, returned to duty on the forenoon of 26th ultimo from the privilege leave granted to him in this Office Notifications Nos. 25 of 11th May last and 29 of 5th ultimo.

The unexpired portion of five days of his leave is hereby cancelled.

No. 36.—Mr. J. Hogan, Assistant Engineer, 2nd Grade, attached to the Saugor Division, Military Works, is transferred to the 2nd Allahabad Division, instead of to Lucknow Division, as per this Office Notification No. 31, dated the 14th ultimo which latter Notification is hereby cancelled.

No. 37.—This Office Notification No. 34, dated the 15th ultimo, transferring Captain Peacocke, R.E., to 2nd Allahabad Division, Military Works, is hereby cancelled.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

5th Circle.

The 28th June 1876.

No. 11.—Mr. A. Morton, Assistant Engineerr 2nd Grade, transferred to this Circle in Inspecto, General's Notification No. 45 of 11th March 1876, is posted to the Lahore Division, which he joined on the 15th April 1876.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

7th Circle.

The 29th June 1876.

No. 1507.—With reference to Notification No. 1336 of 8th June, Mr. F. H. Ashhurst, Assistant Engineer, reported his return from privilege leave on forenoon of 27th May 1876.

G. P. DEP. FALCONNET, *Major, R.E.,*
Supdg. Engr., 7th Circle, Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 28th June 1876.

No. 107.—Mr. A. Brereton, Assistant Engineer, 2nd Grade, Indus Valley State Railway, is granted six months' leave without allowances, with effect from the 1st May 1876.

This cancels Director's Notification No. 88, dated 12th May 1876.

No. 108.—Mr. J. M. Campion, Assistant Engineer, 1st Grade, Holkar and Neemuch State Railways, returned on the 10th February 1876 from the leave on medical certificate granted him under Director's Notifications Nos. 36 and 176, dated 9th February and 22nd October 1875, respectively, and is granted four days' subsidiary leave.

No. 109.—Mr. P. D. Barclay, Assistant Traffic Superintendent, is appointed to officiate as Traffic Superintendent of the Rajputana State Railway, during the absence on privilege leave of Mr. J. O'Callaghan.

Mr. Barclay took over charge from Mr. O'Callaghan on the forenoon of the 14th April 1876.

No. 110.—Mr. G. Hawkes, Store-keeper, 2nd Grade, officiated as Store-keeper, 1st Grade, Northern Bengal State Railway, from the 4th March 1876 to the 2nd May 1876, both days inclusive.

The 29th June 1876.

No. 111.—Mr. H. P. Edwards, Store-keeper, 2nd Grade, Indus Valley State Railway, reported his return on the 15th June 1876, from the eighteen months' leave on medical certificate, notified in Government of India, Public Works Department, No. 256 of the 1st June 1875.

The 1st July 1876.

No. 112.—With reference to Government of India, Public Works Department, Notification No. 285 of the 19th June 1876, Mr. J. Spence, Sub-Engineer, 3rd Grade, is posted to the Indus Valley State Railway.

No. 113.—With reference to Government of India, Public Works Department, Notification No. 269, dated 14th June 1876, Mr. A. B. Thomson, Assistant Locomotive Superintendent, is transferred temporarily to the Punjab Northern State Railway.

The 3rd July 1876.

No. 114.—Captain C. E. Shepherd, Executive Engineer, 3rd Grade, Tirhoot State Railway, is granted preparatory leave from the 1st to the 12th June 1876, both days inclusive, in view to his appearing before a Medical Board at Calcutta.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 27th June 1876.

No. 61.—Lalla Kirpa Ram, Overseer, 2nd Grade, Sehwan Division, is granted six months' leave on medical certificate, with effect from the 15th June 1876, or such subsequent date as he may be permitted to avail himself of it.

The 28th June 1876.

No. 62.—With reference to Director of State Railways' Notification No. 105, dated 15th June 1876, Mr. J. McInerny, Temporary Overseer, 1st Grade, joined his appointment on 1st June 1876, and is posted to the Mooltan District.

M. RAYNE,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 29th June 1876.

No. 31.—Notification No. 25 of 3rd June 1876 is cancelled.

No. 32.—Mr. A. Halpin, temporary Sub-Engineer, 3rd Grade, is granted two months' leave without allowances, with effect from 15th July next, in extension of the leave granted in Notification No. 22, dated 16th May 1876.

The 1st July 1876.

No. 33.—Mr. R. N. Burn, temporary Deputy Examiner, transferred to the Rajputana State Railway under Government of India Notification No. 244, dated 3rd June, joined the Office of Examiner of Accounts of that Railway on the forenoon of the 29th June 1876.

The 3rd July 1876.

No. 34.—Mr. C. H. Croudace, Executive Engineer, 4th Grade, is transferred from the Ajmere to the Delhi Division of the Rajputana State Railway.

No. 35.—Mr. E. Johnston, Executive Engineer, 4th Grade, transferred to this line under Director of State Railways' Notification No. 97, dated 31st May, reported his arrival on the forenoon of the 29th June 1876, and is posted to the Ajmere Division, Rajputana State Railway.

KELLOW C. PYE,
Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 1st July 1876.

No. 79.—Mr. J. Lenehan, Accountant, 4th Grade, returned to duty from the privilege leave granted to him by Notification No. 66, dated 10th June 1876, on the forenoon of 26th idem.

No. 80.—With reference to Public Works Department Notification No. 287, dated 20th June 1876, transferring Mr. J. Lenehan, Accountant, 4th Grade, from Punjab Northern State Railway to the Military Works Branch, this Accountant was relieved of his duties in the Office of Examiner of Accounts of this Railway on the forenoon of 27th June 1876.

No. 81.—Mr. W. Becker, Supervisor, 2nd Grade, attached to the Ravi Division, is allowed forty-six days' privilege leave, with effect from the forenoon of 1st May 1876 to the 16th June 1876.

ALEX. GRANT,
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 3rd July 1876.

No. 16.—With reference to Government of India Notification No. 259 of 8th ultimo, placing the services of Mr. H. H. Gahan, Assistant Engineer, temporarily at the disposal of the Foreign Department, that officer was relieved of his duties in the Agra Division on the afternoon of the 28th idem.

No. 17.—With reference to Notification No. 15, dated 16th June, Mr. D. A. Duns, Assistant Engineer, 2nd Grade, was relieved of his duties in the Chumbul Division, and left for Agra Division on the afternoon of the 24th ultimo, where he took over charge from Mr. H. H. Gahan, on the afternoon of the 28th idem.

C. J. MEAD, *Major,*
Engineer-in-Chief.

CALCUTTA UNIVERSITY.

The Senate of the University of Calcutta will proceed, in the month of August next, to the election of a Tagore Law Professor for such term as the Senate may approve.

The salary of the Professorship is Rs. 10,000 per annum, and one of the conditions of the appointment is that the Professor shall deliver in each year a a course of lectures on some branch of law.

Condidates for the Professorship are requested to forward their applications to the Registrar before the 28th July, and at the same time to state in what subject or subjects they are prepared to lecture.

By order of the Vice-Chancellor,

J. SUTCLIFFE,
Registrar.

SENATE HOUSE,
The 24th June 1876.

NOTICE.

TO NUMEROUS APPLICANTS.

The appointment of Permanent-Way Inspector, Kotri Division, has been filled up.

NOTICE.

With reference to Advertisement in *Gazette of India,* dated 17th ultimo, it is announced that the post of Store-keeper to the 1st Division, Military Works, Rawal Pindee, has been filled up.

WANTED

For the Executive Engineer's Office, Dagshai Division, Special Military Works, for a period of about six months, a Surveyor on Rs. 50 per month, and a Draftsman on Rs. 80 per mensem. Copies of testimonials and specimens of drawing, which will not be returned, to be addressed to the undersigned.

Thoroughly competent men, only, need apply.

R. D. FALKNER, C.E.,
Exe. Engr., Dagshai Divn.

DAGSHAI,
The 21st June 1876

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
June 26th, 1876 ...	6,82,000	150	6,82,000	83,13,322	...
„ 27th „ ...	...	...	6,82,000	82,03,241	...
„ 28th „ ...	...	...	6,82,000	82,03,179	...
„ 29th „ ...	...	...	6,82,000	82,07,280	...
„ 30th „ ...	...	...	6,82,000	82,06,258	...
July 1st „ ...	...	2,05,052	4,89,606	83,98,867	...

CALCUTTA MINT,
The 3rd July 1876.

J. F. TENNANT, *Col., R.E.,*
Offg. Mint Master.

Statement of Transactions of District Savings Banks for the quarter ending 30th June 1876.

PROVINCE.	Number of Banks open.	DEPOSITS. No.	DEPOSITS. Amount.	WITHDRAWALS. No.	WITHDRAWALS. Amount, Principal.	WITHDRAWALS. Amount, Interest.	BALANCE.
			Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.
Bengal	45	1,767	1,62,337 1 4	785	1,37,730 15 10	166 11 4	8,44,043 9 10
Assam	9	208	19,195 12 2	81	9,098 2 6	27 8 9	85,059 4 4
N.-W. Provinces	34	1,272	85,074 4 9	316	45,771 9 4	74 5 10	3,76,976 3 3
Punjab	22	429	48,698 2 8	129	28,351 12 11	87 14 2	2,68,096 5 2
Oude	12	281	27,442 1 1	97	19,392 4 2	30 15 0	1,82,451 5 1
Central Provinces ...	17	198	32,025 8 3	111	22,296 7 8	5 7 8	1,66,147 13 10
British Burmah	13	214	29,162 5 0	60	20,926 8 6	10 11 7	1,05,804 2 1
Berar	2	166	10,579 0 0	22	1,892 0 0	0 8 0	53,233 15 0
India	5	209	16,816 4 3	73	9,256 6 4	15 6 2	99,321 0 6
TOTAL ...	159	4,744	4,31,330 7 6	1,674	2,94,716 3 3	419 8 6	21,81,133 11 1

CALCUTTA,
The 3rd July 1876.

E. F. HARRISON,
Comptroller General.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
23	E 6—99159	10	The District Superindendent of Police, Muradabad.
24	E 3—49771	100	Reverend R. Bateman, Chaplain of E. Mission, Narowal, Dalhousie.

LAHORE,—Paper Currency Office;
The 1st July 1876.

I. C. BOSE,
Asst. to Acct. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
108	L 70—37527	1,000	Halas Rae Narain Das.
109	L 69—46183	100	Babu Ramtarun Mozoomdar.
112	L 66—80447	50	T. Durup de Dombol, Esq.
	„ —80448	50	
	„ —80450	50	
113	L 82—11324	100	Babu Ram Sagor Sinha.
116	L 70—39141	1,000	Babu Mohadeb Nundy.
	„ —40613	1,000	
117	L 60—18026	10	The Post Master, Calcutta.
118	L 67—61380	50	Revd. A. G. A. Robarts.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
102	L 43—84534	10	Babu Gopaul Chunder Mozoomdar.
	„ —84537		
103	L 22—15354	5	Babu Ram Gopaul De
	„ —15355		
104	L 22—85948	5	Messrs. Ghose and Bos
	„ —85947		
97	L 1—41510	10	A. Cumming, Esq.
	L 3—04490		
151	L 23—61839	5	Babu Shosheebhoosun Sen.
	„ —61840	5	
152	L 20—33690	5	Babu Doorga Churn Gupta.
	L 73—36647	10	
153	L 40—51041	10	Babu Kopeelessur Sircar.
154	L 64—02800	20	Shaik Sonpirooddeen.
155	L 61—76242	10	Babu Raj Nauth Pershad.
	L 72—09227	10	
156	L 60—03110	10	J. G. Cairns, Esq.
157	A 92—54424	50	Pundit Doorga Pershad.
158	L 68—74462	100	C. T. Metcalfe, Esq. C. S.
159	L 40—75768	10	C. H. Crichton, Esq.
160	L 64—03555	20	Messrs. E. Solomon & Co.
	„ —03554	20	

CALCUTTA.—Paper Currency Office;
The 7th July 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Nagpur Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
F 10—56498	100	Gungadhur Narayen, Agent of Raja Janojee Saheb, Bhandaree.

NOTE PARTIALLY LOST OR DESTROYED.

F 8—49608	20	Moonalal Pundit, Accountant, P. W. D., Jubbulpur Division.

NOTES MISMATCHED.

F 9—63966	50	J. A. Rodrigues, Refreshment Room Keeper, Sohagpur.
„ —63965		
F 13—04045*	5	Mr. J. Dalzeil, of the Free Church Mission, Nagpur.
„ —03977*		

* Dated Bombay or Nagpur, 17th August 1871.

NAGPUR,—Paper Currency Office;
The 3rd July 1876.

H. KEENE,
Asst. to Acct. Genl., C. P., in charge of Paper Currency.

Akola Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
C 91—7461	10	Mr. Yeshwan Sukharam, Hoozoor Nazir, Bassim.
„ —7462	10	
„ —7463	10	
„ —7464	10	
„ —7465	10	
K 3—14735	50	
„ —14737	50	

NOTE PARTIALLY LOST OR DESTROYED.

K 4—15678	100	Mr. Rajaram Khanderao, Head Clerk to the Collector of Nasik.

AKOLA,—Paper Currency Dept.;
The 28th June 1876.

C. W. A. DAVIES,
Assistant Commissioner.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
21	... B 49—66597	...	10	... Mr. G. Kilman, Clerk, Messrs. Binny & Co., Madras.
23	... B 35—94788	...	20	... Poman Korathy, Cochin.
	B 32—86012	...	50	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
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	„ —50722	...	50	...
	„ —50726	...	50	...
	„ —50728	...	50	...
	„ —50763	...	50	...
80	... B 38—99450	...	100	... T. M. A. Shunmooga Chetty, Madras.
	B 44—24765	...	100	...
10	... B 42—17950 wrongly joined.		20	... C. Nanjundiah, Chickmagalur.
	„ —17951 wrongly joined.			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 26th June 1876.

W. DONALD,
Asst. Acctt. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
1876-77.			Rs.	
24	... C 99—38732	...	20	... Captain S. J. Dunlop, Bengal Staff Corps, Executive Engineer, Asirgurh Fort.
23	... C 99—50845	...	20	... Anandje Damje, Shroff, Bombay.
25	... C 97—70719 wrongly joined.		10	... Yuseph Ahmed Lakha, Bombay.
	M 17—56357 wrongly joined.			
79	... M 4—60055	...	5	... Rajaram Khanderao Waidya, Nasick.

BOMBAY.—Paper Currency Dept.;
The 27th June 1876.

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Assistant Commissioner.

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

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			Rs.	
28	... L 47—28414	...	20	... A. Wood, Esq., Goruckpore.
35	... D 10—03214	...	5	... Baboo Mohendronath Ghose, Calcutta.
13	... D 11—23954 wrongly joined.		10	... Bhawanee Duftry, Mhow.
	„ —23959 wrongly joined.			

ALLAHABAD.—Paper Currency Office;
The 29th June 1876.

T. H. S. BIDDULPH,
Asst. Acctt. Genl., in charge of Paper Currency Office.

Coconada Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Notes.		Value.	Name of Claimant.
		Rs.	
I 3—12074		100	... Mundavilly Swamy, of Rajahmundry.
„ —12077			

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
I 8—12477	...	5	... Gudur Venkatarow, Supervisor, D. P. W., Ganjam District.
I 8—06895	...	20	...

COCONADA.—Paper Currency Dept.;
The 21st June 1876.

H. RICHARDSON,
Depy. Collr. in charge of Paper Currency.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th June 1876.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS						5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
		of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.	of 1854-55.	10 years.	15 years.	
								Repayable, June 1877.	Repayable, June 1882.	
Balance of 15th June 1876	55,600	33,173	2,346	14,66,160	31,53,400	1,64,89,300	1,09,22,300	29,94,000	32,94,000	13,40,89,079
Add—										
Amount enfaced at Madras between 16th and 30th June 1876 ...	...	...	...	...	...	3,400	...	...	...	11,700
Amount enfaced at Bombay between 16th and 30th June 1876 ...	...	...	...	...	...	3,000	2,000	...	...	38,500
Amount enfaced at Calcutta between 16th and 30th June 1876 ...	...	...	...	...	...	7,000	2,500	...	...	44,300
	55,600	33,173	2,346	14,66,160	31,53,400	1,65,02,700	1,09,26,800	29,94,000	32,94,000	13,41,82,579
Deduct—										
Amount written off in the London Registers	...	...	...	...	...	2,09,000	3,800	1,00,000	...	22,07,800
Balance on 30th June 1876	55,600	33,173	2,346	14,66,160	31,53,400	1,63,93,700	1,09,23,000	28,94,000	32,94,000	13,19,74,779

NOTE.—From 9th June 1867 to 30th April 1876, enfaced from India, 2,301 lakhs; re-transferred from London, 2,238 lakhs.
" 1st May 1876 to 15th May " " 13 "
" 16th " to 31st " " 2 "
" 1st June " to 15th June " " 5 "
" 16th " to 30th " " 0 "
2,321 — 2,321

Balance against London ... 13 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 1st July 1876.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 7th July 1876.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 9th July 1876, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Sunday, the 9th July 1876, at 7 P. M.

Mails for Madras, Ceylon and the Intermediate Ports, for transmission per Steamer *Ava*, will be closed at the General Post Office on Monday, the 10th July 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Pekin*, will be closed at the General Post Office on Monday, the 10th July 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 11th July 1876.

2. Book post and pattern packets must be posted on the 10th instant.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Rangoon, Moulmein, Port Blair, Camorta and the Straits, for transmission per Steamer , will be closed at the General Post Office on Friday, the 14th July 1876, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 14th July 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 7th July 1876.

Anderson, Alex.
Atkinson, J. W.
Baptist, C. M., Miss.
Blackwell, James W.
Bradley, H. C.
Brownlow, Arthur.
Carley, C.
Clanson, Agust.
Clements, T. O. F.
Crolley, Peter.
Day & Sons, O. B., Messrs.
Deveria, Madame.
Dogherty, D.
Elliott, E.
Fairley, Chas.
Filose, Jos.
FitzGerald, Mrs. A.
Freeman, A.
Freyberger, M.
Gill, J.
Gomes, G.
Gould, Mr.
Grant, C.
Gray, W., Mrs.
Haley, S.
Hoisbrunner & Co., Messrs.
Irving, Hugh.
Jones, Col. Allen.
Katz, Rosalia.
King, Hamilton.
Kynoch, Geo.
Loonam, Mr.
Mackay, E. L.
Mackenzie, Mrs.
McBean, Major Donald.
Middleton, Walter.
Morgan, E. Mrs
Moyce, Harry, Sergt.
Octriano, P.
Palmer, M., Mrs.
Parker, G. E.
Pattersen, W. H.
Pay, Captain C. M.
Peter, Mary.
Philpott, O.
Phillips Brothers, Messrs.
Phillips, Rev. G.
Phipps, G.
Phunk, Major Genl.
Po. E. T.
Quinlan, E. W.
Robert, Mr.
Sandeman, J. M.
Stuart, A. D.
Smyth, R. B.
Total & Co.
Walker & Co., Messrs.
Ward, F. A.
Waterson, E.
Wilson, Mrs.

Letters marked "Care of Post Office, to be kept till called for."

Affonso, A. B.
A. E. P.
Boadle, H.
Bullers, T.
Busch, Henry.
Chichester, R. E.
Comte de Augerstin, M.
Croghan, W. J.
Davis, Mrs.
Davis, Alfred.
Dutton, B. C.
E. F. W.
Fernandez, J. T.
Harris, T. J. P.
Hayes, W. H.
Hazard, John.
Heath, F.
Henry, P. J.
Henty, J. C.
Holland, Capt. J.
Hollingsworth, J. B.
Humes, Thomas.
Jamarson, Wm.
Jones, A. G.
Kearns, E. W. F.
Lee, Mrs. A. J.
Leonard, C.
Lintott, James.
Locke, Henry.
MacIntyre, A.
MacPherson, J. J.
McCarthy, C., Mrs.
Mendes, V. E.
Micheli Aristodenio, Signr.
Munro, Major C. A.
Pearce, G. S.
Peters, W.
Phelan, T. W.
Phillips, James.
Pierie, H. W.
Preston, Geo.
Reading, E.
Rean, T. R.
Rice, J. W.
Richards, T. W.
Ryall, Henry.
Shine, W. L.
Simpson, W.
Smith, Geo. A.
Smyth, G. R. C.
Sutherland, Miss. J.
T. B., Mrs.
Tanquarette, D.
Tapley, Mark.
Tietgens, Herm.
Tritsoh, J.

Papers.

Beazley, J. L.
Croghan, W. J.
Davis, F. A.
Hindle, J. A.
Mackay, J. B.
McNicol, J.
Osborne, A. E.
O'Sullivan, W. J.
Perrier, A.
Ring, J. B.
St. George, F.

Parcels.

Versepuy, Monsieur V.

Registered Letters.

Gill, Geo. (apothy.)
Horsenburg, Marie.
James, Chaunce.
James, Gilson.
Jension, R., & Co.
Paxwell, E.
Shidd and Co.

W. ALPIN,
Offg. Post Master of Calcutta.

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THE STATISTICAL REPORTER,

Vol. II, No. 2, for July 1876.

River Trade Routes of Northern Bengal.—Sea-borne Trade of Calcutta, May 1876.—The Balance of Trade between India and Foreign Countries.—Distribution of Cotton Piece-Goods in the Choondanga Sub-Division.—Registration of Births and Deaths in Bengal.—The Selected Area System.—The Soonderbuns.—No. VI.—Hints on Reclamation.—Correspondence.—The Antiquities of the Soonderbuns.—The Cotton Trade of Calcutta.—Trade between Bengal and Bhootan, 1st quarter of 1876.—Statistical Abstract relating to British India.—No. VI.—Road Traffic between Bengal and Madras, 1st quarter of 1876.—Statements of River Traffic in Bengal, district by district, during April 1876.—Statements of Bengal Railway Traffic during April 1876.—Jail Mortality, April 1876.—Vital Statistics, Bengal, during the month of April 1876.—Vital Statistics of the Town of Calcutta, May 1876.—Vital Statistics of the Suburbs of Calcutta, May 1876.—Sericulture in Bombay.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 15, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Simla, the 7th July 1876.

Offices opened and closed during the month of June 1876.

Name of Station.	Where situated.	Date.	Remarks.
Batticaloa ...	Ceylon ...	27th ...	Opened.
Guneshkhind ...	Bombay Presidency	7th ...	Re-opened.
Mahableshwar ...	Ditto ...	7th ...	Closed.
Matheran ...	Ditto ...	20th ...	Closed.

Calcutta, the 11th July 1876.

No. 11.—Mr. W. Williams, an Assistant Superintendent of the 1st Grade, availed himself on the 8th May 1876 of the eighteen months' furlough granted to him in Notification No. 50, dated 29th February 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 11th July 1876.

No. 39.—The under-mentioned clerks have been granted privilege leave by the Deputy Director, Persian Gulf Telegraph, under Section 12, of Supplement F of the Civil Leave Code, for the period specified against their names:—

J. Chapman, 2nd Grade Clerk, 17th to 31st August 1875, inclusive.

R. A. McMurdo, 4th Grade Clerk, 19th to 31st August 1875, inclusive.

A. E. Nash, 3rd Grade Clerk, 17th to 30th October 1875, inclusive.

W. A. Newnham, 2nd Grade Clerk, 20th December 1875 to 31st January 1876, inclusive.
C. C. Ross, 3rd Grade Clerk, 12th to 19th January 1876, inclusive.
F. J. Townend, 4th Grade Clerk, 27th to 31st January 1876, inclusive.

R. G. MACDONALD,
Offg. Examiner of Telegraph Accounts.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 27th June 1876.

No. 683.—Major C. E. Bates, Officiating 2nd-in-Command, Bhopal Battalion, is granted sixty days' privilege leave from the date in July on which he may avail himself thereof.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 5th July 1876.

No. 51 *of* 1876-77.—Consequent on the return from privilege leave of Captain C. T. Lane, District Superintendent of Police, 1st Grade, Hyderabad Assigned Districts, the following changes are made in the Berar Police, with effect from the 16th June 1876, the date on which Captain Lane resumed charge of his duties :—

Mr. F. Wright, Officiating District Superintendent, 1st Grade, to revert to his substantive position in the 2nd Grade.
Major C. Jameson, Officiating District Superintendent, 2nd Grade, to revert to his substantive position in the 3rd Grade.
Mr. H. A. Heath, Officiating District Superintendent, 3rd Grade, to revert to his officiating position as Assistant Superintendent.

No. 52 *of* 1876-77.—Consequent on the return from privilege leave of Major R. H. Hudleston, Officiating Deputy Commissioner, 1st Class, Hyderabad Assigned Districts, the following changes are made in the Berar Commission, with effect from the 12th June 1876, the date on which that officer returned to duty :—

Major J. T. Bushby, Officiating Deputy Commissioner, 1st Class, to revert to his officiating position in the 2nd Class.
Captain H. C. A. Szczepanski, Officiating Deputy Commissioner, 2nd Class, to revert to his substantive position in the 3rd Class.
Major D. W. Laughton, Officiating Deputy Commissioner, 3rd Class, to revert to his officiating position as Assistant Commissioner, 1st Class.
Mr. H. S. Nicholetts, Officiating Assistant Commissioner, 1st Class, to revert to his officiating position in the 2nd Class.

The 8th July 1876.

No. 53 *of* 1876-77.—The following changes are made in the Berar Commission, with effect from the 28th June 1876, consequent on the return from privilege leave of Captain J. FitzGerald, Officiating Deputy Commissioner, Hyderabad Assigned Districts :—

Mr. H. B. Knowlys, Officiating Deputy Commissioner, 3rd Class to, revert to his officiating position as Officiating Assistant Commissioner, 1st Class.
Mr. Tajud Din Hussain, Officiating Assistant Commissioner, 1st Class, to revert to his officiating position in the 2nd Class.

By Order,
A. J. DUNLOP,
Offg. 2nd Assistant Resident.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 6th July 1876.

Privilege leave for one month is granted to Mr. T. Downes, Assistant Surveyor, 4th Grade, attached to No. 5 or Bhopal and Malwa Topographical Survey, under Supplement F, Section 12, of the Civil Leave Code, from the 15th instant.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Simla, the 3rd July 1876.

LEAVE OF ABSENCE.—Captain Edward Harris Steel, Bengal Staff Corps, Assistant Superintendent, 2nd Grade, for one month, from such date as he may avail himself of the same, under Chapter VI, Section 21, of the Civil Leave Code.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

Calcutta, the 8th July 1876.

No. 12.—LEAVE OF ABSENCE.—Mr. Thomas Henry Dunne, Assistant Surveyor, 1st Grade, for two months and fifteen days, from the 10th instant, under Section 12, Supplement F, of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

CALCUTTA UNIVERSITY.

The Senate of the University of Calcutta will proceed, in the month of August next, to the election of a Tagore Law Professor for such term as the Senate may approve.

The salary of the Professorship is Rs. 10,000 per annum, and one of the conditions of the appointment is that the Professor shall deliver in each year a a course of lectures on some branch of law.

Condidates for the Professorship are requested to forward their applications to the Registrar before the 28th July, and at the same time to state in what subject or subjects they are prepared to lecture.

By order of the Vice-Chancellor,
J. SUTCLIFFE,
Registrar.

SENATE HOUSE,
The 24th June 1876.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned Students have passed the Examination in Engineering :—

B. C. E.

FIRST DIVISION.

Mahendranath Sen ... Presidency College, C. E. Department.

SECOND DIVISION.

In Order of Merit.

Nagendranáth Chattopadhyay ... Presidency College, C. E. Department.
Asutosh Lahiri ... Ditto ditto.

L. C. E.

SECOND DIVISION.

In Order of Merit.

Durgacharan Chakravarti ... Presidency College, C. E. Department.
Gopál Lál Bandyopádhyay ... Ditto ditto.
Kisarimohan Mukhopadhyay ... Ditto ditto.
Girischandra Dutta ... Ditto ditto.
Brindavanchandra Pal ... Ditto ditto.

SENATE HOUSE,
The 8th July 1876.

J. SUTCLIFFE,
Registrar.

ACCOUNTANT GENERAL'S OFFICE.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 307.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 30th June* 1876.

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.				IRRIGATION.				STATE RAILWAYS (CAPITAL).			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received	Date of receipt.
1	Assam ...	Apl. 1876	June 15, 1876	1	Rajpootana ...	Apl. 1876	June 23, 1876	1	Kosi Survey Extension.	May 1876	June 28, 1876
2	Central Provinces...	Ditto ...	Do. 19 ,,	2	Punjab ...	Mar. 1876	May 29 ,,	2	Wurdah Valley State Ry.	Apl. 1876	Do. 19 ,,
3	Indian Telegraph...	Ditto ...	Do. 28 ,,	3	Mysore ...	Ditto ...	Do. 31 ,,	3	Punjab Northern State Ry.	Ditto ...	Do. 26 ,,
4	Coorg ...	Mar. 1876	May 23 ,,	4	Madras ...	Ditto ...	June 7 ,,	4	Nizam's State Ry.	Ditto ...	Do. 27 ,,
5	Hyderabad ...	Ditto ...	Do. 26 ,,	5	Bengal ...	Ditto ...	Do. 9 ,,	5	Rajpootana State Ry.	Ditto ...	Do. 29 ,,
	Hyderabad Assigned Districts.	Ditto ...	Do. 26 ,,	6	British Burmah ...	Ditto ...	Do. 10 ,,	6	Sindia State Ry. ...	Ditto ...	Do. 30 ,,
7	Punjab ...	Ditto ...	Do. 29 ,,	7	North Western Provinces.	Ditto ...	Do. 12 ,,		Western Rajpootana State Ry.	Ditto ...	Do. 30 ,,
	Central India ...	Ditto ...	Do. 29 ,,	8	Bombay ...	Ditto ...	Do. 13 ,,	8	Store-keeper, Calcutta.	Mar. 1876	May 24, 1876
	Rajpootana ...	Ditto ...	Do. 29 ,,					9	Neemuch State Ry.	Ditto ...	Do. 30 ,,
	Bengal, for Port Blair.	Ditto ...	Do. 29 ,,						Rangoon and Sittang Valley Ry.	Ditto ...	Do. 30 ,,
	Punjab Northern Railway for Grand Trunk Road, Lahore to Jhelum.	Ditto ...	Do. 29 ,,		GUARANTEED RAILWAYS.			11	Holkar State Ry....	Ditto ...	June 2, 1876
12	Mysore ...	Ditto ...	Do. 31 ,,	1	Punjab ...	Mar. 1876	May 29, 1876	12	Indus Valley State Ry.	Ditto ...	Do. 3 ,,
	Indo-European Telegraph.	Ditto ...	Do. 31 ,,	2	Bengal ...	Ditto ...	June 5 ,,	13	Northern Bengal State Ry.	Ditto ...	Do. 8 ,,
14	Oudh ...	Ditto ...	June 6 ,,		Oudh ...	Ditto ...	Do. 5 ,,		Hubli and Karwar	Ditto ...	Do. 10 ,,
15	Madras ...	Ditto ...	Do. 7 ,,	4	Madras ...	Ditto ...	Do. 7 ,,	14	Rangoon and Irrawaddy Valley.	Ditto ...	Do. 10 ,,
16	Bombay ...	Ditto ...	Do. 10 ,,	5	Bombay ...	Ditto ...	Do. 10 ,,	16	Assam Extension....	Ditto ...	Do. 12 ,,
	British Burmah ...	Ditto ...	Do. 10 ,,					17	Tirhoot State Ry....	Ditto ...	Do. 21 ,,
18	Bengal ...	Ditto ...	Do. 12 ,,						STATE RAILWAYS (REVENUE).		
19	Military Works ...	Ditto ...	Do. 17 ,,						Oomraotee State Ry.	Apl. 1876	June 7, 1876
20	North-Western Provinces.	Feb. 1876	May 6 ,,						Ditto ...	Do. 7 ,,	
								1	Khamgaum State Ry.	Ditto ...	Do. 15 ,,
								3	Wurdah Valley State Ry.	Ditto ...	Do. 26 ,,
									Punjab Northern State Ry.	Ditto ...	Do. 26 ,,
								4	Calcutta and South-Eastern State Ry.	Ditto ...	Do. 26 ,,
									Nulhatee State Ry.	Ditto ...	Do. 27 ,,
								6	Nizam's State Ry.	Ditto ...	Do. 27 ,,
								8	Rajpootana State Ry.	Mar. 1876	Do. 15 ,,
								9	Holkar State Ry....	Ditto ...	Do. 20 ,,

Simla, the 4th July 1876.

J. J. McLEOD INNES, *Lieut.-Colonel,*
Accountant General, P. W. Dept.

COMPTROLLER GENERAL'S OFFICE.

No. 478.—*Account of the Revenue and Expenditure of the Government of India for the first eleven months of the year* 1875-76, *as compared with the corresponding period of* 1874-75.

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimates, 1875-76.	April 1874 to Feb. 1875.	April 1875 to Feb. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,370,000	17,757,490	18,081,385	323,895	...
II.—Opium ...	700,000	634,677	645,576	10,899	...
III.—Forest ...	572,000	424,762	474,903	50,141	...
IV.—Excise on Spirits and Drugs ...	2,370,000	2,108,674	2,251,746	143,072	...
V.—Assessed Taxes ...	...	2,692	333	...	2,359
VI.—Customs ...	2,670,000	2,321,058	2,419,145	98,087	...
VII.—Salt ...	6,208,000	5,625,794	5,688,900	63,106	...
VIII.—Opium ...	8,060,000	7,779,202	7,646,192	...	133,010
IX.—Stamps ...	2,784,000	2,511,867	2,562,215	50,348	...
X.—Mint ...	72,000	223,404	108,642	...	114,762
XI.—Post Office ...	735,000	683,755	698,663	14,898	...
XII.—Telegraph* ...	268,400	176,956*	168,426*	...	8,530
XIII.—Law and Justice ...	319,000	290,132	282,976	...	7,156
XIV.—Marine ...	197,000	146,686	171,373	24,687	...
XV.—Interest ...	552,000	431,937	490,386	58,449	...
XVI.—Pensions ...	542,400	182,516	185,699	3,183	...
XVII.—Gain by Exchange ...	325,000	314,752	311,934	...	2,818
XVIII.—Miscellaneous ...	172,000	179,332	236,703	57,371	...
TOTAL ...	47,915,800	41,795,686	42,425,187	629,501	...
Army Receipts ...	880,000	770,575	795,152	24,577	...
Public Works, Ordinary ...	75,200	39,304	42,707	3,403	...
Irrigation Receipts ...	532,000	427,676	455,170	27,494	...
State Railways ...	230,000	109,316	256,528	147,212	...
Traffic Receipts (Guaranteed Railways)	7,449,900	6,908,225	6,694,994	...	213,231
TOTAL ...	57,082,900	50,050,782	50,669,738	618,956	...
England, including Army and Public Works ...	187,000	316,591	278,114	...	38,477
GRAND TOTAL ...	57,269,900	50,367,373	50,947,852	580,479	...

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The* 13*th July* 1876.

S. C. DEY, *Deputy Comptroller General.*

* Telegraph accounts received up to January. † May to September 1875.

EXPENDITURE.	Estimates, 1875-76.	April 1874 to Feb. 1875.	April 1875 to Feb. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,045,200	2,571,200	2,735,655	164,455	...
2.—Interest on Service Funds ...	376,000	397,761	329,128	...	8,633
3.—Refunds and Drawbacks ...	300,000	278,571	251,808	...	26,763
4.—Land Revenue ...	2,477,700	2,132,169	2,183,853	51,684	...
5.—Forest ...	402,800	357,230	337,201	...	20,029
6.—Excise on Spirits and Drugs ...	86,000	74,691	75,613	922	...
7.—Assessed Taxes ...	...	1	...	...	1
8.—Customs ...	179,000	159,458	169,570	10,112	...
9.—Salt ...	498,000	475,557	449,135	...	26,452
10.—Opium ...	2,300,000	2,255,012	2,112,512	...	142,500
11.—Stamps ...	74,000	60,172	64,236	4,064	...
12.—Mint ...	73,600	170,692	74,739	...	95,953
13.—Post Office ...	752,500	684,509	699,182	14,673	...
14.—Telegraph* ...	395,000	273,666*	264,145*	...	9,521
15.—Administration ...	1,247,400	1,095,445	1,138,454	43,009	...
16.—Minor Departments ...	278,000	243,093	223,063	...	20,030
17.—Law and Justice ...	2,337,500	2,085,016	2,115,295	30,289	...
18.—Marine ...	402,600	344,624	363,251	18,627	...
19.—Ecclesiastical ...	160,100	144,873	143,636	...	1,237
20.—Medical ...	180,200	169,158	166,394	...	2,764
21.—Political ...	303,000	292,065	346,908	53,943	...
22.—Allowances ...	1,675,600	1,211,512	1,166,569	...	44,943
23.—Civil Furlough ...	...	...	27	27	...
24.—Superannuation ...	605,500	633,297	640,810	7,513	...
25.—Loss by Exchange ...	1,310,000	740,027	1,425,077	685,050	...
26.—Miscellaneous. ...	43,800	82,098	74,753	...	7,345
27.—Allotments ...	5,058,400	4,653,701	4,662,761	9,060	...
28.—Famine Relief ...	...	2,387,637	...	...	2,387,637
TOTAL ...	24,731,900	23,014,155	22,213,775	...	1,700,380
Army Charges	11,930,400	10,496,894	10,470,056	...	26,838
Public Works, Ordinary (including Irrigation) ...	2,570,200	1,932,667	2,147,834	215,167	...
Ditto, Extraordinary (including Railways)...	3,600,200	2,467,086	2,612,147	145,061	...
Land and Supervision	91,000	64,312	65,072	760	...
Guaranteed Interest in India	35,000	35,040	32,382	...	2,658
State Railways	180,000	97,046	194,633	97,587	...
Working Expenses (Guaranteed Railways), including Surplus Profits	4,807,900	3,025,404	2,970,135	...	55,269
TOTAL ...	47,446,600	42,032,604	40,706,034	...	1,326,570
England, including Army, Guaranteed Interest, Public Works, Ordinary and Extraordinary	13,617,300	13,211,772	12,642,600	...	569,172
GRAND TOTAL ...	61,063,900	55,244,376	53,348,634	...	1,895,742

E. F. HARRISON, *Comptroller General.*

for *Offg. Deputy Comptroller General.*

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 7th July 1876.

No. 77.—With reference to Public Works Department Notification No. 287, dated 20th June 1876, Mr. J. Lenehan, Accountant, 4th Grade, joined the office of the Examiner of Accounts (Military) on 3rd July 1876, before noon.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

3rd Circle.

Meerut, the 11th July 1876.

No. 24.—Lieutenant S. Grant, R.E., Assistant Engineer, 2nd Grade, Meerut Division, Military Works, is granted thirty days' privilege leave from the 15th August 1876.

No. 25.—Lieutenant S. C. Turner, R.E., Executive Engineer, 4th Grade, Agra Division, Military Works, is granted privilege leave for one month from the 26th August 1876.

No. 26.—Mr. R. J. Bailey, Assistant Engineer, 2nd Grade, Agra Division, Military Works, to officiate as Executive Engineer of that Division, during the absence of Lieutenant S. C. Turner, R.E., on privilege leave.

R. TYNDALL, *C.E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

8th Circle.

Rawal Pindi, the 3rd July 1876.

No. 1118.—Privilege leave of absence for three months, from the 1st July or such date as he may avail himself thereof, is granted to Lieutenant E. H. Cameron, R.E., Assistant Engineer, 2nd Grade, 2nd Rawal Pindi Division, Military Works.

The 6th July 1876.

No. 1147.—Lieutenant D'Aguilar, R.E., Assistant Engineer, 2nd Grade, reported his arrival in the 2nd Rawal Pindi Division on the 4th instant before noon.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATION.

Simla, the 8th July 1876.

No. 115.—With reference to Director's Notification No. 93 of the 25th May 1876, Captain K. C. Pye, R.E., resumed charge of his duties as Manager of the Rajpootana State Railway from Mr. Horace Bell, Superintendent of Way and Works, on the forenoon of the 29th June 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 8th July 1876.

No. 82.—Mr. Price Jones, Sub-Engineer, 1st Grade, Jhelum Division, is allowed one month's privilege leave, with effect from the forenoon of 5th June 1876. Mr. Jones returned to duty on the forenoon of the 5th July.

No. 83.—Lalla Nehal Chund, appointed as Accountant, 4th Grade, on probation, and posted to this Railway by Public Works Department Notification No. 272, dated 15th June 1876, joined the office of the Examiner of Accounts on the forenoon of the 4th July 1876.

ALEX. GRANT,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 5th July 1876.

No. 191.—Mr. S. Finney, Assistant Engineer, availed himself of the leave granted him in Notification No. 187 of 16th June on the forenoon of the 29th June.

No. 192.—ERRATUM.—In Notifications Nos. 173 and 174 of 18th May 1876, *for* forenoon, *read* afternoon.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATION.

Dinapore, the 10th July 1876.

No. 47.—Three months' special leave is granted to Mr. G. Humfress, Assistant Engineer, 2nd Grade, to study the Native languages, with effect from 6th July 1876, under the provisions of Public Works Code, Chapter II, Section IV, para. 28.

Mr. Humfress reported his departure from Durbhunga on the forenoon of 6th instant.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 4th July 1876.

No. 63.—Mr. C. J. DeBretton, temporary Sub-Engineer, 3rd Grade, Sutlej Bridge Division, is granted forty-one days' privilege leave from such date as he may be permitted to avail himself of it.

The 5th July 1876.

No. 64.—Mr. J. A. D. Lloyd, Assistant Engineer, 1st Grade, Sutlej Bridge Division, is granted three months' privilege leave from 1st August 1876, or such subsequent date as he may be able to avail himself of it.

No. 66.—Mr. F. Blake, Sub-Engineer, 2nd Grade, reported his return from the leave granted in this Office Notification No. 72 of 9th April 1875, on the forenoon of 1st July 1876, and is posted to the Lower Scinde District.

No. 67.—The following posting and transfers have been made by Superintending Engineers:—

Mr. F. Blake, Sub-Engineer, 2nd Grade, to the Office of Superintending Engineer, Lower Scinde District.

Mr. R. J. Barrett, Overseer, 1st Grade, from the Kotri to the Sehwan Division.

Mr. R. E. Wilson, Sub-Engineer, 3rd Grade, from the Bahawalpur to the Sutlej Bridge Division.

M. RAYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 3rd July 1876.

No. 48.—With reference to Director of State Railways' Notification No. 90, dated 22nd May 1876, Mr. M. C. Mackinnon, Assistant Engineer, 1st Grade, reported his arrival in Mhow on the afternoon of the 28th June 1876, and is posted to the Survey Division, Neemuch State Railway. He was relieved of his duties in the Bombay Municipality on the afternoon of the 15th June 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

NOTICE.

With reference to Advertisement in *Gazette of India*, dated 17th ultimo, it is announced that the post of Store-keeper to the 1st Division, Military Works, Rawal Pindee, has been filled up.

WANTED

For the Executive Engineer's Office, Dagshai Division, Special Military Works, for a period of about six months, a Surveyor on Rs. 50 per month, and a Draftsman on Rs. 80 per mensem. Copies of testimonials and specimens of drawing, which will not be returned, to be addressed to the undersigned.

Thoroughly competent men, only, need apply.

R. D. FALKNER, C.E.,
Exe. Engr., Dagshai Divn.

DAGSHAI,
The 21st June 1876

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
July 3rd, 1876 ...	...	2,08,036	2,93,332	84,64,830	...
„ 4th „ ...	...	2,16,784	89,851	86,68,249	...
„ 5th „ ...	...	93,690	297	87,56,450	...
„ 6th „ ...	...	315	...	87,56,681	...
„ 7th „ ...	...	...	...	87,57,216	...
„ 8th „ ...	...	...	...	87,57,152	...

CALCUTTA MINT,
The 10th July 1876.

J. F. TENNANT, *Col., R.E.,*
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
24	... B 40—15501 ...	5	... Mrs. R. G. Marshall, Madras.
25	... B 43—36427 ...	50	... Acting Superintendent of Police, Madura.
	„ —36428 ...	50	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
81	... B 42—27309 ...	20	... Ponnoosawmy Pillay, Vellore.
82	... B 28—80869 ...	500	... Hindojee Heerajee, Shemogah.
83	... B 43—21793 ...	50	... A. Casava Row, Bellary District.
	„ —21794 ...	50	...
84	... B 41—13882 ...	10	... Reverend J. F. Kearns, Tanjore.
	„ —53506 ...	10	...
85	... B 39—50902 ...	5	... Mr. F. Hodgson, Tuticorin.
	B 42—26547 ...	20	...
86	... B 32—74693 ...	50	... A. Cuppiah, Cuddapah.
87	... B 49—26934 ...	10	... A. Mahomed Hoosman, Bangalore.
88	... B 39—96767 ...	5	... N. Appavoo Moodelier, Bangalore.
89	... B 36—42247 ...	5	... Sowkar Kulliappa, Anantapore.
	B 30—75637 ...	20	...
	B 38—99516 ...	100	...

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 3rd July 1876.

W. DONALD,
Asst. Acctt. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

MISMATCHED NOTES.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
F 7—61004 } ...	10	... Hari Ramchundra, Nazir, Deputy Commissioner's Office, Bhandara.
„ —61007 }		

NAGPUR,—Paper Currency Office;
The 5th July 1876.

H. KEENE,
Asst. to Acct. Genl., C. P., in charge of Paper Currency.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1876-77.		Rs.	
88	... M 19—67121 ...	10	... Mr. Joas Jose D'Silva, Bombay.
90	.. C 84—62834 ...	20	... Naro Bhicaje Bhagwat Sarma.
82	... M 3—26687 ...	5	... Hari Babaje, Supre.
	M 4—50288 ...	5	... Kandewady, No. 104, Bombay.
21	... M 5—79394 } ...	50	... Hussanally Cassumje, No. 23, Bhageepalla Road, Bombay.
	„ —79393 }		
22	... M 17—88974 } ...	10	... Mr. G. Claridge, 27, Meadow Street, Bombay.
	„ —88976 }		
111	... C 98—39719 ...	10	... Mr. Robert Wilmot Hughes, Guard, G. I. P. Railway, Hurda.

BOMBAY,—Paper Currency Dept.;
The 5th July 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
36	... D 10—12737 ...	5	... Luckhun Chunder Paul, Calcutta.
37	... D 6—90396 ...	10	... Messrs. James Monteith & Co., Calcutta.
	„ —88176 ...	10	...
38	... L 47—22466 ...	20	... Azeemoollah, Mhow.
39	... D 7—82369 ...	100	... Kulloo Mull, Allahabad.
40	... D 11—30856 ...	10	... Mrs. W. E. Wainwright, Mussoorie.
14	... D 10—70469 } wrongly ...	5	... A. E. Marsden, Esq., Naini Tal.
	„ —70468 } joined.		

ALLAHABAD,—Paper Currency Office;
The 6th July 1876.

T. H. S. BIDDULPH,
Asst. Acctt. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
25	... E 3—90862 ...	100	... Ditta Mull Bhabra, care of Abdulrehman Abdulruzak, Sudder Bazar, Dehli.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
131	... E 7—20860 ...	5	... Rulla Ram, Member, Committee, Adinanagur, *vid* Gurdaspore.
38	... E 4—74713 ...	50	... Lieutenant W. Baker, the Royal Scots, Meean Meer.
12	... E 6—63128 } ...	10	... Mr. J. Dalziel, Church Mission, Nagpur.
	„ —63118 }		

LAHORE,—Paper Currency Office;
The 8th July 1876.

I. C. BOSE,
Asst. to Acct. Genl., in charge of Currency Office.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
G 9—15220 ...	50	... Mr. Megras Magaram, Deputy Post Master, Gidu Bandar.

KURRACHEE,—Paper Currency Dept.;
The 30th June 1876.

W. A. INGLE,
Asst. Depy. Commr. of Paper Currency.

Calicut Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. of Notes.	Value	Name of Claimant.
	Rs.	
J 3—66260 ...	100	... Cundasawmy Chetty, Caracata Covil, Madras,
„ —68995 ...	100	...
„ —77550 ...	100	...
„ —80416 ...	100	...
J 3—67965 ...	100	... Oosman Hassan, near Jackaria's Mosque, outside the Fort, Bombay.
J 5—59410 ...	20	... Mrs. E. Roscrow, Devallah.
J 7—49024 ...	5	... K. Othandee, Wellington.
J 6—85058 ...	10	... Mr. P. E. D'Cruz, Vythery.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
B38—07575	...	100	... Gudur Venkata Row, of Purla Kemedy.
J 5—24938	...	20	... Goolam Hyder Saib, Triplicane, Madras.
J 6—79941	...	10	...
J 7—46358	...	5	... E. Hostein, Esq., Messageries Maritime, Madras.
J 5—55825	...	20	... Camala, of Bangalore.
J 7—51908	...	5	... D. John Ponuasawmy Pillay, of Strivelliputhur.
J 6—66702	...	10	... Pension Boy Syed Guffoor, No. 188, attached to 6th Regiment, Native Infantry.

CALICUT,—Paper Currency Office;
The 5th July 1876.

P. A. COLE,
Dy. Collector, in charge of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
120	... L 25—17608	5	Babu Debnarain Banerjee.
	„ 71—39488	10	
	„ 75—02727	10	
122	... L 50—03878	100	Babu Ram Chand Mookerjee.
123	... L 59—12554	10	T. Durup de Dombal, Esq.
	„ 64—07142	20	
	„ 66—57775	50	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
106	... L 11—41343	5	Hajee Emamy.
	„ 41340		
107	... L 59—22895	10	Messrs. Sumbhoo Chundra Dutt & Co.
	„ 22900		
108	... A 62—47819	10	H. H. Macleod, Esq., Supdt., Bengal Coal Co. Ld.
	„ 88847		
109	... L 67—02712	50	Bahadoor Mull Goneka.
	„ 02714		
110	... L 39—00954	10	Messrs. Velljee Luxmichand.
	„ 00979		
	L 13—64746	20	
	„ 64749		
111	... L 7—24290	20	Babu Nobin Kristo Chaudhuri.
	L 12—59146		
112	... L 58—94122	10	Babu Bhola Nath Chatterjee.
	„ 94121		
113	... L 66—13053	50	Sheogoolam Sing.
	„ 13052		
114	... L 11—01615	5	Babu Binod Beharee Duffadar.
	L 15—17125		
	L 15—49352	5	
	„ 55397		
78	... L 60—81379	10	Babu Kedar Nath Shaw.
	L 57—38699		
161	... L 61—30541	10	The Agent, Elgin Mills Company, Cawnpur.
162	... L 78—13656	20	J. F. Fasting, Esq.
	„ —13657	20	
163	... L 77—77083	20	A. F. Ringwood, Esq.
	„ —77084	20	
164	... L 60—25851	10	Mrs. M. Wilcox.
165	... L 67—82196	50	Babu Dwarka Nath Bhunjo.
	L 79—48856	20	
	„ —48857	20	
	L 17—72734	5	
166	... L 58—10424	10	Babu Nobin Chundra Dás.
	„ —44632	10	
	„ —94618	10	
167	... L 69—46400	100	Messrs. Buldio Das, Bissessur Das.
168	... L 67—46591	50	Babu Ajodhia Pershad.
169	... L 51—89030	100	Talu Mull, Naith Mull.
	L 82—08819	100	
170	... A 64—69675	100	Babu Koylas Nath Roy.
	„ —73687	100	
	„ —51902	100	

CALCUTTA,—Paper Currency Office;
The 14th July 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 14th July 1876.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 16th July 1876, at 7 P. M.

Mails for Madras, Ceylon and the Intermediate Ports, for transmission per Steamer *Canara*, will be closed at the General Post Office on Monday, the 17th July 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 18th July 1876.

2. Book post and pattern packets must be posted on the 17th July 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 19th July 1876, at 7 P. M.

Mails for Straits and Hong-Kong, for transmission per Steamers *Hindostan* and *Argyll*, will be closed at the General Post Office on Wednesday, the 19th July 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 21st July 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer , will be closed at the General Post Office on Friday, the 21st July 1876, at 7 P. M.

Mails for Ceylon, Straits and Hong-Kong, for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 21st July 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 14th July 1876.

Ball, Mrs.
Baptist, C. M., Miss.
Brownlow, Arthur.
Byrun, J.
Campbell, James.
Carley, C.
Clanson, August.
Clements, T. O. F.
Cockburn, Mrs.
Cowie, John.
Crolley, Peter.
Deveria, Madame.
Elliott, E.
Galstin, P.
Goldenstein, Sh.
Gould, Mr.
Gray, W. Mrs.
Grenon, W.
Griffiths, Mrs.
Haley, S.
Hermes, J.
Hope, Private (No. 1698).
Irving, Hugh.
Jones, Col. Allen.
Katz, Rosalia.
Kershaw, James.
Kulluck, W.
Kynoch, Geo.
Langworthy, M.
Lawrence, John.
Leslie, W. W. H.
Loonam, Mr.
Mackay, E. L.
Mackenzie, Mrs.
McIntosh, Mrs.
McIntyre, M., Mrs.
McNichol, John.
Middleton, Walter.
Newbery, J., Mrs.
Palmer, Florence, Mrs.
Palmer, M. Mrs.
Pay, Captain C. M.
Phillips Brothers, Messrs.
Phillips, Rev. G.
Phipps, G.
Phunk, Major-Genl.
Price, J.
Quinlan, E. W.
Robert, Mr.
Rudolphson Gustave.
Sandeman, J. M.
Sevill, G. W.
Shepherd, H. P.
Smyth, R. B.
Snelling, W.
Sniggins.
Stuart, A. D.
Sweatman, B., Miss.
Tait, W. W.
Thomas, J., Mrs.
Van Gricken, G. M.
Waterson, E.
Williams, J. R. K.
Wilson, Mrs.

Letters marked "Care of Post Office, to be kept till called for."

A. E. P.
A. Z.
Baker, Geo.
Beadle, H.
Bullers, T.
Burn, J., Mrs.
Chichester, R. E.
Comte de Augerstin, M.
Croghan, W. J.
Davis, Mrs.
Dutton, B. C.
E. F. W.
Fernandez, J. T.
Harris, T. J. P.
Hazard, John.
Heath, F.
Heffernan, Mrs.
Henry, P. J.
Henty, J. C.
Hindmarsh, Wm.
Holland, Capt. J.
Hollingsworth, J. B.
Humes, Thomas.
Jamarson, Wm.
Jones, A. G.
Kearns, E. W. F.
Lee, Mrs. A. J.
Lintott, James.
Locke, Henry.
MacIntyre, A.
Macpherson, J. J.
Mendes, V. E.
Micheli Aristodenio, Signr.
Moyce, Harry, Sergt.
Munro, Major C. A.
Peters, W.
Pearce, G. S.
Phelan, T. W.
Phillips, James.
Pierie, H. W.
Preston, Geo.
Reading, E.
Rean, T. R.
Rice, J. W.
Richards, T. W.
Ryall, Henry.
Shine, W. L.
Simpson, W.
Smith, Geo. A.
Smyth, G. R. C.
Stephens, Dr.
Sutherland, Miss J.
T. B., Mrs.
Tanquarette, D.
Tapley, Mark
Tietgens, Herm.
Tritsch, J.
West, J.
Wilson, G.
Wilson, L. W. J.

Papers.

Beazley, J. L.
Croghan, W. J.
Mackay, J. B.
McNicol, J.
Osborne, A. E.
Perrier, A.
Ring, J. B.
St. George, F.

Parcels.

Versepuy, Monsieur V.

Registered Letters.

James, Chaunce.
Jension, R. & Co.
Paxwell, E.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

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The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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Publications for sale at the Bengal Secretariat Press.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs.* 2; *with map, Rs.* 3-4.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 22, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned Estates having come under charge of this Office, all persons having claims upon, being indebted to, or holding property belonging to, the said Estates, are requested to place themselves in immediate communication with the undersigned:—

Henry Wood, a Supervisor in the Public Works Department, died at Lucknow, on the 18th January 1876.

Edward James O'Neill, a Sub-Engineer in the Department of Public Works, Irrigation Branch, died at Randia in Zillah Balasore, on the 3rd December 1875.

Andrew Greer, a Sub-Conductor in the Army Commissariat Department, died at Morar, Gwalior, on the 10th May 1872.

Michael Kain, a Jockey to Messrs. Thomas Smith & Co., Livery Stable Keepers, Calcutta, died at Barrackpore, on the 1st February 1876.

William Hay, an Engineer in the service of the Dunbar Cotton Mill Co., "Ld.," died at Barrackpore, on the 27th April 1876.

Robert Edward Arthur Jenkins, a Lieutenant in the 20th Regiment, Punjab Native Infantry, died at Peshawar, on the 28th February 1876.

John William Goumisse, of No. 59, Upper Circular Road, in the Town of Calcutta, died at Calcutta, on the 9th July 1876.

HIGH COURT, CAL., *The 15th July* 1876. } F. S. COLLIS, *Offg. Administrator Genl.*

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 20th July 1876.

No. 40.—Mr. Abid Malcolm, 3rd Class Signaller, has been granted by the Director, Persian Telegraph, privilege leave for one month, under Section 12 of Supplement F of the Civil Leave Code, with effect from the forenoon of 21st May 1876.

W. PALMER,
Examiner of Telegraph Accounts.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 15th July 1876.

No. 61.—Native Doctor Ponasawmy held medical charge of the civil station of Bassim on the 4th, 14th, 15th, 20th, and 21st December 1875, during the absence of the Civil Surgeon on inspection duty.

No. 62.—Mr. R. R. Beynon, Superintendent, Revenue Survey, Hyderabad Assigned Districts, has been granted privilege leave for three months, with effect from 15th August 1876, or from such date as he may avail himself of it.

By Order,
A. J. DUNLOP,
Offg. 2nd Assistant Resident.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.

Indore Residency, the 6th July 1876.

No. 734.—Surgeon-Major A. D. Campbell, M.D., in medical charge of the Malwa Bheel Corps and Bhopawur Agency, is granted sixty days' privilege leave from the date on which he may avail himself thereof.

The 8th July 1876.

No. 751.—With reference to Notification No. 545, dated 26th May 1876, Lieutenant-Colonel J. W. Willoughby-Osborne, C.B., Political Agent, 1st Class, Officiating Resident, 3rd Class, Political Agent in Bhopal, returned from the privilege leave granted in Foreign Department Notification No. 655G, dated 23rd March 1876, and resumed charge of his office from Captain R. G. E. Dalrymple, on the forenoon of the 3rd July 1876.

The 13th July 1876.

No. 775.—Lieutenant-Colonel J. W. Willoughby-Osborne, C.B., Officiating Resident, 3rd Class, Political Agent, 1st Class, Political Agent, Bhopal, is granted subsidiary leave on medical certificate for sixteen days, to proceed to Bombay with a view to obtaining furlough on medical certificate to Europe.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 11th July 1876.

Mr. E. S. P. Atkinson, Surveyor, 4th Grade, Topographical Survey, is granted furlough to Europe for 12 months, under Supplement F, Sec. 7 of the Civil Leave Code, together with one month's subsidiary leave to enable him to embark, from the 26th July.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 18th July 1876.

No. 27.—Mr. J. S. Pocock, Assistant Surveyor, 3rd Grade, is granted privilege leave for two months and fourteen days, with effect from this date.

H. R. THUILLIER, *Capt., R.E.,*
Offg. Superintendent, G. T. Survey of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 13th July 1876.

No. 78.—*Erratum.*—In Inspector General's Notification No. 75, dated 1st July 1876, for "*Corporal H. Good*" read "*Corporal H. Goad.*"

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

4th Circle.

Umballa, the 12th July 1876.

No. 14.—Captain F. F. Cotton, R.E., Executive Engineer, Ferozepore Division, Military Works, is allowed two months' privilege leave from 1st August 1876, or from such subsequent date as he may avail himself of it.

No. 15.—Lieutenant M. Langharne, R.E., Assistant Engineer, attached to the Kasauli Division, Military Works, is temporarily transferred to the Ferozepore Division, Military Works.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATION.

Simla, the 13th July 1876.

No. 116.—Mr. J. A. D. Lloyd, Assistant Engineer, 1st Grade, Indus Valley State Railway, passed the departmental standard examination in Hindustani, on the 13th June 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATION.

The 11th July 1876.

No. 68.—Baboo Kristonath Banerjee, Overseer, 2nd Grade, Sutlej Bridge Division, is granted fifty-eight days' privilege leave from 15th August 1876, or such subsequent date as he may be permitted to avail himself of it.

M. RAYNE,
Engineer-in-Chief.

LACCADIVE COIR YARN.

FOR SALE.—At the Sea Custom House, Calicut, the following quantities of the above, being the produce of the sequestrated estate of Sultan Ali, Rajah of Cannanore and of the Laccadive Islands:—

1st sort,	...	About 220 Candies.
2nd ,,	...	,, 337 ,,
3rd ,,	...	,, 11 ,,
TOTAL	...	568

Parties desirous of purchasing the above should apply in person or by agent at the Malabar Collector's Office, Calicut.

CALICUT, *The 4th July* 1876. } W. LOGAN, *Collector.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
July 10th, 1876 ...	7,60,000	...	7,87,656	86,57,087	...
,, 11th ,, ...	...	1,750	7,60,000	86,48,676	...
,, 12th ,, ...	...	...	7,60,000	86,48,616	...
,, 13th ,, ...	...	...	7,60,000	86,48,875	...
,, 14th ,, ...	...	...	7,60,000	85,68,540	...
,, 15th ,, ...	...	...	7,60,000	85,68,506	...

CALCUTTA MINT, *The 17th July* 1876. } J. F. TENNANT, *Col., R.E.,* *Offg. Mint Master.*

CALCUTTA UNIVERSITY.

The Senate of the University of Calcutta will proceed, in the month of August next, to the election of a Tagore Law Professor for such term as the Senate may approve.

The salary of the Professorship is Rs. 10,000 per annum, and one of the conditions of the appointment is that the Professor shall deliver in each year a course of lectures on some branch of law.

Condidates for the Professorship are requested to forward their applications to the Registrar before the 28th July, and at the same time to state in what subject or subjects they are prepared to lecture.

By order of the Vice-Chancellor,

J. SUTCLIFFE,
Registrar.

SENATE HOUSE, *The 24th June* 1876.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned Students have passed the Examination in Engineering:—

B. C. E.

FIRST DIVISION.

Mahendranath Sen ... Presidency College, C. E. Department.

SECOND DIVISION.
In Order of Merit.

Nagendranáth Chattopadhyay ... Presidency College, C. E. Department.
Asutosh Lahiri ... Ditto ditto.

L. C. E.

SECOND DIVISION.
In Order of Merit.

Durgacharan Chakravarti ... Presidency College, C. E. Department.
Gopál Lál Bandyopádhyay ... Ditto ditto.
Kisarimohan Mukhopadhyay ... Ditto ditto.
Girischandra Dutta ... Ditto ditto.
Brindavanchandra Pal ... Ditto ditto.

SENATE HOUSE, *The 8th July* 1876. }

J. SUTCLIFFE,
Registrar.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
27	... B 35—42303	... 20	... C. K. Narayana Jyer, Yettiapoorum, Tinnevelly District.
28	... B 43—29513	... 50	... A. Narrainsawmy Chetty, Darumpoory.
	B 44—55799	... 100	...
29	... B 50—09795	... 100	... Colonel R. M. Macdonald, Madras
30	... B 43—50914	... 50	... Arthanaree Moodr., Darumpoory.
	B 44—28393	... 100	...
	,, —34715	... 100	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
90	... B 39—56550	...	5	... P. Venkata Row, Bangalore.
91	... B 35—91819	...	20	... Nagarada Majnad Shamanah, Shemogah.
	B 43—42429	...	50	...
	,, —42430	...	50	...
92	... B 39—72064	...	5	... S. Kistnasawmy Naidu, Cuddapah.
	,, —72065	...	5	...
93	... B 44—34473	...	100	... Mr. M. L. Bird, Trikalore.
94	... B 44—49084	...	100	... Poondaruk Row, Trimulgherry.
95	... B 43—40113	...	50	...
	,, —46817	...	50	... Alli Saib, Darumpoory.
	B 44—68003	...	100	...
	B 50—00220	...	100	...
11	... B 41—89857 wrongly joined.		10	... Govindrain J. Gopaul Doss, Madras.
	,, —89875 wrongly joined.			
12	... B 39—08868 wrongly joined.		5	... Shunmoogam Chetty, Madras.
	,, —08864 wrongly joined.			

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 10th July* 1876. }

W. DONALD,
Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
26	... E 2—23017	... 500	... Messrs. Grindlay, Groom & Co. (on behalf of Colonel J. Doran, C.B.), Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
22	... L 11—28227	...	5	... Mr. E. M. Cohen, Lucknow.
35	... E 6—67189	...	10	... Private A. McDonald, 109th Regiment, Dinapore.
41	... E 12—12783	...	20	... Bava Masahib Sing, Mouza Amarsidhoo, Zillah Lahore.
	,, 12784	...	20	...
11	... E 6—83696 wrongly joined.		10	... Baboo Gosto Behari Sen, Calcutta.
	,, 83666 wrongly joined.			

LAHORE.—Paper Currency Office; *The 15th July* 1876. }

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
124	L 72—05043	10	The Post Master General, N. W. Provinces.
125	L 24—43495	5	Acting Chief Accountant, E. B. Railway, Sealdah.
126	L 49—10976	50	Dr. Gerald H. Fenton, V.S.
127	L 41—89740	10	Balmokund Chateylal.
	L 59—53538	10	
	L 71—26833	10	
	L 61—31356	10	
	L 71—41124	10	
	„ —30677	10	
	L 46—54737	20	
131	L 82—16313	100	Babu Bissho Nath Mookerjee.
	„ —15347	100	
	„ —13492	100	
	„ —23321	100	
	L 67—94161	50	
132	L 82—06740	100	Sunto Khansamah.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
115	L 20—80965	5	Babu Ram Narain.
	„ 80985		
116	L 73—22789	10	Babu Punna Lal.
	„ 22786		
	L 58—87326	10	
	„ 87329		
117	L 23—15452	5	Babu Tarrock Nath Mookerjee.
	„ 15451		
118	L 61—05610	10	The Chief Paymaster, E. I. Railway, Calcutta.
	L 62—06910		
119	L 78—43525	20	F. O. Bridgeman, Esq.
	„ 43526		
120	L 63—73946	20	Messrs. Rajnarain Ghose and Rajnarain Bose.
	„ 73949		
122	L 37—32246	10	Johur Mull.
	„ 91917		
	L 20—95349	5	
	„ 95346		
128	A 99—92329	20	Messrs. Bunnachand Ram Lal.
	L 14—35059		
	L 39—56139	10	
	„ 56120		
124	A 7—30008	10	Babu Lally Mohun Mitter.
	„ 02457		
86	A 44—94437	20	Babu Madhub Kissen Ghose.
	„ 94436		
171	L 73—81336	10	Mr. D. Kerr.
172	L 44—85746	10	M. H. Sandell, Esq.
173	L 25—21369	5	The Supdt., Travelling Post Office, Bengal Division, Howrah.
174	L 60—63367	10	Babu Mohesh Chundra Paul.
175	L 57—14126	10	Sahadut Khan.
	L 59—86847	10	
176	L 23—50124	5	Babu Jagut Chundra Bhoumik.
177	L 78—36043	20	Babu Koilas Chundra Chatterjee.
	„ —36034	20	
178	L 59—73473	10	Bhawany Singh.
179	L 65—01322	20	J. B. D. Silva, Esq.
	L 72—09244	10	
180	L 77—30931	20	Tekaram.
	L 71—61807	10	

CALCUTTA,—Paper Currency Office;
The 21st July 1876.

R. E. HAMILTON.
Offg. Assistant Commissioner of Paper Currency.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
21	D 11—34479	10	Rumzan Duftry, Naini Tal.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
41	L 49—91824	50	Chunder Nath Bose, Allahabad.
42	D 10—75410	5	Jawahir Lall, Muttra.
43	A 40—50328	50	Peary Lall Bose, Calcutta.
44	D 10—55815	5	Major C. Bluett, Shahjehanpur.
	D 11—26990	10	
15	D 10—04687 wrongly joined. —04679	5	Abdool Razac, Azamgarh.
16	D 5—83057 wrongly joined. —83054	20	D. E. H. Noyes, Esq., Aligarh.

ALLAHABAD,—Paper Currency Office;
The 13th July 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1876-77.		Rs.	
61	M 3—47836	5	Mr. Udho Das, 2nd Clerk, S. Survey, Dalhousie *viâ* Gurdaspur.
72	M 24—58496	100	Captain C. J. Wyndham, H. M.'s 83rd Regt. of Foot, Baroda.
	M 4—52905	5	
	„ —52997	5	
83	M 16—11275	10	*Ram Crishna Vinayek Karack, Carkoon,* 2nd Asstt. Collr., Colaba, Alibag.
86	C 99—59118	20	Bapalal Manicklal, Rajkote.
87	C 99—84015	20	Mr. J. V. Paes, Bombay.
24	A 94—21206 wrongly joined. C 66—89022	20	G. H. W. Conray, Esq., Calcutta.

BOMBAY.—Paper Currency Dept.,
The 11th July 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 21st July 1876.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 23rd July 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Nepaul*, will be closed at the General Post Office on Monday, the 24th July 1876, at 7 P. M.

Mails for Madras, Ceylon and the Intermediate Ports, for transmission per Steamer *Dacca*, will be closed at the General Post Office on Monday, the 24th July 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 25th July 1876, by which mails for Mauritius, St. Denis, Reunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands, and Madagascar can be forwarded.

2. Book post and pattern packets must be posted on the 24th July 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 28th July 1876, at 7 P. M.

Mails for Rangoon, Moulmein and the Straits, for transmission per Steamer , will be closed at the General Post Office on Friday, the 28th July 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 21st July 1876.

Abraham, Mr.
Alexander, Stanley.
Anderson, Revd. Wm., Profr.
Brecolly, Miss L.
Campbell, J.
Carpenter & Co., Messrs.
Carr, P.
Christian, Miss.
Clanson, Agust.
Connor, John (D. Company.)
Crolley, Peter.
Edwards, C.
Elliott, E.
Elliott, Eliza.
Fisher, Mrs. J. E.
Fleming, Mrs.
Galstin, Paul.
Glifflin, Miss.
Goldenstein, Mr. Sh.
Grenon, W.
Haley, S.
Harding, Miss F. H.
Hassett, Mrs. M. A.
Hill, Hewetson, Sergt.
Hittie, Mr.
Hope, Private (No. 1968).
Hunter, H. D.
Jones, Col. Allen.
Jouget, Paul.
Kate, Rosalia.
Kemp, C. & Co., Messrs.
Kershaw, James.
Keylner, R.
King, Mrs. E.
Kulluck, W.
Kynoch, Geo.
Lawrence, John.
Legh, Mrs. A.
Leslie, W. W. H.
McIntyre, Mrs. M.
Moyce, Harry, Sergt.
Murphy, B.
Newbury, Mrs. J.
Palmar, Mrs. M.
Palmer, Mrs. Florence.
Paul, Dan.
Paul, N. A.
Pay, Captain C. M.
Phipps, G.
Precesse, P.
Prorso, Mrs.
Quinlan, E. W.
Rich, Moses.
Rudolphson, Gustav.
Schoners:edt, Mrs.
Sevill, G. W.
Shepherd, H. P.
Smith, Chas. H.
Smith, Mrs. Ella.
Snelling, William.
Sniggins, Thos.
Sweatman, Miss B.
Tait, W. W.
Thomasson, S. M.
Thompson, G.
Vangriteken, J. M.
Walker, William,
Watson & Co., Messrs.

Letters marked "Care of Post Office, to be kept till called for."

A. E. P.
Baker, Geo.
Beadle, H.
Brownlow, Arthur.
Browne, D.
Bullers, E.
Chichester, R. E.
Comte de Augerstin, M.
Croghan, W. J.
Dutton, B. C.
E. F. W.
Fernandez, J. P.
Good, E. E.
Harris, T. J. P.
Hazard, John.
Heath, F.
Heffernan, Mrs.
Henty, J. C.
Holland, Capt. J.
Hollingsworth, J. B.
Hindmarsh, William.
Jamarson, Wm.
Jones, A. G.
Judge, C., Major.
Kearns, E. W. F.
Lee, Mrs. A. J.
Linfott, James.
Locke, Henry.
MacIntyre, A.
MacPherson, J. J.
Mendes, V. E.
Micheli Aristodenio, Signr.
Munro, Major C. A.
O'Brien, Capt. E.
O'Connor, J. M.
Peters, W.
Pearce, G. S.
Phelan, T. W.
Phillips, James.
Phunk, Major-Genl.
Pierie, H. W.
Preston, Geo.
Price, J.
Rean, T. R.
Rice, J. W.
Shine, W. L.
Simpson, W.
Smith, Geo. A.
Sutherland, Miss J.
Stephens, Dr.
T. B., Mrs.
Tanquarette, D.
Tapley, Mark.
Tietgens, Herm.
Walker, G.
Whitelem, Dr. R.
Wilson, G.

Papers.

Beazley, J. L.
Croghan, W. J.
Mackay, J. B.
Osborne, A. E.
Perrier, A.
Ring, J. B.
St. George, F.

Parcels.

Versepuy, Monsieur V.

Registered Letters.

Higgins, Mrs. P.
O'Connor, J. M.
Paxwell, E.
Wilson, Mrs.
Taylor, Geo.

W. ALPIN,
Offg. Post Master of Calcutta.

Publications for sale at the Bengal Secretariat Press.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs.* 2; *with map, Rs.* 3-4.

The Bengal Administration Report for 1874-75. *Price, Rs.* 4-8; *postage,* 14 *annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

The Bengal Administration Report for 1873-74. *Price, Rs.* 4; *postage,* 10 *annas.*

The Bengal Administration Report for 1872-73. *Price, Rs.* 7-8; *postage, Re.* 1-4.

Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2: *postage,* 2 *annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs.* 10; *postage, Re.* 1-2.

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price,* 8 *annas per copy, or including postage,* 10 *annas.*

Ditto ditto in Bengali. *Price,* 8 *annas per copy, or including postage,* 10 *annas.*

Rules for the Sale of Waste Lands. *Price,* 4 *annas, or including postage,* 5 *annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs.* 3; *postage,* 5 *annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper, with Map. By HEM CHUNDER KER, Deputy Magistrate, on special duty. *Price, Rs.* 8; *postage,* 11 *annas.*

A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs.* 3; *postage,* 6 *annas.*

Further Notes on the Rungpore Records. Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price Re.* 1; *postage* 3 *annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs.* 5; *postage,* 8 *annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs.* 5; *postage,* 12 *annas.*

Selections from the Supplement to the *Calcutta Gazette,* 1871 to 1874. *Price, Rs.* 2-8; *postage,* 6 *annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs.* 3; *postage,* 7 *annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1876. *Price, Rs.* 3; *postage,* 8 *annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs.* 3; *postage,* 4 *annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs.* 6; *postage,* 5 *annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs.* 3-8; *postage,* 11 *annas.*

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

South America Pilot. Part I ...	... Rs.	4 4 0
West India Pilot. Vol. I ...	... „	3 0 0

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—bound copies	... Rs.	45 0 0
„ unbound copies	... „	35 0 0

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 29, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.—MILITARY.

Mount Aboo, the 18*th July* 1876.

No. $\frac{2}{108}$*G.*—LEAVE.—Lieutenant F. M. Rundall, Officiating Adjutant, Meywar Bheel Corps, is granted privilege leave for ninety days, with effect from the 15th July 1876, or such subsequent date as he may avail himself of the same.

A. C. LYALL,
Offg. Agent, Govr. Genl., for Rajputana.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 21*st July* 1876.

Privilege leave for one month is granted to Mr. C. A. R. Scanlan, Assistant Surveyor, 1st Grade, attached to No. 1 or Gwalior and Central India Topographical Survey, under Supplement F, Section 12 of the Civil Leave Code, from the forenoon of the 5th instant.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 21*st July* 1876.

No. 79.—Sergeant J. Hearlihy, Overseer, 1st Grade, 7th Circle, Military Works, is transferred to the 3rd Circle, Military Works.

No. 80.—Sergeant M. Murphy, Overseer, 1st Grade, 7th Circle, Military Works, is transferred to the 5th Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 20th July 1876.

No. 38.—With reference to this Office Notification No. 36, dated the 2nd July 1876, Mr. J. Hogan, Assistant Engineer, joined the 2nd Allahabad Division, Military Works, on the forenoon of the 3rd instant.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 19th July 1876.

No. 27.—Mr. J. Robinson, Assistant Engineer, 1st Grade, Bareilly Division, Military Works, is granted one month's privilege leave, from such date as he may avail himself of the same.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

5th Circle.

The 15th July 1876.

No. 12.—Mr. J. C. Wyatt, Assistant Engineer, 2nd Grade, is granted three months' privilege leave, of which he availed himself on the afternoon of the 5th July 1876.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

8th Circle.

Rawal Pindi, the 15th July 1876.

No. 1198.—Gunner Moore, Overseer, 1st Grade, is transferred from the 2nd Peshawar to the 2nd Rawal Pindi Division, Military Works.

The 24th July 1876.

No. 1220.—Lieutenant Thurburn, R.E., Assistant Engineer, 1st Grade, was attached to the Office of the Superintending Engineer, 8th Circle, from the 7th to the 14th instant.

No. 1221.—Lieutenant Thurburn, R.E., Assistant Engineer, 1st Grade, availed himself of the privilege granted him by Notification No. 994 of 9th June 1876, on the 15th instant, before noon.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 24th July 1876.

No. 117.—With reference to Government of India, Public Works Department, Notification No. 317 of the 14th July 1876, Mr. G. F. Mathew is posted to the Rajputana State Railway, as Assistant to the Manager of that line.

No. 118.—With reference to Government of India, Public Works Department, Notification No. 323 of the 19th July 1876, Mr. C. E. Cardew, Assistant Locomotive Superintendent, is posted to the Rajputana State Railway.

No. 119.—Lieutenant J. F. Hewson, R.E., Assistant Engineer, 2nd Grade, Indus Valley State Railway, passed the Colloquial Examination in Hindustani on the 8th July 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 22nd July 1876.

No. 752.—Referring to Government of India, Public Works Department, Notification No. 311, dated 12th instant, transferring Mr. R. G. MacDonald, Examiner of Accounts, to this line, that officer reported his arrival at Ajmere on the afternoon of 19th July 1876.

JAMES COLLET,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 20th July 1876.

No. 193.—Mr. T. J. Dumayne, Assistant Engineer, 2nd Grade, is transferred from No. 2 Jaipur Division to No. 4 Haldibari Division.

No. 194.—With reference to Director's No. 99 of 3rd June 1876, Sergeant G. Peece, R.E., Supervisor, 2nd Grade, transferred from Holkar and Neemuch State Railway, joined this line on the forenoon of 30th idem, and is posted to No. 4 Haldibari Division.

No. 195.—With reference to Notification No. 184 of 16th June 1876, Mr. F. A. Hawkes, Executive Engineer, 4th Grade, No. 3 Rungpore Branch Division, made over charge of Parbatipur Sub-Division to Supervisor Mr. Hamilton, on the afternoon of the 30th idem, and joined the Office of the Engineer-in-Chief on the forenoon of 10th July 1876.

No. 196.—With reference to Government of India, Public Works Department, Notification, No. 254 of 5th June 1876, Baboo Chunder Nauth Simlai, Accountant, 3rd Grade, Central Office of Accounts, left this Railway on the forenoon of 5th June 1876.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 22nd July 1876.

No. 84.—Mr. B. Parkes, Assistant Engineer, 2nd Grade, Sohan Division, is allowed one month's privilege leave, with effect from the forenoon of 1st July 1876.

No. 85.—Conductor C. Montgomery, Supervisor, 1st Grade, Chenab Division, is allowed three months' privilege leave, with effect from the forenoon of the 3rd July 1876.

No. 86.—Mr. A. B. Thomson, Assistant Locomotive Superintendent, transferred temporarily to the Punjab Northern State Railway, by Director of State Railways' Notification No. 113, dated 1st July 1876, joined this Railway on the forenoon of 25th March 1876.

No. 87.—Mr. W. C. Hennessey, Executive Engineer, 4th Grade, availed himself of six months' leave on medical certificate granted to him by Director of State Railways' Notification No. 95, dated 29th May 1876, on the afternoon of 16th May 1876.

ALEX. GRANT,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 22nd July 1876.

No. 49.—Mr. F. H. Landon, Assistant Engineer, 1st Grade, attached to the office of Engineer-in-Chief, reported his departure on the 13th July 1876 to join the Fatehabad Division.

No. 50.—Lieutenant W. H. Johnstone, R.E., Assistant Engineer, 1st Grade, Ghât Sub-Division, Ghât Division, Holkar State Railway, availed himself of the one month's privilege leave granted him in Engineer-in-Chief's No. 43 of 10th June, from the forenoon of the 17th July 1876.

No. 51.—Mr. W. C. L. Floyd, Assistant Engineer, 1st Grade, Holkar State Railway, returned to duty on the afternoon of the 13th July 1876, from the privilege leave granted him in Notification No. 9 of 20th January 1876, and relieved Lieutenant W. H. Johnstone, R. E., of the charge of the Ghât Sub-Division, Ghât Division, on the forenoon of the 17th instant.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 17th July 1876.

No. 69.—Mr. J. H. DeRinzy, Assistant Engineer, 1st Grade, Kotri Division, is granted two months and fourteen days' privilege leave from this or such subsequent date as he may avail himself of it.

No. 70.—Mr. J. Ellis, Assistant Engineer, 2nd Grade, reported his return from furlough on the forenoon of 6th July 1876 at Sukkur, and is posted to the Upper Scinde District.

The 19th July 1876.

No. 71.—Mr. G. A. James, Accountant, 1st Grade, reported his return from furlough on the 17th instant at Mooltan, and is granted subsidiary leave from the 6th to the 16th idem (both days inclusive).

The 20th July 1876.

No. 72.—Mr. C. Kinnear, Supervisor, 2nd Grade, Reti Division, is granted three months' leave on medical certificate from such date as he may have been permitted to avail himself of it.

No. 73.—Mr. D. Bewell, temporary Supervisor, 2nd Grade, Sutlej Bridge Division, is granted one month's privilege leave from 17th August 1876, or such subsequent date as he may be permitted to avail himself of it.

No. 74.—The following postings and transfers have been made by Superintending Engineers and Examiner of Accounts :—

Mr. J. McInerny, temporary Overseer, 1st Grade, to the Sutlej Bridge Division.

Baboo N. C. Mookerjee, dittc.

Mr J. Ellis, Assistant Engineer, 2nd Grade, to the Ghotki Division.

Mr. W. G. Allen, Assistant Engineer, 2nd Grade, from the Bahawalpur to the Shajabad Division.

Mr. G. A. James, Accountant, 1st Grade, to the Central Office of Accounts.

M. RAYNE,
Engineer-in-Chief.

LACCADIVE COIR YARN.

FOR SALE.—At the Sea Custom House, Calicut, the following quantities of the above, being the produce of the sequestrated estate of Sultan Ali, Rajah of Cannanore and of the Laccadive Islands :—

1st sort,	...	About 220 Candies.
2nd „	...	„ 337 „
3rd „	...	„ 11 „
TOTAL	...	568

Parties desirous of purchasing the above should apply in person or by agent at the Malabar Collector's Office, Calicut.

CALICUT, *The 4th July* 1876. } W. LOGAN, *Collector.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
July 17th, 1876 ...	...	2,04,362	5,74,265	87,50,208	...
„ 18th „ ...	...	2,15,483	3,72,018	89,06,422	...
„ 19th „ ...	...	2,05,944	1,78,282	90,99,653	...
„ 20th „ ...	...	92,807	91,196	91,87,696	...
„ 21st „ ...	...	96,736	468	92,76,391	...
„ 22nd „ ...	...	408	...	92,76,018	...

CALCUTTA MINT, *The 24th July* 1876. } C. H LUARD, *Offg. Mint Master*

Statement of the Affairs of the Bank of Bengal on the 30th June 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,46,730	13	1
Public Deposits at Head Office ... Rs. 1,97,48,251 10 10 / Public Deposits at Branches ... 2,12,47,338 11 3	4,09,95,590	6	1
Other Deposits at Head Office and Branches	1,97,19,483	8	5
Bank Post Bills, &c.	1,85,239	13	2
Sundries	13,87,391	6	4
Rupees ...	8,39,34,435	15	1

ASSETS.	Rs.	A.	P.
Government Securities	1,48,76,977	13	6
Loans on Government Securities, &c., at Head Office and Branches ...	50,48,817	4	8
Accounts of Credit on Government Securities, &c., at Head Office and Branches	39,87,752	12	5
Bills discounted and purchased at Head Office and Branches	2,23,61,958	5	10
Balances with other Banks ...	9,00,697	0	7
Bullion	14,796	7	0
Dead Stock	10,47,501	10	0
Stamps	11,169	3	10
Sundries	7,35,107	10	4
	4,89,84,778	4	2
Cash and Currency Notes at Head Office ... Rs. 1,49,22,323 9 8 / Cash and Currency Notes at Branches ... 2,00,27,334 1 3	3,49,49,657	10	11
Rupees ...	8,39,34,435	15	1

By order of the Directors,

BANK OF BENGAL: *Calcutta, 20th July* 1876.

J. GORDON, *Chief Accti. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

Statement of the Affairs of the Bank of Bengal for the week ending 18th July 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,44,460	13	1
Public Deposits at Head Office ... Rs. 1,57,84,123 8 8 / Public Deposits at Branches ... 2,00,37,005 2 5	3,58,21,128	11	1
Other Deposits at Head Office and Branches	2,10,40,841	2	8
Bank Post Bills, &c.	2,54,535	0	2
Sundries	6,67,506	14	11
TOTAL ...	7,94,28,472	9	11

ASSETS.	Rs.	A.	P.
Government Securities	1,56,18,120	9	6
Loans on Government Securities, &c., at Head Office and Branches ...	52,44,176	4	8
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...	29,13,834	2	5
Bills discounted and purchased at Head Office and Branches	2,08,67,967	3	11
Balances with other Banks ...	5,24,381	10	1
Bullion	14,796	7	0
Dead Stock	10,51,261	14	2
Stamps	11,358	7	10
Sundries	7,25,366	12	2
	4,69,71,313	7	9
Cash and Currency Notes at Head Office ... Rs. 1,40,93,230 9 9 / Cash and Currency Notes at Branches ... 1,83,63,928 8 5	3,24,57,159	2	2
TOTAL ...	7,94,28,472	9	11

By order of the Directors,

BANK OF BENGAL; *Calcutta, 21st July* 1876.

J. GORDON, *Chief Accti. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

Statement of the Affairs of the Bank of Bengal for the week ending 25th July 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	20,00,00,000	0	0
Reserve Fund	16,44,460	13	1
Public Deposits at Head Office ... Rs. 1,46,75,839 6 9 / Public Deposits at Branches ... 2,01,55,614 5 6	3,48,31,453	12	3
Other Deposits at Head Office and Branches	2,28,40,626	14	4
Bank Post Bills, &c.	2,37,915	2	5
Sundries	5,98,596	4	0
Rupees ...	8,01,53,052	14	1

ASSETS.	Rs.	A.	P.
Government Securities	1,59,87,651	13	6
Loans on Government Securities, &c., at Head Office and Branches ...	51,98,504	3	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches	32,14,548	8	8
Bills discounted and purchased at Head Office and Branches ...	2,10,73,630	0	2
Balances with other Banks ...	6,40,213	13	1
Bullion	14,796	7	0
Dead Stock	10,51,777	10	2
Stamps	11,045	0	10
Sundries	7,19,428	6	9
	4,79,11,595	15	6
Cash and Currency Notes at Head Office ... Rs. 1,33,37,253 3 2 / Cash and Currency Notes at Branches ... 1,89,04,203 11 5	3,22,41,456	14	7
Rupees ...	8,01,53,052	14	1

By order of the Directors,

BANK OF BENGAL, *Calcutta, 27th July* 1876.

J. GORDON, *Chief Accti. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th July 1876.

PARTICULARS.	4 PER CENT. LOANS of 1842-43.	of 1854-55.	Transfer of 1865.	4½ PER CENT. LOANS of 1870.	of 1871.	of 1872.	6 PER CENT. LOAN OF 1859-60.	5½ PER CENT. LOAN OF 1862-66.	5 PER CENT. DEBENTURES FOR 10 years. Repayable, June 1877.	15 years. Repayable, June 1882.	TOTAL AMOUNT.
Balance of 30th June 1876	1,62,93,700	1,09,23,000	1,55,52,200	35,68,100	2,57,000	3,06,71,400	82,800	4,37,25,900	28,94,000	32,91,000	13,19,74,779
Add—											
Amount enfaced at Madras between 1st and 15th July 1876	...	...	25,400	...	...	22,000	...	13,500	...	...	60,900
Amount enfaced at Bombay between 1st and 15th July 1876 ...	2,000	...	7,500	...	...	...	...	...	...	...	10,000
Amount enfaced at Calcutta between 1st and 15th July 1876 ...	75,000	5,000	62,800	...	...	3,000	...	67,200	...	3,000	2,16,000
	1,63,70,700	1,09,28,000	1,56,47,900	35,68,100	2,57,000	3,06,96,400	82,800	4,38,06,600	28,94,000	32,97,000	13,22,61,679
Deduct—											
Amount written off in the London Registers	10,500	2,100	2,02,000	1,000	...	6,07,500	...	6,83,300	...	...	16,15,067
Balance on 15th July 1876	1,63,60,200	1,09,25,900	1,54,45,900	35,67,100	2,57,000	3,00,88,900	82,800	4,31,23,300	28,94,000	32,97,000	13,07,46,612

PARTICULARS.	4 PER CENT. LOANS of 1842-43.	of 1854-55.	of 1862-63.	of 1863-64.	3½ PER CENT. LOAN OF 1863-64.
Balance of 30th June 1876	31,83,400	14,68,160	14,68,160	2,346	55,600
Add—					
Amount enfaced at Madras between 1st and 15th July 1876	...	...	...	...	...
Amount enfaced at Bombay between 1st and 15th July 1876 ...	600	...	...	...	...
Amount enfaced at Calcutta between 1st and 15th July 1876 ...	...	...	...	...	...
	31,83,900	14,68,160	14,68,160	2,346	55,600
Deduct—					
Amount written off in the London Registers	6,000	2,667	...	...	...
Balance on 15th July 1876	31,47,900	14,65,493	14,68,160	2,346	55,600

Balance against London ... 26 lakhs.

Noze.—From 9th June 1867 to 15th May 1876, enfaced from India, 2,314 lakhs; re-transferred from London, 2,276 lakhs.

16th May	1876 to 31st	"	26 "
"	1st June	" to 15th June	10 "
"	16th "	" to 30th "	22 "
"	1st July	" to 15th July	15 "
			2,349 lakhs.
			2,323
			26 lakhs.

R. HARDIE, *Secretary and Treasurer.*

PUBLIC DEBT OFFICE, BANK OF BENGAL; *Calcutta, 18th July* 1876.

2 b

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
133	L 43—24624	10	The Post Master General, N. W. Provinces.
	L 23—11170	5	
134	L 69—62910	100	The Officiating Deputy Commissioner, Nowgong.
136	L 39—55176	10	Ramzan Duftry.
137	L 67—93290	50	Mr. Gomlie.
139	L 70—57378	1,000	Babu Ram Kissore Sanyel.
	L 82—15581	100	
140	L 52—40861	500	Babu Ram Doyal.
141	L 68—56997	100	Messrs. Gillanders, Arbuthnot & Co.
	„ —75314	100	
	L 82—26650	100	
	„ —15269	100	
142	L 51—54207	100	Babu Kally Churn Neogee.
	„ —59862	100	
	„ —59860	100	
	„ —59859	100	
	„ —46842	100	

NOTES PARTIALLY LOST OR DESTROYED.

125	L 16—92064	5	Babu Chundi Lal.
	„ 92034		
126	L 24—22424	5	Babu Modhoo Suden Biswas.
	„ 22421		
	„ 22423	5	
	„ 22420		
127	L 63—89443	20	Shewknen Das.
	„ 89438		
128	L 4—26875	10	Govindaraja Moodelly.
	„ 26879		
129	L 59—38970	10	Babu Bhola Nath Khettry.
	„ 38969		
130	L 33—57103	10	Raghoo Nath Pershad.
	„ 47103		
	L 23—00535	5	
	„ 00536		
	L 21—21210	5	
	„ 21209		
	L 22—01450	5	
	„ 01453		
	L 11—70109	5	
	„ 70107		
131	L 15—72890	5	Babu Surut Chunder Dey.
	„ 73507		
132	A 93—02961	20	Babu Sreedhur Mondle.
	„ 83207		
	L 40—64995	10	
	„ 79671		
133	L 1—63232	10	Messrs. Tara Sing Luchmon Sing.
	„ 63283		
134	L 21—55345	5	Babu Troylucko Nath Moitro.
	„ 55344		
135	L 37—78495	10	Surgeon-Major Hayes.
	L 21—79281	5	
136	L 64—78093	20	A. Stewart, Esq.
	L 24—83672	5	
137	L 51—98511	100	Revd. P. Nicolas.
	„ —95623	100	
138	L 74—66143	10	Babu Bhubon Chandra Sircar.
139	L 65—36945	20	Babu Nursing Dutt.
	L 74—64701	10	
140	L 24—23496	5	Babu Mihir Chandra Mitter.
188	A 82—61591	20	Raghoo Nath Pershad.
189	A 53—90859	20	Babu Kanti Chandra Banerjee.
191	L 65—88091	20	J. W. Walkem, Esq.
191	L 64—73751	20	Mr. Mulvaree.
192	L 10—84906	5	Bhugwan Das Mim Raj.
	L 16—83684	5	

CALCUTTA,—Paper Currency Office;
The 28th July 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
G 7—65203	10	Mr. Atma Sing Ailmul, School Master, High School, Shikarpur.

KURRACHEE,—Paper Currency Dept.;
The 18th July 1876.

W. A. INGLE,
Asst. Depy. Comm. of Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 3—67342	100	Marimothu Chetty of Darampoory.
„ —73424	100	
J 3—61652	100	A. Chithambala Chetty of Daramooory.
„ —71428	100	
„ —75286	100	
„ —76802	100	
„ —77405	100	
„ —79039	100	
J 5—49311	20	A. Mahomed Hoosman Saib of Bangalore.
J 6—73287	10	N. Appavoo Moodeliar of Bangalore.
J 6—69962	10	D. Ramaswamy Naidoo of Madras.
J 5—61123	20	

CALICUT,—Paper Currency Office;
The 18th July 1876.

P. A. COLE,
Dy. Collector, in charge of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
31	B 43—47116	50	Mr. J. L. Fonceca, Madras.
32	B 42—34171	20	Krishniar, Arcot.

NOTES PARTIALLY LOST OR DESTROYED.

96	B 39—96199	5	V. S. Runga Chariar, Mittoor.
	„ —96205	5	
97	B 42—03169	20	P. Ramanjulu Chetty, Rangoon.
	„ —09685	20	
98	B 49—45725	10	Mr. Somerville, St. Thomas' Mount.
	„ —62192	10	
99	B 34—17171	10	C. Chencharamiah, Penkondah.
100	B 36—62253	5	Revd. R. R. Meadows, Sacchiapuram.
364	B 31—86835	10	M. Hanoomuntha Row, Wandewash.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 17th July 1876.

W. DONALD,
Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
1875-76.				
1876-77.	M 5—63075		50	Mr. S. Luxumiah, 3rd Clerk, Deputy Commissioner's Office, Wurdha.
	M 19—58632		10	Mr. Govind Abaje, Karcoon, Account Office, Nassick.
	M 2—47321	wrongly joined.	5	Mr. Ardasur Jamsetje, No. 7, Forbes Street, Bombay.
	„ —47319			

BOMBAY,—Paper Currency Dept.;
The 18th July 1876.

G. W. CLINE, [illegible],
Assistant Commissioner.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
W13	D 7—83506	100	Gholam Russool, Fatehpur.
22	D 7—37294	100	Mr. J. Oliver, Rajghat *vid* Aligarh.
	L 51—18094	100	
	„ —19956	100	

NOTES PARTIALLY LOST OR DESTROYED.

45	L 51—17405		100	Revd. B. H. Badley, Lucknow.
	„ —23861		100	
1[illegible]	A 18—35536	wrongly joined.	10	Madho Ram, Allahabad.
	A 22—04812			

ALLAHABAD,—Paper Currency Office;
The 20th July 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
28	E 1—28681	1,000	The Post Master General, N. W. P., Allahabad.
29	E 10—13191	10	Babu Kali Charan Chatterjee, Agra Bank Ld., Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

43	E 5—99819	20	Revd. B. Sharp, Sabathoo.
44	„ —82446	20	Captain A. Stewart, Honorary Secretary, Sirhind Club, Umballa.

LAHORE,—Paper Currency Office;
The 22nd July 1876.

G. G. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 28th July 1876.

Mails for France, Foreign Europe *viâ* France, the intermediate Ports, Mauritius and China, for transmission per French Mail Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 29th July 1876, at 7 P. M.

Mails for Rangoon, Moulmein and the Straits, for transmission per Steamer *Himalaya*, will be closed at the General Post Office on Saturday, the 29th July 1876, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Saturday, the 29th July 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 30th July 1876, at 7 P. M.

Mails for Madras only, for transmission per Steamer *Sir John Lawrence*, will be closed at the General Post Office on Sunday, the 30th July 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate Ports, for transmission per Steamer *Ethiopia*, will be closed at the General Post Office on Monday, the 31st July 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will clost at the General Post Office on Tuesday, the 1s. August 1876, by which mails for Mauritius, Ste Denis and Reunion can be forwarded.

2. Book post and pattern packets must be posted on the 31st July 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer *Nil*, will be closed at the General Post Office on Friday, the 4th August 1876, at 7 P. M.

Mails for Rangoon and Moulmein for transmission per Steamer *Nil*, will be closed at the General Post Office on Friday, the 4th August 1876, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 4th August 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 28th July 1876.

Abraham, Mr.
Alexander, Miss A.
Alexander, Stanley.
Anderson, Revd. Wm., Profr.
Berton, E. C.
Carr, P.
Carpenter & Co., Messrs.
Christian, Miss.
Cornor, John (D. Company).
D'Monte, J.
Elliott, E.
Fleming, Mrs.
Galstin, Paul.
Gaye, A. C.
Girding, Mr.
Glifflin, Miss.
Grenon, W.
Guest, Mrs. H.
Haley, S.
Hassett, Mrs. M. A.
Harding, Miss F. H.
Hittie, Mr.
Hope, Private (No. 1968).
Hunter, H. D.
Jones, Col. Allen.
Jouget, Paul.
Kegler, R.
Kegh, Mrs. A.
Keogh, M.
King, Mrs. E.
Kulluck, W.
Kruger, W. J.
Kynoch, Geo.
Langworthy, E. M.
Leslie, W. W. H.
Lawrence, John.
McIntosh, Mrs.
Murphy, B.
Omen, Miss.
Ormsby, Mrs. A.
Palmer, Mrs. Florence.
Paul, N. A.
Pay, Captain C. M.
Precesse, P.
Prorso. Mrs.
Rich, Moses.
Russell, Albert.
Seton, Geo.
Schonerstedt, Mrs.
Schoeneman, C. H.
Smith, Chas. H.
Smith, Mrs. Ella.
Soloman, P.
Sparling, F. C.
Tait, W. W.
Thomasson, S. M.
Tissendie, R.

Letters marked "Care of Post Office, to be kept till called for."

A. E. P.
Agar, Henry.
Beadle, H.
Birks, A. R.
Boulter, R. F.
Brownlow, Arthur.
Browne, D.
Bullers, T.
C., Mrs.
Chichester, R. E.
Comte de Augerstin, M.
Croghan, W. J.
Dutton, B. C.
E. F. W.
Fernandez, J. T.
Harris, T. J. P.
Hazard, John.
Heffernan, Mrs.
Henty, J. C.
Holland, Capt. J.
Hollingsworth, J. B.
Hindmarsh, William.
Jamarson, Wm.
Jones, A. G.
Kearns, E. W. F.
Lambeth, R. H., C.S.
Lee, Mrs. A. J.
Lintott, James.
Locke, Henry.
MacIntyre, A.
MacPherson, J. J.
Mendes, V. E.
Micheli Aristodenio, Signr.
Mitchell, Dan.
Munro, Major C. A.
O'Brien, Capt. T. E.
Peters, W.
Pearce, G. S.
Phelan, T. W.
Phillips, James.
Phunk, Major-Genl.
Preston, Geo.
Price, J.
Rean, T. R.
Rice, J. W.
Rose.
Shine, W. L.
Smith, Geo. A.
Sutherland, Miss J.
Stephens, Dr.
T. B., Mrs.
Tanquarette, D.
Tapley, Mark.
Walker, G.
Whitelem, Dr. R.
Winkla Patrick Waller & Co.
Wilson, P.

Papers.

Beazley, J. L.
Croghan, W. J.
Mackay, J. B.
Perrier, A.
Ring, J. B.
Ritherdon, G.
St. George, F.

Parcels.

Versepuy, Monsieur V.

Registered Letters.

Paxwell, E.
Ritherdon, G.
Taylor, Geo.
Taylor, W.
Sturt, R. L. N.

W. ALPIN,
Offg. Post Master of Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 5, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15*th April* 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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E. J. DEAN,
Publisher, Gazette of India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 3*rd August* 1876.

No. 41.—Mr. J. T. Bedborough, Acting 3rd Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave from 28th June to 20th July 1876, inclusive, under Section 12 of Supplement F of the Civil Leave Code.

No. 42.—Mr. C. C. Ross, Acting 2nd Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from 21st July 1876.

No. 43.—Mr. C. E. Allen, Cable Clerk, 1st Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, subsidiary leave from 23rd March to 2nd April 1876, inclusive, under Sections 10 and 11 of Supplement F of the Civil Leave Code, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

W. PALMER,
Examiner of Telegraph Accounts.

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 3*rd August* 1876.

No. 562.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 7½*d.* per rupee. Schedule 18 of the Tariff Table is therefore in force until further notice.

E. F. HARRISON,
Comptroller General.

BANK OF BENGAL.

NOTICE.

Calcutta, the 28th July 1876.

The Annual General Meeting of the Proprietors and Shareholders of the Bank of Bengal will be held at the Bank on Wednesday, the 23rd proximo, at 3 P.M., for the transaction of the following business:—

I.—To receive the Directors' report and the accounts up to 30th June 1876.

II.—To elect two Directors in room of Mr. J. J. Guise and Mr. R. A. Lyall who go out by rotation, but who are eligible for re-election.

III.—To elect two Auditors and to fix their remuneration.

Immediately after the above meeting a Special Meeting of the Proprietors and Shareholders will he held to consider, with reference to Sec. 24 of the "Presidency Banks' Act, XI of 1876," what number of Directors the Board of the Bank of Bengal shall in future consist of; to pass a special resolution fixing the number accordingly; and, if it is resolved to increase the present number of Directors, then to elect an additional Director, or additional Directors, to make up such increased number.

The 3rd August 1876.

Notice is hereby given that the Bank of Bengal, General Treasury, and Public Debt Office will be closed on Saturday, the 12th instant, on account of the Hindu festival Junmo Ostomey, in conformity with Government Notification No. 3464 of 29th October 1867.

By order of the Directors,

R. HARDIE,

Secretary & Treasurer.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.—MILITARY.

Mount Aboo, the 26th July 1876.

No. $\frac{2668}{1165}$*G.*—LEAVE.—Colonel C. R. Blair, Commandant of the Mhairwarra Battalion, is granted privilege leave for thirty days, from the 3rd August next, or such subsequent date as he may avail himself of it.

A. C. LYALL,

Offg. Agent, Govr. Genl., for Rajputana.

POLICE DEPARTMENT, OUDH.

NOTIFICATION.

Lucknow, the 26th July 1876.

No. 206.—Three months' privilege leave is granted to Captain M. Tweedie, District Superintendent, Police, Sitapore, from the 1st August 1876, or from such subsequent date as he may avail himself of the same.

Mr. J. Luffman, Head Quarters Inspector, Police, Sitapore, to officiate as District Superintendent, Police, Sitapore, during Captain Tweedie's absence.

O. L. SMITH, *Lieut.-Col.,*

Offg. Depy. Secy. to Chief Commr., Oudh, Police Department.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 25th July 1876.

No. 81.—Sergeant R. Madams, Overseer, is granted seven months' sick leave in India, from 1st March 1876.

The 28th July 1876.

No. 82.—With the approval of the Government of India, Public Works Department, Mr. J. H. Reid, Assistant Engineer, is appointed to officiate as Executive Engineer of the Saugor Division, Military Works, during the absence on privilege leave of Mr. Penny, Executive Engineer.

The 31st July 1876.

No. 83.—With the approval of the Government of India, Public Works Department, Mr. W. Eckstein, Assistant Engineer, 1st Grade, is appointed to officiate as Executive Engineer of the Fyzabad Division, Military Works, during the absence on privilege leave of Mr. E. Le Lievre, Executive Engineer, or until further orders.

No. 84.—Sergeant J. Thomas, Overseer, 1st Grade, is transferred from the 1st to the 3rd Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*

Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 31st July 1876.

No. 39.—Barrack Sergeant W. Southcombe, attached to the Saugor Division, Military Works, is transferred to the Pachmarhi Division, Military Works, *vice* Barrack Sergeant G. Blake, about to take his discharge.

J. J. HUME, *Colonel,*

Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 26th July 1876.

No. 28.—Mr. O. Hœrule, Assistant Engineer, 2nd Grade, Meerut Division, Military Works, returned on the morning of the 14th July 1876, from the six weeks' privilege leave granted to him in Superintending Engineer's Notification No. 22, dated 22nd May 1876.

No. 29.—With reference to Government of India, Public Works Dapartment, Notification No. 314, dated 14th July 1876, Mr. B. Harrington, Overseer, 1st Grade, Morar Division, Military Works, ceased to belong to the Public Works Department from 17th July 1876, the date on which he was relieved from his duties.

The 1st August 1876.

No. 30.—Officiating appointment of Mr. R. J. Bailey, Assistant Engineer, 2nd Grade, Agra Division, Military Works, as per Notification No. 26, is hereby cancelled.

R. TYNDALL, *C.E.,*

Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

The 31st July 1876.

No. 16.—Lieutenant M. Langharne, R. E., Assistant Engineer, temporarily transferred from the Kasauli Division, Military Works, to the Firozepore Division, Military Works, in this Office Notification No. 15 of 12th July 1876, joined the latter division on the afternoon of the 25th idem 1876.

No. 17.—With reference to this Office Notification No. 1 of the 11th January 1876, Mr. J. D. Davies, Assistant Engineer, is retransferred from the Jullundur Division, Military Works, to the Firozepore Division, Military Works.

Mr. Davies returned to Mooltan on the morning of the 10th current.

WILLIAM B. HOLMES, *Major, R.E.,*

Supdg. Engr., 4th Circle, Military Works.

7th Circle.

The 28th July 1876.

No. 1757.—Sergeant M. Murphy, Overseer, 1st Grade, is transferred from the Chukratah Road to the Dugshaie Division, which he joined on the forenoon of the 7th instant.

JOHN BIRNEY, *Major, R.E.,*

Offg. Supdg. Engr., 7th Circle, Mily. Works.

8th Circle.

Rawal Pindi, the 28th July 1876.

No. 1239.—Gunner Moore, Overseer, 1st Grade, is transferred from the 2nd Peshawar to the 2nd Rawal Pindi Division, Military Works. He reported his departure from the former on the 24th instant, and his arrival in the latter on the forenoon of 26th idem. This transfer was not made for the benefit of the public service.

DAVID LIMOND, *Lieut.-Col., R.E.,*

Supdg. Engr., 8th Circle, Military Works.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 31st July 1876.

No. 28.—Mr. G. T. Hall, Assistant Surveyor, 3rd Grade, is granted privilege leave from 14th August to 13th September 1876, both days inclusive.

H. R. THUILLIER, *Capt., R.E.,*

Offg. Superintendent, G. T. Survey of India.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATIONS.

Lucknow, the 27th July 1876.

Baboo Sreenath Roy, Accountant, 2nd Grade, attached to Audit Office, Oudh and Rohilkhand Railway, returned to duty on the forenoon of the 22nd instant, from the eighty-three days' privilege leave granted him, *vide* India Public Works Notification, No. 739, dated 19th April 1876. The unexpired portion of his leave (one day) is hereby cancelled.

The 28th July 1876.

Mr. J. Jamieson, Accountant 4th Grade, attached to the Audit Office, Oudh and Rohilkhand Railway Accounts, is granted six weeks' privilege leave from 22nd July1 876, or from any subsequent date on which he may avail himself of the same.

R. DEBOURBEL, *Lieut.-Col., R.E.,*

Consg. Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 27th July 1876.

No. 121.—Mr. C. H. Berry, Supervisor, 2nd Grade, Punjab Northern State Railway, is transferred to the Rajputana State Railway.

No. 122.—CORRIGENDUM.—In Director's Notification No. 111 of the 29th June 1876, for "reported his return on the 15th June" read "reported his return on the 15th May."

No. 123.—Mr. W. B. Carter, Executive Engineer, 2nd Grade, Northern Bengal State Railway, has been granted by Her Majesty's Secretary of State two months' leave on medical certificate in extension of the leave granted him in Director's Notification No. 117 of the 2nd July 1875.

No. 124.—The services of Baboo Khetter Mohun Singh, temporary Overseer, 2nd Grade, Northern Bengal State Railway, are dispensed with.

The 29th July 1876.

No. 125.—Mr. P. C. Gilhooly, Sub-Engineer, 3rd Grade, Punjab Northern State Railway, is transferred to the Sindia State Railway.

The 31st July 1876.

No. 126.—The under-mentioned Officers of the Holkar State Railway (Open Line) passed the departmental standard examination in Hindustani on the 15th July 1876:—

Mr. F. N. Gutersloh, Assistant Engineer, 1st Grade.

Mr. T. Ker, Assistant Engineer, 2nd Grade.

No. 127.—Mr. J. Ellis, Assistant Engineer, 2nd Grade, Indus Valley State Railway, reported his return on the 21st June 1876 from the leave granted in Director's Notification No. 187 of 23rd November 1875, and is granted 15 days' subsidiary leave.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*

Director of State Railways.

SINDIA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 31st July 1876.

No. 18.—With reference to this Office Notification No. 4, dated 4th February 1876, Lieutenant C. C. C. Barlow, R. E., Assistant Engineer, 1st Grade, reported his return to duty at Agra on the forenoon of this date, from six months' leave on private affairs.

The 1st August 1876.

No. 19.—With reference to Notification No. 18 of 31st ultimo, Lieutenant C. C. C. Barlow, R.E., Assistant Engineer, 1st Grade, is posted to Agra Division, and placed in charge of No. 3 Sub-Division.

No. 20.—Mr. D. A. Duns, temporary Assistant Engineer, 1st Grade, is transferred from Agra to Chumbul Division.

HORACE BELL,
Offg. Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATION.

The 25th July 1876.

No. 77.—The following transfers have been made by Superintending Engineer, Lower Sind District:—

Mr. W. Wiseman, Assistant Engineer, 1st Grade, from the Sehwan to the Mehar Division.

Mr. D. Morris, Assistant Engineer, 1st Grade, from the Kotri to the Sehwan Division.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 29th July 1876.

No. 88.—Mr. P. T. Large, Assistant Engineer' 1st Grade, Ravi Division, is allowed two months, privilege leave, with effect from the forenoon of 24th July 1876.

No. 89.—The under-mentioned Officers are temporarily transferred from the Indus Division to the Bakrala Division:—

Mr. F. J. E. Spring, Assistant Engineer, 1st Grade.

Sabdha Ram Sabui, Apprentice Engineer.

ALEX. GRANT,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 26th July 1876.

No. 36.—Messrs. E. Johnstone and C. H. Croudace, Executive Engineers, 4th Grade, respectively received and made over charge of the Ajmere Division, Rajputana State Railway, on the afternoon of the 20th instant.

No. 37.—Mr. I. O'Callaghan, Traffic Superintendent, Rajputana State Railway, reported his return to duty on the forenoon of the 15th July 1876.

The 28th July 1876.

No. 38.—Mr. C. H. Croudace, Executive Engineer, 4th Grade, received, and Mr. C. Thomson, Assistant Engineer, 1st Grade, made over charge of the Delhi Division, Rajputana State Railway, on the afternoon of 25th July 1876.

KELLOW C. PYE,
Manager.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Ajmere, the 21st July 1876.

No. 747.—The subsidiary leave for the first 17 days of May 1875, granted to Mr. W. Scott, Executive Engineer, 2nd Grade, has been commuted to privilege leave.

JAMES COLLET,
Engineer-in-Chief.

LACCADIVE COIR YARN.

FOR SALE.—At the Sea Custom House, Calicut, the following quantities of the above, being the produce of the sequestrated estate of Sultan Ali, Rajah of Cannanore and of the Laccadive Islands:—

1st sort,	...	About 220 Candies.
2nd „	...	„ 337 „
3rd „	...	„ 11 „
TOTAL	...	568

Parties desirous of purchasing the above should apply in person or by agent at the Malabar Collector's Office, Calicut.

CALICUT, *The 4th July* 1876. } W. LOGAN, *Collector.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
July 24th, 1876 ...	...	...	...	92,18,983	...
„ 25th „ ...	...	...	...	92,18,950	...
„ 26th „ ...	...	...	...	92,18,919	...
„ 27th „ ...	...	...	...	92,18,884	...
„ 28th „ ...	...	...	...	91,68,851	...
„ 29th „ ...	...	...	...	91,68,818	...

CALCUTTA MINT, *The 31st July* 1876. } C. H LUARD, *Offg. Mint Master.*

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st July 1876.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS					4½ PER CENT. LOANS				5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
		of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1854-55.	of 1842-43.	of 1854-55.	Transfer of 1865.	of 1870.	10 years.	15 years.	
											Repayable, June 1877.	Repayable, June 1882.	
Balance of 15th July 1876	55,600	33,173	2,346	14,65,493	31,53,300	1,64,93,800	1,63,05,000	1,09,30,600	1,65,27,300	35,64,900	23,94,000	32,97,000	13,09,70,113
Add—													
Amount enfaced at Madras between 16th and 31st July 1876 ...	...	...	...	...	2,800	...	...	17,000	25,000	6,500	...	...	50,500
Amount enfaced at Bombay between 16th and 31st July 1876 ...	...	...	...	...	2,800	...	2,000	...	6,000	...	...	...	21,500
Amount enfaced at Calcutta between 16th and 31st July 1876 ...	...	...	...	...	2,800	...	70,600	13,500	11,69,500	14,500	...	...	14,10,500
	55,600	33,173	2,346	14,65,493	31,53,300	1,64,93,800	1,63,05,000	1,09,61,100	1,65,45,400	35,88,100	23,94,000	32,97,000	13,22,30,113
Deduct—													
Amount written off in the London Registers	...	...	...	...	...	...	127,800	25,100	1,15,100	23,200	...	...	12,59,000
Balance on 31st July 1876	55,600	33,173	2,346	14,65,493	31,53,300	1,64,93,800	1,63,05,000	1,09,30,600	1,65,27,300	35,64,900	23,94,000	32,97,000	13,09,70,113

NOTE.—From 9th June 1867 to 31st May 1876, enfaced from India, 2,316 lakhs; re-transferred from London, 2,302 lakhs.

„	1st „ 1876	to 15th June	„	„	10 „
„	16th „	„ 30th „	„	„	22 „
„	1st July	„ to 15th July	„	„	15 „
„	16th „	„ 31st „	„	„	12 „
					2,361 lakhs.
					2,337
			Balance against London	...	24 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 2nd August 1876.

Statement of the Affairs of the Bank of Bengal for the week ending 1st August 1876.

LIABILITIES.			Rs.	A.	P.
Capital paid up			2,00,00,000	0	0
Reserve Fund			16,44,460	13	1
	Rs.	A. P.			
Public Deposits at Head Office	1,46,63,962	12 4	3,45,01,537	6	8
Public Deposits at Branches	1,98,37,574	10 4			
Other Deposits at Head Office and Branches			2,00,22,666	5	9
Bank Post Bills, &c.			3,55,392	14	7
Sundries			5,85,402	10	4
Rupees			7,71,09,460	2	5

ASSETS.			Rs.	A.	P.
Government Securities			1,58,35,735	7	6
Loans on Government Securities, &c., at Head Office and Branches			51,80,304	3	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches			37,30,517	5	5
Bills discounted and purchased at Head Office and Branches			1,94,84,994	9	4
Balances with other Banks			6,51,274	14	7
Bullion			14,796	7	0
Dead Stock			10,51,217	1	7
Stamps			11,032	3	10
Sundries			6,09,139	1	11
			4,65,69,011	6	6
	Rs.	A. P.			
Cash and Currency Notes at Head Office	1,30,91,939	12 1	3,05,40,448	11	11
Cash and Currency Notes at Branches	1,74,48,508	15 10			
Rupees			7,71,09,460	2	5

By order of the Directors.

BANK OF BENGAL, *Calcutta, 3rd August* 1876.

J. GORDON, *Chief Accts. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
23	D 10—68365		5	The Post Master General, N. W. P.

NOTES PARTIALLY LOST OR DESTROYED.

759	D 11—23156		10	S. J. Naber, Esq., Pertabgarh.
46	A 18—27246		10	Lalla Soonder Dass, Allahabad.
	A 44—77890		20	
47	D 10—78111		5	Ramlall Koondu, Calcutta.
18	L 49—86750 wrongly joined.		50	Pundit Govind Rao Goray, Allahabad.
	„ —86749 wrongly joined.			

ALLAHABAD,—Paper Currency Office; *The 27th July* 1876.

T. H. S. BIDDULPH, *Asstt. Accts. Genl., in charge of Paper Currency Office.*

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
1876-77.				
11	C 5—60375		50	Mr. Peter John DeMello, Kotree, Sind.

NOTES PARTIALLY LOST OR DESTROYED.

1876-77.				
81	C 89—44910		10	Mr. J. J. De Celes, Bellary.
87	C 84—50847		20	Mr. J. V. Paes, Bombay.
97	M 20—23097		10	Byramsha Herjibhoy Kotwal, Surat.
23	C 99—50844 wrongly joined.		20	Hunmant Bhimaje, Ahmednagar.
	„ 50845 wrongly joined.			
31	M 3—24742 wrongly joined.		5	Nursey Pragji, Bombay.
	„ 24743 wrongly joined.			
59	C 97—39766 wrongly joined.		10	Mr. Ardasur Jamsetje Bhajiwalla, Mount Road, Bombay.
	C 92—68004 wrongly joined.			
79	C 83—99558 wrongly joined.		10	Mr. M. Breshlaver, Bombay.
	C 92—88803 wrongly joined.			

BOMBAY,—Paper Currency Dept.; *The 26th July* 1876.

G. W. CLINE, LL.D., *Assistant Commissioner.*

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
29	E 7—66168		5	The District Engineer, S. P. & D. Railway, Umballa City.
	E 4—92844		50	
	E 4—92845		50	

NOTE PARTIALLY LOST OR DESTROYED.

45	E 10—23807		10	Jawahur Lal, Draftsman, Settlement Office, Muttra.

LAHORE,—Paper Currency Office; *The 28th July* 1876.

I. C. BOSE, *Asstt. to Accts. Genl., in charge of Currency Office.*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
144	L 60—08384		10	Mr. T. A. Cox.
	L 73—34411		10	
145	L 60—74356		10	Babu Wooma Churn Bhuttacharjee,
146	L 82—25909		100	Goyratolla Mistry.
147	L 82—16630		100	Meer Tosenally.
148	L 64—24255		20	Mr. Arthur Harman.
149	L 42—75460		10	Babu Tara Chand Sen.
151	L 74—69969		20	Secretary, Great Eastern Hotel Company, Limited.
153	L 69—32587		100	Babu Baney Madhub Roy.

NOTES PARTIALLY LOST OR DESTROYED.

136	L 20—53819		5	The Chief Pay Master, East Indian Railway, Calcutta.
	„ 53818			
137	L 21—15756		5	Lall Mahomed.
	„ 15758			
138	L 74—71917		10	Messrs. Bose, Friend & Co.
	„ 87925			
139	L 61—53681		10	Babu Jogendro Chandra Mukerjee.
	L 72—90532			
	L 15—57636		5	
	„ 57965			
140	L 4—75636		10	Bhugwan Das Mimraj.
	L 32—39692			
	L 16—28560		5	
	„ 28561			
	„ 83683		5	
	„ 52031			
141	L 42—77528		10	Mozum Hossain.
	„ 77529			
142	L 22—47570		5	Messrs. B. Baboosaw & Co.
	„ 47571			
143	L 21—76195		5	Ojoodha Prosad Bajpie.
	„ 76196			
193	L 72—47652		10	Babu Borhandeo Narain.
	„ —47651		10	
	„ —47653		10	
	„ —47654		10	
194	L 77—56376		20	Babu Raj Kissen Banerjee.
195	L 48—79784		20	Messrs. Gisborne & Co.
	L 13—57428		20	
	L 45—55981		20	
	L 78—47673		20	
196	L 72—04607		10	Babu Behari Lal Sinha.
197	L 61—76144		10	Mr. T. M. Vigors.
	„ —76145		10	
198	L 82—07010		100	Messrs. Ram Kissen Das, Raghoo Nath Das.
199	L 73—57519		10	Mr. W. B. Cawham.
	„ —57520		10	
	„ —57521		10	
	L 22—93340		5	
200	L 61—88283		10	Babu Behari Lal Ghosal.
201	L 22—12601		5	Messrs. Modhoo Sudden Dey & Co.
202	L 77—08452		20	Mr. J. H. Toogood.
203	L 71—30648		10	Salikram Panday.
	L 74—59244		10	
204	A 92—60671		50	Babu Parbutty Nath Chatterjee.
205	L 61—29207		10	Ojoodha Prosad Bajpie.

CALCUTTA,—Paper Currency Office; *The 4th August* 1876.

R. E. HAMILTON, *Offg. Assistant Commissioner of Paper Currency.*

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
33	B 49—82827		10	Mrs. J. Graham, Madras.

NOTES PARTIALLY LOST OR DESTROYED.

101	B 49—35149		10	Theroovengadum Pillay, Madras.
102	B 39—40402		5	Goolam Hussain Sultan Ali, Madras.
103	B 41—84203		10	C. Rama Chandra Moodelliar, Madras.
104	B 44—86158		100	Pariasawmy, Pondicherry.
	B 50—00908		100	
17	B 37—60696 wrongly joined.		5	T. Vencatasooboo Moodelliar, Fort Bangalore.
	„ —60697 wrongly joined.			

FORT ST. GEORGE, Accts. Genl.'s Office, Paper Currency Dept.; *The 24th July* 1876.

W. DONALD, *Asstt. Accts. Genl., in charge of Paper Currency Dept.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 28th July 1876.

No. $\frac{C}{9}$.—Appointments in the Post Office Department made by the Director General of the Post Office.

POSTAL CIRCLE OF BENGAL.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Inspector of Post Office, Purneah Division	Rai Surja Narayan Banerji, Bahadur.	Mr. M. LeBreton.
1st Supernumerary Inspector of Post Office, attached to the Postmaster General's Office.	Mr. W. Alpin ...	Mr. J. Owens.
Inspector of Post Office, Burdwan Division	Rai Durga Narayan Banerji, Bahadur.	
Ditto ditto Dinagepore Division	Babu Bissen Chandra Datta.	
Superintendent, Dead Letter Office, Calcutta	Mr. A. C. Boyd.	
Deputy Postmaster, Calcutta ...	Mr. W. Merrett.	
Inspector of Post Office, Cuttack Division...	Babu Surja Kumar Ganguli.	
Ditto ditto Dacca Division ...	Mr. J. Owens ...	Babu Sarat Chandra Mukerji.
Ditto ditto Chittagong Division	Babu Sarat Chandra Mukerji ...	Mr. F. Higgins drawing deputation of Mr. Alpin's pay.
Ditto ditto Patna Division ...	Mr. J. Colthurst.	
Ditto ditto Howrah Division...	Babu Ramjiban Rai.	
Ditto ditto Calcutta Division...	Babu Srinath Mukerji.	
Ditto ditto Tirhoot Division ...	Mr. R. H. Stevens.	
Ditto ditto Hazaribagh Division	Mr. C. H. Lane.	
Ditto ditto Rajshahye Division	Mr. J. Carter.	
Ditto ditto Bhágalpur Division	Mr. C. H. Allnutt ...	Babu Surja Kanta Mitra.
2nd Supernumerary Inspector of Post Office, attached to the Postmaster General's Office.	Babu Sasipodda Banerji.	

No. $\frac{C}{10}$.—Appointments made by the Director General of the Post Office.

POSTAL CIRCLE OF SIND AND PERSIAN GULF.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Chief Inspector of Post Office, Sind and Persian Gulf	Mr. W. U. Hoghton.	
Post Master, Karachi	Mr. E. Smart.	

No. $\frac{C}{11}$.—Appointments made by the Director General of the Post Office.

POSTAL CIRCLE OF OUDH.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Chief Inspector of Post Office, Oudh...	Mr. John Dillon	Mr. G. J. Hynes.
Post Master, Lucknow	Lalla Rai Brindabun.	

No. 12.—Appointments made by the Director General of the Post Office.

POSTAL CIRCLE OF RAJPUTANA.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Chief Inspector of Post Office, Rajputana ...	Mr. C. E. Miller.	
Inspector of Post Office, Ajmir Division ...	Mr. J. Honner.	

No. 13.—Appointments made by the Director General of the Post Office.

POSTAL CIRCLE OF BOMBAY.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Inspector of Post Office, Guzerat Division ...	Khan Saheb Cursetjee Pallonjee.	
Inspector of Post Office, Poona Division ..	Mr. J. H. Bedford.	
Inspector of Post Office, Deccan Division ..	Mr. E. de C. Williams.	
Assistant Post Master, Bombay ...	Mr. G. J. Hynes ...	Mr. E. Hutton.
Supernumerary Inspector of Post Office attached to the Post Master General's Office ...	Mr. Babajee Suddoba.	
Marine Officer, 1st Grade ...	Mr. E. Hutton ...	Mr. W. J. Ham.
Ditto ditto ...	Mr. A. Row.	
Deputy Post Master, Bombay ...	Mr. V. M. Cabral.	
Superintendent, Dead Letter Office, Bombay ...	Mr. Ramchandra Bapuji.	
Post Master, Aden ...	Mr. J. Waller.	
Marine Officer, 2nd Grade ...	Mr. W. J. Ham ...	Mr. M. F. Ingle.
Ditto ditto ...	Mr. R. Oliver.	
Ditto ditto ...	Mr. A. F. Ingle ...	Mr. H. P. Todd.
Ditto ditto ...	Mr. L. G. Wait.	
Post Master, Poona ...	Mr. J. Gardiner.	
Inspector of Post Office, Kattywar Division ...	Mr. Ruttonjee Jamsedjee.	
Inspector of Post Office, Ahmedabad Division ...	Captain D. L. McD. Gleig.	
Inspector of Post Office, Cutch Division ...	Mr. F. de L. Williams ...	Mr. Chandulal Mathuradass.
Inspector of Post Office, S. M. Country Division ...	Mr. Girdhar Mahadeo ...	
Inspector of Post Office, Kanara Division ...	Mr. Cowasjee Jamsedjee ...	
Inspector of Post Office, Ahmednagar Division ...	Mr. Cursetjee Sorabjee.	
Inspector of Post Office, Konkon Division ...	Mr. F. B. O'Shea.	
Inspector of Post Office, Khandesh Division ...	Mr. Chandulal Mathuradass (on probation). ...	Mr. Moreshwar Raghoba.
Assistant Marine Officer, 1st Grade	Mr. F. Ingle ...	Mr. H. J. Hewett.
Ditto ditto ...	Mr. H. P. Todd ...	Mr. C. Lawder.

No. 14.—Appointments made by the Director General of the Post Office.

POSTAL CIRCLE OF TRAVELLING POST OFFICE.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Chief Superintendent, Travelling Post Office ...	Mr. P. Sheridan.	
Superintendent, Travelling Post Office, Agra Division ...	Mr. T. W. Hill.	
Superintendent, Travelling Post Office, Bengal Division ...	Mr. W. Ammon.	
Post Master, Frontier Parcel Transit Office, Allahabad ...	Lalla Mithun Lal.	
Superintendent, Travelling Post Office, Madras Division ...	Mr. W. Mackenzie. ...	Mr. J. B. Short.
Superintendent, Travelling Post Office, Bombay Division	Mr. J. B. Short. ...	Mr. J. Cornwall.
Superintendent, Travelling Post Office, Punjab Division ...	Mr. C. Goodburne.	

The 4th August 1876.

No. $\frac{C}{15}$.—Appointments in the Post Office Department made by the Director General of the Post Office.

POSTAL CIRCLE OF THE NORTH-WESTERN PROVINCES.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Postmaster, Allahabad ...	Mr. H. Hawkins.	
Inspector of Post Office, Agra Division.	Rai Salig Ram, Bahadoor.	
Supernumerary Inspector of Post Office, attached to the Postmaster General's Office.	Mr. C. S. Haygarth ...	Pandit Sundar Lal.
Inspector of Post Office, Moradabad Division.	„ R. Rose.	
Postmaster, Aligarh	Dr. C. E. Kilkelly ...	Lala Gur Sahai.
Inspector of Post Office, Meerut Division.	Mr. J. Goss.	
Postmaster, Agra	„ J. A. Collins	Mr. J. W. Welsh.
Ditto Cawnpore	„ J. W. Welsh... ...	Mr. F. P. Williams.
Ditto Meerut	„ C. E. Mountford.	
Superintendent, Dead Letter Office, Allahabad.	Pundit Sundar Lall ...	Lala Partap Singh.
Inspector of Post Office, Aligarh Division.	Lala Ganga Prasad.	
Inspector of Post Office, Fatehgarh Division.	„ Udai Lal.	
Inspector of Post Office, Allahabad Division.	Mr. C. L. Hanson.	
Inspector of Post Office, Benares Division.	Babu Radhakant Datta.	
Postmaster, Benares	Lala Bhikke Mal.	
Inspector of Post Office, Cawnpore Division.	„ Piari Lal.	
Inspector of Post Office, Bareilly Division.	Mr. H. M. Harcourt.	
Inspector of Post Office, Gorakhpur Division.	Lala Birj Lal.	
Inspector of Post Office, Indore Division.	Mr. R. G. Haygarth.	
Inspector of Post Office, Jhansi Division.	Lala Shambhu Nath.	
Inspector of Post Office, Sehore Division.	„ Debi Prasad.	

No. $\frac{C}{16}$.—Appointment made in the Post Office Department by the Director General.

POSTAL CIRCLE OF ASSAM.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Chief Inspector of Post Office, Assam	Mr. E. A. Roussac.	

No. $\frac{C}{17}$.—Appointments in the Post Office Department made by the Director General of the Post Office.

POSTAL CIRCLE OF THE CENTRAL PROVINCES.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Chief Inspector of Post Office, Central Provinces and Berars.	Mr. W. H. McGowan.	
Inspector of Post Office, Jubbulpore Division.	Mr. F. J. Jordan.	
Inspector of Post Office, Berar Division.	Mr. J. McLaughlin.	
Inspector of Post Office, Wardha Division.	Babu Radhika Nath Mookerjee	Babu Haradhone Holdar.
Inspector of Post Office, Nagpore Division.	Mr. F. Whymper.	

JOHN DILLON,
For *Director General of the Post Office of India.*

The 2nd August 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

The 4th August 1876.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 6th August 1876, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Sunday, the 6th August 1876, at 7 P.M.

Mails for Madras, Ceylon and the intermediate Ports, for transmission per Steamer *Socotra*, will be closed at the General Post Office on Monday, the 7th August 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Mirzapore*, will be closed at the General Post Office on Monday, the 7th August 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 8th August 1876.

2. Book post and pattern packets must be posted on the 7th August 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 11th August 1876, at 7 P. M.

Mails for Rangoon, Moulmein, Straits, Port Blair and Camorta, for transmission per Steamer , will be closed at the General Post Office Friday, the 11th August 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 4th August 1876.

Alexander, Miss A.
Alexander, Stanley.
Almandy, Stanley.
Anamities, Senoponte, Dr.
Andrew, John.
Appling, T. A.
Barber, Mrs. J.
Ball, E.
Berton, E. C.
Bull, A. W.
Campbell, J. W.
Christian, Miss.
Cornor, John (D. Company).
D'Monte, J.
Girding, Mr.
Gliffiin, Miss.
Guest, Mrs. H.
Haley, S.
Hassett, Mrs. M.A.
Hittie, Mr.
Hope, Private (No. 1968).
Hunter, H. D.
Johnson, W.
Jones, Col. Allen.
Keogh, M.
Keylner, R.
King, Mrs. E.
Kruger, W. J.
Kynoch, Geo.
Langworthy, E. M.
Legh, Mrs. A.
Lewis and Miller, Messrs.
Miller, James.
Murphy, B.
Ormsby, Mrs. A.
Owen, Miss.
Pay, Captain C. M.
Precesse, P.
Price, Mrs. R.
Raymond, Mr.
Robertson, Mrs. T.
Russell, Albert.
Seton, Geo.
Schoeneman, C. H.
Schmidt, F.
Shircore, Mrs. C. G.
Smith, Chas. H.
Soloman, P.
Sparling, F. C.
Thomasson, S. M.
Tissendie, R.
Walker, Wm.
White, Geo.

Letters marked "Care of Post Office, to be kept till called for."

A. E. P.
Beadle, H.
Birks, A. R.
Boulter, R. F.
Brownlow, Arthur.
Browne, D.
Bullers, T.
Chichester, R. E.
Croghan, W. J.
Dutton, B. C.
E. B.
E. F. W.
E. T. B.
Fernandez, J. T.
Fleming, Mrs. L. H.
Gaye, A. C.
Harris, T. J. P.
Hazard, John.
Heffernan, Mrs.
Holland, Capt. J.
Hollingsworth, J. B.
Howey, E. W.
Hindmarsh, William.
Jamarson, Wm.
Jones, A. G.
Kearns, E. W. F.
Kurrea.
Landeshut, Wolfe.
Lee, Mrs. A. J.
Lintott, James.
Locke, Henry.
MacIntyre, A.
MacPherson, J. J.
Mendes, V. E.
Micheli Aristodenio, Signr.
Mitchell, Dan.
Munro, Major C. A.
O'Brien, Capt. T. E.
Peters, W.
Pearce, G. S.
Phelan, T. W.
Phillips, James.
Phunk, Major-Genl.
Preston, Geo.
Rabontean, Mr.
Price, J.
Rean, T. R.
Rice, J. W.
Rose.
Rowcliffe, R. H.
Shine, W. L.
Smith, Geo. A.
Stephens, Dr.
Stewart. Dr. A. H.
Stuart, J.
Sutherland, Miss J.
Sykes, B.
T. B., Mrs.
Tanquarette, D.
Walker, G.
Winkla Patrick Waller & Co.
Wilson, G.
Wilson, L. W. J.
Wilcox, Mrs.

Papers.

Barker, H.
Beazley J. L.
Croghan, W. J.
Holland, Capt. H. O. H.
Mackay, J. B.
McNicol, John.
Munro, Major C. A.
Perrier, A.
St. George, F.

Parcels.

Versepuy, Monsieur V.

Registered Letters.

Boulter, R. F.
Taylor, Geo.
Taylor, W.
Sturt, R. L. N.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

Terms of subscription, payable annually in advance.

	Without Postage.	With Postage.
For the CALCUTTA SERIES ...	Rs. 35	Rs. 40
„ MADRAS SERIES ...	„ 8	„ 9
„ BOMBAY SERIES ...	„ 8	„ 9
„ ALLAHABAD SERIES ...	„ 8	„ 9
Complete set	„ 45	„ 50

The price of each Part purchased separately will vary according to the amount of matter it contains, and will be printed on the wrapper. It will, however, never be below the following :—

For a Part of the CALCUTTA SERIES ...	Rs.	3	8
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„ „ BOMBAY SERIES ...	„	1	0
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Complete set	„	4	0

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MESSRS. THACKER, SPINK AND CO., CALCUTTA;
MESSRS. THACKER, VINING AND CO., BOMBAY;
MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

List of Books for sale at the Library of the Asiatic Society of Bengal.

NO. 57, PARK STREET.

	Rs.	As.
Rig Veda Sanhitá, 4 fasci.	2	0
Uttra Naishadha, 12 fasci.	7	0
Chitanyá Chandrodaya, Nataka, 3 fasci. ...	1	14
Márkandeya Purána, 7 fasci.	4	6
Kámandaki, 3 fasci.	1	14
Srauta sutra, Asvaláyanna, 11 fasci.	6	14
——— Látyána, fasci. 9	5	10
Sankara Vijaya, 3 fasci, ...	1	14
Vaisheshika Darsana, 5 fasci.	3	2
Nyáya Darsana, 3 fasci.	1	14
Dasa Rupa, 3 fasci.	1	14
Nárada Pancharátra, 4 fasci.	2	8
Kaushitaki Brahmana Upanishad, 2 fasci. ...	1	4
Kávyádarsa, 5 fasci.	3	2
Sánkhyysára, 1 fasciculus	0	10
Brihat Sanhitá, 7 fasci.	4	6
Lalitavistara, 5 fasci.	3	2
Taittiriya Bráhman, 24 fasci.	15	0
Taittiriya Sanhitá, 28 fasci.	17	8
Taittiriya Aranyaka, 11 fasci.	6	14
Maitri Upanishad, 3 fasci.	1	14
Asvalayana Grihya Sutra, 4 fasci.	2	8
Mimánsá Drasana, 12 fasci.	7	8
Tándya Bráhmana, 19 fasci.	11	14
Gopatha Bráhmana, 2 fasci.	1	10
Atharvana Upanishad, 5 fasci.	3	2
Agni Purána, 8 fasci.	5	0
Sáma Veda Sanhitá, 15 fasci.	9	6
Gopála Tápani, 1 fasci.	0	10
Nrisinha Tápani, 3 fasci.	1	14
Chaturvarga Chintámani, 13 fasci.	8	2
Gobhiliya Grihya Sutra, 5 fasci.	3	2
Pingala Chhanda Sutra, 3 fasci.	1	14
Taittiriya Prátisakhiya, 3 fasci.	1	14
Prithiráj Rásu by Chand Bardai, 2 fasci. ...	1	4
Rájatarangini	4	0
Mahábhárata, vols. 3rd and 4th	40	0
Purána Sangraha	1	0
Pali Grammar, 2 fasci.	1	4
Brihadáranyaka Upanishad, English, 3 fasci. ...	1	14
Chhándogya Upanishad, English, 2 fasci. ...	1	4
Taittiriya, &c., Upanishads, English, 2 fasci. ...	1	4
Sánkhya Aphorisms, English, 2 fasci. ...	1	4
Sáhitya Darpana, English, 4 fasci.	2	8
Brahma Sutra, English	1	0
Kátantra Vyákarana, 4 fasci.	4	0
Dictionary of Arabic Technical Terms, 20 fasci. ...	25	0
Risala-i-Shamshiyah	1	4
Fihrist Tusi, 4 fasci.	3	0
Nukhbat-ul-Fikr	0	10
Futuh-ul-Sham, Waqidi, 9 fasci.	5	10
Futuh-ul-Sham, Ismail, 4 fasci.	2	8

	Rs.	A.
Maghazi of Waqidi, 5 fasci.	3	2
Suyuti's Itqan, 10 fasci.	8	0
Isabah, 23 fasci., with supplement	17	14
Tarikh Firuz Shahi, 7 fasci.	4	6
Tarikh-i-Baihaki, 9 fasci.	5	10
Muntakhab-ul Tawarikh, vols. 1, 2 and 3 fasci. 5	9	6
Maasir-i-Alamgiri, 6 fasci.	3	12
Wis-o-Ramin, 5 fasci.	3	2
Tabaqat-i-Nasiri, 5 fasci.	3	2
Iqbalnamah-i-Jahangiri, 3 fasci.	1	14
Alamgirnamah, 13 fasci., with index	8	2
Padishahnamah, 18 fasci., with index ...	11	14
Muntakhab-ul-Lubab, 19 fasci., with index ...	11	14
Ain-i-Akbari, 16 fasci.	20	0
Farhang-i-Rashidi, 14 fasci.	17	8
Khiradnamah-i-Iskandari, 2 fasci.	2	0
Fatawa-i-Alamgiri, vols. 2, 3	16	0
Ain Akbari, vol. I, English	12	4
Akbarnamah, 4 fasci.	5	0
Tabaqat-i-Nasiri, English, fasci. 6	6	0
Journal of the Asiatic Society of Bengal from vols. XII for 1842 to vol. XXXVI, 1867, except vols. 23, 24 and 29, prices as per title page.		
Asiatic Researches, vols. VII to XII and vols. XVII to XX each	10	6
Ditto ditto index ...	5	0
Catalogue of Mammalia	3	0
——— of Fossil Vertebrata	2	0
——— of Reptiles	3	0
——— of Sanskrit manuscripts	1	0
——— of Arabic and Persian manuscripts ...	1	0
Tibetan Dictionary	10	0
——— Grammar	8	0
Ross' Annals of Oman	2	0
Notices of Sanskrit manuscripts, 10 fasci. ...	10	0
Blochmann's Persian Prosody	5	0
The Aitarea Aranyaka of the Rig Veda, 2 fasci. ...	1	4
Istilahet-i-Súfiyah. Edited by Dr. A. Sprenger, 8vo.	1	0
Jawámi'ul'ilm-ir-Riází, 168 pages, with 17 plates, 4to.	2	0
Corcoran's Chinese Empire in Urdu, vols. I and II, per vol.	20	0
Wise's Hindu System of Medicine	9	0
The Pilgrimage of Fa Hian	5	0
Aboriginies of India, by B. H. Hodgson ...	3	0
History of the Afghans, Part I, by Dorn ...	5	0
Examination and Analysis of Mackenzie Manuscripts, by the Rev. W. Taylor	2	1
Han Koong Tsew, or the Sorrows of Han, by J. Francis Davis	1	8
Inayah, a Commentary on the Hidayah, vols. II, III and IV	24	0
Analysis of the Sher Chin, by Alexander Cosma de Koros	1	0

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st July 1876. *Price, Rs. 4; packing and postage, 8 annas.*

New edition.

P. W. D. Classified List, corrected up to 1st April 1876. *Price Rs. 2; packing and postage, 4 annas.*

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 12, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

HIGH COURT—Original Side.

The 10th day of August 1876.

The following Rules passed by the High Court of Judicature at Fort William in Bengal are published for general information.

By Order,
R. BELCHAMBERS,
Registrar.

The following rules, made pursuant to Section 148 *of the "High Court's Criminal Procedure Act,* 1875," *are to come into effect as the rules of the High Court of Judicature at Fort William in Bengal from the first day of October* 1876 :—

1. Every application to the Court to admit a prisoner to bail shall [unless otherwise ordered] be supported by affidavit, or affirmation, stating when, by whom, and under what circumstances, the prisoner was committed to custody, and where he is detained in custody. If the Court shall think fit to order that the prisoner be admitted to bail, the order shall be drawn up with a direction that a warrant be issued to bring up the prisoner before the Court for the purpose of being bailed.

2. When a person shall be in custody in any case ordered to be transferred to this Court from any Criminal Court situate within the local limits of its Ordinary Original Criminal Jurisdiction, the order for the transfer of the case shall be drawn up with a direction that a warrant be issued to bring up the person so in custody to be dealt with according to law. In every other case not otherwise provided for, in which it may be necessary that a prisoner should be brought up before the Court to be dealt with according to law, an application must be made to the Court, supported [unless otherwise ordered] by affidavit, or affirmation, stating when, by whom, and under what cirumstances, the prisoner was committed to custody, and where he is detained in custody.

3. Every application to bring up before the Court a person alleged to be illegally or improperly detained in custody, shall be supported by affidavit, or affirmation, stating where and by whom the person is detained in custody, and [so far as they are known] the facts relating to such detention, with the object of satisfying the Court that there is probable ground for supposing that such person is detained in custody against his will and without just cause.

4. Every application to bring up a prisoner before the Court to be examined as a witness shall be supported by affidavit, or affirmation, stating where the prisoner is detained in custody, and for what purpose his evidence is required.

5. When a prisoner, detained in custody within the local limits of the Ordinary Original Criminal Jurisdiction of this Court, shall be required to be brought before a Court Martial, or any Commissioners acting under the authority of any commission from the Governor General in Council, for trial, or to be examined as a witness, the presiding officer of such Court Martial, or the presiding officer acting under such commission, shall send an application to this Court in writing. The application shall be in the form of a letter addressed to the Registrar of this Court, in its Original Jurisdiction, stating the purpose for which the said Court Martial has been assembled, or the authority under which the said Commissioners are acting, and also stating where the prisoner is detained in custody, and when, where, and for what purpose, he is required to be produced. It shall be the duty of the Registrar to submit the letter, as soon as possible after the receipt thereof, to, and to obtain the order thereon of, the Judge of this Court exercising Ordinary Original Jurisdiction.

6. Every application to remove a prisoner from one custody to another, for the purpose of trial, shall be on notice to the prisoner, and shall [unless otherwise ordered] be supported by affidavit, or affirmation, stating where the prisoner is detained in custody, to what other custody it is proposed

to remove him, and the reason for such change of custody.

7. The Sheriff shall, as soon as possible after the arrest of any person under a warrant of arrest issued under the High Court's Criminal Procedure Act, bring up the body of such person before the Court to be dealt with according to law. If the Sheriff shall fail to comply with this direction, or if, after he shall have complied therewith, it shall at any time be necessary that the prisoner should be brought up before the Court, the application for that purpose shall be supported by the production of the Sheriff's return of *Cepi Corpus* to the warrant of arrest. The officer having the custody of the Sheriff's return shall cause the same to be produced before the Court on a requisition to him in writing.

8. When an application is made under Rules 1, 2, and 3, to bring up before the Court a person in custody under a warrant to detain such person, a copy of the warrant under which he is detained, obtained from and authenticated by the signature of the person in whose custody the applicant is, shall be produced to the Court; or it shall be shown by affidavit, or affirmation, that it has been asked for and denied.

9. The affidavit, or affirmation, required by Rules 1, 2, 3 and 8, shall be made by the person alleged to be in custody, unless it be shown that by reason of restraint, or coercion, or other sufficient cause, he is unable to make it, in which case it shall be made by some other person.

10. In any case in which the Court shall order a person in custody to be brought either before it, or before a Court Martial, or before Commissioners acting under the authority of a commission from the Governor General in Council, or, to be removed from one custody to another, a warrant in writing shall be prepared and signed by the Registrar, or the Clerk of the Crown, and countersigned by the Judge who made the order, and sealed with the seal of the Court.

11. Such warrant when issued under rule 5 shall be forwarded by the Registrar, or Clerk of the Crown, to the Officer in charge of the jail in which the prisoner is confined. In every other case, the warrant shall, unless otherwise ordered, be delivered to the attorney of the applicant, who shall cause it to be served personally upon the person to whom it is directed, or otherwise, as the Court shall direct.

12. The forms of warrant prescribed in the annexed schedule shall be followed with such variations as the circumstances of each case may require.

RICHARD GARTH.
F. B. KEMP.
A. G. MACPHERSON.
W. MARKBY.
CHARLES PONTIFEX.
W. AINSLIE.
E. G. BIRCH.
G. G. MORRIS.
RAMESH CHUNDER MITTER.

FORM OF WARRANT UNDER RULE 1.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CRIMINAL JURISDICTION.

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

To the Officer in charge of the [*name of jail*]. You are hereby required to have the body of now a prisoner in the [*name of jail*], under safe and sure conduct, before the High Court, on its Original Side, on the day of next, by of the clock, in the forenoon of the same day, to be dealt with according to law, and you shall then and there abide by such order as shall in that behalf be made by the said Court. [*If the prisoner is detained in public custody, add*] And unless the said shall then and there be bailed, and by the said Court ordered to be released from custody, cause him, after the said Court shall have dispensed with his further attendance, to be conveyed, under safe and sure conduct, back to the said jail.

Dated this day of 187 .

Registrar.
[*Or Clerk of the Crown*].

FORM OF WARRANT UNDER RULE 2 OR RULE 7.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CRIMINAL JURISDICTION.

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

To the Officer in charge of the [*name of jail*], *or* of the [*name of asylum*], *or* to [*name of Officer*] in charge of an alleged lunatic. You are hereby required to have the body of now a prisoner in the [*name of jail*], *or* now in custody at the [*name of asylum*], *or* now in your charge, under safe and sure conduct, before the High Court, on its Original Side, at on the day of next, by of the clock, in the forenoon of the same day, there to be dealt with according to law, and, unless the said shall then and there by the said Court be ordered to be discharged, cause him, after the said Court shall have dispensed with his further attendance, to be conveyed, under safe and sure conduct, back to the said jail, [*or asylum, or other custody*].

Dated this day of 187 .

Registrar.
[*Or Clerk of the Crown*].

FORM OF WARRANT UNDER RULE 3.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CRIMINAL JURISDICTION.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the faith, and so forth.

To the Officer in charge of [*name of jail, or lunatic asylum, or other place where the person is detained in custody*], *or* to [*name of person*]. You are hereby required to have the body of now a prisoner in your custody [*or now in your custody*] before the High Court, on its Original Side, on the day of next, by of the clock, in the forenoon of the same day, to be dealt with according to law, and you shall then and there before the High Court, on its Original Side on the day of next, by of the clock, in the forenoon of the same day, for the purpose of being bailed, and, unless the said shall then and there be bailed, and by the said Court ordered to be released from custody, cause him, after the said Court shall have dispensed with his further attendance, to be conveyed, under safe and sure conduct, back to the said jail.

Dated this day of 187 .

Registrar.
[*Or Clerk of the Crown*].

detained in public custody, add] And unless the said shall then and there by the said Court be ordered to be released, you shall, after the said Court shall have dispensed with his further attendance, cause him to be conveyed, under safe and sure conduct, back to the said [jail, or asylum, or other place of custody].

Dated this day of 187 .

Registrar.
[*Or Clerk of the Crown*].

FORM OF WARRANT UNDER RULE 4.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CRIMINAL JURISDICTION.

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

To the Officer in charge of the [*name of jail*]. You are hereby required to have the body of now a prisoner in the [*name of jail*], under safe and sure conduct, before the High Court, on its Original Side, on the day of next, by of the clock, in the forenoon of the same day, there to give testimony in a certain charge or prosecution now pending before the said Court against and, after the said shall then and there have given his testimony before the said Court, or the said Court shall have dispensed with his further attendance, cause him to be conveyed, under safe and sure conduct, back to the said [*name of jail*].

Dated this day of 187 .

Registrar.
[*Or Clerk of the Crown*].

FORM OF WARRANT UNDER RULE 5.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CRIMINAL JURISDICTION.

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

To the Officer in charge of the [*name of jail*]. You are hereby required to have the body of now a prisoner in the [*name of jail*], under safe and sure conduct, before the Officers assembled at a Court Martial [*or before the Commissioners acting under the authority of a commission from the Governor-General in Council*], at on the day of next, by of the clock, in the forenoon of the same day, for the trial of the said [*or* there to give testimony in a certain trial now pending before the said Court Martial, or the said Commissioners, against [*or* as the case may be], and, after the trial of the said *or* after the said shall then and there have given his testimony] before the said Court Martial, [*or the said Commissioners*], or the said Court Martial, [*or the said Commissioners*] shall have dispensed with his further attendance, cause him to be conveyed, under safe and sure conduct, back to the said [*name of jail*].

Dated this day of 187 .

Registrar.
[*Or Clerk of the Crown*].

FORM OF WARRANT UNDER RULE 6.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

ORDINARY ORIGINAL CRIMINAL JURISDICTION.

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

To the Officer in charge of the [*name of jail*]. You are hereby required to cause the body of now a prisoner in the [*name of jail*] to be conveyed, under safe and sure conduct, to the jail at , and, on or before the day of made over to the Officer in charge of such jail to be by him there kept in intermediate custody for the purpose of trial before the High Court, in the exercise of Original Criminal Jurisdiction, at its next sittings to be held at [*name of place*].

Dated this day of 187 .

Registrar.
[*Or Clerk of the Crown*].

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 7th August 1876.

No. 12.—Mr. J. S. Lincoln, an Assistant Superintendent of the 1st Grade, is allowed subsidiary leave for sixteen days to rejoin appointment under Section 18(b) of the Civil Leave Code, with effect from the forenoon of the 14th June 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 10th August 1876.

No. 44.—Mr. W. H. Davy, 4th Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave from 8th October to 16th November 1875, under Section 12 of Supplement F of the Civil Leave Code.

No. 45.—Sergeant J. H. Hamilton, R.E., Military Signaller, has been granted by the Director, Persian Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from afternoon of 7th May 1876.

W. PALMER,
Examiner of Telegraph Accounts.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 7th August 1876.

No. 25.—Mr. A. Porter, Sub-Engineer, 1st Grade (temporary), returned on the forenoon of the 17th July 1876, from two months' privilege leave granted him in Notification No. 22, dated 19th June 1876.

No. 26.—Baboo Gyan Chunder Roy, Assistant Engineer, 2nd Grade, returned on the afternoon of the 7th July 1876, from two months' privilege leave granted in Notification No. 18, dated 3rd June 1876.

No. 27.—Baboo Nocoor Kristo Mookerjee, Overseer, 1st Grade, availed himself of three months' privilege leave granted in Notification No. 24, dated 26th June 1876, on the afternoon of the 13th July 1876.

No. 28.—Mr. C. E. Gael, Executive Engineer, 4th Grade, Neemuch Division, has been granted three months' privilege leave from the 18th July 1876, inclusive.

No. 29.—Mr. R. E. Nelson, Assistant Engineer, 1st Grade, is appointed to officiate as Executive Engineer, Neemuch Division, during the absence on privilege leave of Mr. C. E. Gael, whom he relieved on the afternoon of the 17th July 1876.

No. 30.—Mr. H. F. White, Executiv eEngineer, 2nd Grade, returned on the afternoon of the 15th July 1876, from three months' privilege leave granted in Notification No. 6, dated 15th March 1876.

No. 31.—Captain G. R. Gibbs, Assistant to Chief Engineer, Central India, appointed to officiate as Executive Engineer, Bundelcund Road Division, *vide* Notification No. 14 dated 21st April 1876, was relieved by Mr. H. F. White, Executive Engineer, 2nd Grade, of the charge of that division on the afternoon of the 15th July 1876, and rejoined his substantive appointment on the 20th idem.

No. 32.—Mr. A. T. Goodfellow, Assistant Engineer, 2nd Grade, returned on the afternoon of the 21st July 1876 from three months' leave to study the language, granted in Notification No. 11, dated 17th April 1876.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Simla, the 1st August 1876.

LEAVE OF ABSENCE.—Mr. Gorden Henry Cooke, Assistant Superintendent of Revenue Survey, 2nd Grade, for three months, from the 10th August 1876, under Civil Leave Code, Section 21, Chapter VI, for the purpose of studying the native languages.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

PUBLIC WORKS DEPARTMENT— Military Works.

NOTIFICATIONS.

Simla, the 5th August 1876.

No. 85.—With the approval of the Government of India, Public Works Department, Mr. R. J. Bailey, Assistant Engineer, 2nd Grade, is appointed to officiate as Executive Engineer, Agra Division, Military Works, during the absence on privilege leave of Lieutenant S. C. Turner, R.E., or until further orders.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 3rd August 1876.

No. 40.—With reference to this Office Notification No. 33, dated the 15th June last, Mr. W. E. Ekstein, Assistant Engineer, 1st Grade, took over charge of the Fyzabad Division, Military Works, from Mr. E. LeLievre, Executive Engineer, on the forenoon of 31st ultimo, the latter Officer having availed himself of the three months' privilege leave granted him by this Office Notification No. 32, dated 15th June 1876, from the same date.

No. 41.—With reference to this Office Notification No. 26, dated the 11th May last, Overseer Nundoo Singh, attached to Pachmarhi Division, returned to duty on the 28th ultimo, from the three months' privilege leave granted to him, *vide* Superintending Engineer's Notification No. 20, dated the 20th April 1876.

The unexpired portion of four days of his leave is hereby cancelled.

The 7th August 1876.

No. 42.—With reference to this Office Notification No. 27, dated the 19th May last, Mr. J. Beale, Sub-Engineer, 1st Grade, 2nd Allahabad Division, Military Works, availed himself of the three months' privilege leave therein granted from the 1st instant.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 7th August 1876.

No. 31.—With reference to Superintending Engineer's Notification No. 27 of 19th July 1876, Mr. J. Robinson, temporary Executive Engineer, 4th Grade, Bareilly Division, Military Works, availed himself of one month's privilege leave on the forenoon of 25th July 1876.

The 8th August 1876.

No. 32.—With reference to Superintending Engineer's Notification No. 20 of 18th May 1876, Barrack Sergeant J. S. Old, Meerut Division, Military Works, returned from three months' privilege leave on the forenoon of the 31st July 1876. The unexpired portion of his leave (eight days) is hereby cancelled.

R. TYNDALL, *C.E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

Umballa, the 4th August 1876.

No 18.—Mr. A. C. Calder, Accountant, 3rd Grade, attached to the Umballa Division, Military Works, is allowed two months and nineteen days' privilege leave from the 21st August 1876, or such subsequent date as he may be permitted to avail himself of it.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

Rawul Pindi, the 3rd August 1876.

No. 13.—Captain A. C. Padday, R.E., Executive Engineer, 2nd Grade, Lahore Division, Military Works, is allowed privilege leave for fifty-six days, from the 14th August 1876, or such subsequent date as he may be able to avail himself of it.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

CONSULTING ENGINEER'S OFFICE— GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 8th August 1876.

With reference to the Notification of the Government of India, Public Works Department, No. 344, dated the 28th July 1876, Lieutenant D. A. Scott, R.E., who has been appointed to officiate as Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta, joined his appointment on the forenoon of the 7th instant.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consg. Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 5th August 1876.

No. 128.—The under-mentioned Upper Subordinates of the Punjab Northern State Railway are transferred to the Indus Valley State Railway:—

Mr. A. Wallace, Sub-Engineer, 1st Grade.
Sub-Conductor M. Johnstone, Sub-Engineer, 2nd Grade.
Baboo Tej Rae, Supervisor, 2nd Grade.

The 7th August 1876.

No. 129.—Mr. S. de V. H. Alexander, Executive Engineer, 2nd Grade, Holkar State Railway, on special duty at Calcutta, is granted furlough for two years, also subsidiary leave for thirty days, with effect from the 17th August 1876, or such date as he may avail himself of the same.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 8th August 1876.

No. 39.—With reference to Notification No. 341, dated 27th July 1876, by the Government of India, Public Works Department, Mr. J. Moran joined the Office of Examiner of Accounts, Rajputana State Railway, on the forenoon of the 7th instant.

KELLOW C. PYE,
Manager.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 4th August 1876.

No. 197.—TRANSFER.—Mr. H. E. Gabler, Supervisor, 1st Grade, No. 3 Rungpore Branch Division, is temporarily transferred to the Store Department from the forenoon of the 24th June.

No. 198.—TRANSFER.—Baboo Jadub Chunder Dey, Overseer, 1st Grade, No. 5 Division, is transferred to the Porada Section, which he joined on the forenoon of the 28th July 1876.

No. 199.—LEAVE.—Baboo Bunsgopaul, Overseer, 3rd Grade, was on leave on medical certificate from 1st to 30th September 1875, both days inclusive.

The 7th August 1876.

No. 200.—Notifications Nos. 99 and 112 of 8th October and 13th December 1875, respectively, are cancelled.

No. 201.—Mr. J. R. Scott, Assistant Engineer, is granted seventeen days' privilege leave in extension of that granted him in this Office Notification No. 62 of 26th July 1875.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 31st July 1876.

No. 78.—Mr. J. R. Bell, Executive Engineer, Bahawalpur Division, is transferred to the Sutlej Bridge Division.

No. 79.—With reference to Director of State Railways' Notification No. 35 of 24th February 1876, Mr. J. Duffy, temporary Supervisor, 2nd Grade, was relieved of his duties on this line on the 6th December 1875.

No. 80.—Lalla Mungoo Ram, Apprentice Accountant, attached to the Central Office of Accounts, has been granted privilege leave for twenty-one days, with effect from the forenoon of 31st July 1876.

No. 81.—Mr. R. Gatmell, Sub-Engineer, 2nd Grade, Sutlej Bridge Division, is granted an extension of one month's privilege leave from 4th August 1876.

No. 82.—The following transfer has been made by the Superintending Engineer, Mooltan District:—

Mr. J. Elston, Assistant Engineer, 1st Grade, from the Shujabad to the Bahawalpur Division.

M. RAYNE,
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 3rd August 1876.

No. 21.—With reference to Notification No. 19, dated 1st instant, Lieutenant C. C. C. Barlow, R.E., reported his arrival at head quarters, Agra Division, on the morning of 1st idem.

The 8th August 1876.

No. 22.—With reference to Notification No. 20, dated 1st instant, Mr. D. A. Duns, temporary Assistant Engineer, 1st Grade, reported his arrival at head quarters of the Chumbul Division on the forenoon of the 7th idem.

HORACE BELL,
Offg. Engineer-in-Chief.

LACCADIVE COIR YARN.

FOR SALE.—At the Sea Custom House, Calicut, the following quantities of the above, being the produce of the sequestrated estate of Sultan Ali, Rajah of Cannanore and of the Laccadive Islands :—

1st sort,	...	About 220 Candies.
2nd ,,	...	,, 337 ,,
3rd ,,	...	,, 11 ,,
TOTAL	...	568

Parties desirous of purchasing the above should apply in person or by agent at the Malabar Collector's Office, Calicut.

CALICUT, *The 4th July* 1876.

W. LOGAN,
Collector.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
24	... D 6—99099	... 10	... The Post Master General, North-Western Provinces, Allahabad.
25	... D 11—13432	... 10	... Narsing Dass, Cawnpore.

NOTES PARTIALLY LOST OR DESTROYED.

48	... D 4—61301	Rs. 50	... Messrs. J. F. Kitchen & Sons, Roorkee.
49	... A 13—81332	... 100	... Muddun Mohun Bose, Calcutta.

ALLAHABAD,—Paper Currency Office; *The 3rd August* 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
1876-77.			
12	... C 99—22502	... 20	... Dayabhoy Cullianje, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

1876-77.		Rs.	
29	... M 2—42454 wrongly joined. ,, 42453	5	... Mrs. Mary Ann Towney, Bombay.
100	... C 85—72429	50	... Mr. Edulje Sorabje, Bombay.
101	... M 5—57179	50	... Messrs. King, King & Co., Bombay.
	C 84—61395	20	...
14	... M 17—57857 wrongly joined. ,, —57841	10	... Lulloobhoy Gungadass, Bombay.
90	... C 84—62834	20	... Nara Bhicajee Bhagwat.
72	... M 24—58496	100	... Captain Charles John Wyndham, Baroda.
92	... C 99—59190	20	... Jaichand Moolchund Ghandy, Rajkote.

BOMBAY,—Paper Currency Dept.; *The 2nd August* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Coconada Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
B 36—36427	... 5	... T. Gooroosawmy Modellier, Black Town, Madras.
I 3—08937	... 100	... C. Ramakistna Naidu, Madras.
I 3—08938	... 100	...

COCONADA,—Paper Currency Dept.; *The 28th July* 1876.

H. RICHARDSON,
Depy. Collr. in charge of Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 13—13805	... 5	... Mr. Muncherjee Ardasur, Clerk, Executive Engineer's Office, Bellary Division.
G 13—17216	... 5	... Talaram Jaramul, Treasurer, Mooktyarkar's Office, Jacobabad.

KURRACHEE,—Paper Currency Dept.; *The 3rd August* 1876.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
154	... L 67—44523	... 50	... Captain L. Blathwayte, S. C., Assistant Commissioner, Hazareebaugh.
	,, —44524	... 50	...
	,, —44525	... 50	...
	,, —44526	... 50	...
	,, —44527	... 50	...
	,, —44528	... 50	...
155	... L 65—55777	... 20	... Babu Narsing Das.
	L 78—90177	... 20	...
156	... L 21—51075	... 5	... The District Superintendent of Police, Hooghly.
157	... L 52—39192	... 500	... Babu Pran Krishto Roy.
	,, —40805	... 500	...
	L 67—81859	... 50	...
158	... L 75—10068	... 10	... The Officiating Post Master General of Bengal.
	L 25—22605	... 5	...
	,, —22606	... 5	...
	,, —22607	... 5	...
160	... L 67—44486	... 50	... Babu Wottum Chunder Ghose.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
144	... L 23—15938	... 5	... Captain W. A. Roberts, R. H. A.
	,, 15939	...	
146	... L 61—51325	... 10	... Abdul Hai.
	,, 51323	...	
147	... L 78—73333	... 20	... Rai Grish Chander Das, Bahadoor.
	,, 73334	...	
148	... L 16—72181	... 5	... Hosaree Mull Sagore Mull.
	,, —51062	...	
	L 15—71586	... 5	...
	L 17—38413	...	
149	... L 14—18981	... 20	... Hungsoraj Chunder Paul.
	,, 18974	...	
150	L 34—47623	... 10	... Mr. Carles B. W. le Mesurier.
	L 32—05976	...	
151	A 49—60408	... 10	... Babu Behari Lal Chully.
	L 60—16298	...	
152	L 22—44167	... 5	... Shib Dyal.
	,, 44168	...	
	L 16—94067	... 5	...
	,, 94068	...	
206	... L 71—36701	... 10	... Babu Bhyron Prosad.
207	... L 74—15409	... 10	... Babu Jadub Chundra Bannerjee.
208	... L 77—08358	... 20	... Babu Bhoot Nath Mookerjee.
	L 78—52107	... 20	...
209	... L 71—37096	... 10	... Babu Prosonna Koomar Guha.
210	... L 34—04753	... 10	... The Agent, Chartered Mercantile Bank of India, London and China.
	L 77—59409	... 20	...
211	... L 24—83594	... 5	... Babu Bhola Nath Ganguly.
	,, —83595	... 5	...
212	... L 78—37566	... 10	... Babu Bani Madub Mookerjee.
213	... A 98—47845	... 10	... Mr. Thomas Major.
214	... L 82—12899	... 100	...
	L 67—79529	... 50	...
	L 63—80802	... 20	...
	L 48—44182	... 20	...
	L 72—20857	... 10	... Shib Dyal.
	,, —72797	... 10	...
	,, —72794	... 10	...
	L 39—23615	... 10	...
	L 42—73658	... 10	...
	L 57—59607	... 10	...

CALCUTTA,—Paper Currency Office; *The 11th August* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 2—02487	... 500	... Vysyara Palya Konda Setty, Arkalode, Mysore.
J 3—59502	... 20	... E. Sundaram Iyer, Pleader, Shimoga, Mysore.
J 3—89579	... 100	... Chakieth Ramoony, Cannanore.
J 7—46435	... 5	... Pay Serjeant J. L. Stathan, D. Battery, 20th Brigade, R. A., Bangalore.
J 6—82495	... 10	...
J 6—35397 wrongly joined. ,, —35395	10	... B. Ramiah Chetty, Merchant, Vellore.
J 6—80207	... 10	... W. H. Bartlet, Esq., Cochin.
J 6—50506 wrongly joined. ,, 50504	5	... C. Moothoo Coomara Moodeliar, Shroff, Madras Bank.
J 3—86218	... 100	... Moothoo Chetty, Egrodiporom, Samrajanugger Taluq, Mysore.

CALICUT,—Paper Currency Office; *The 4th August* 1876.

P. A. COLE,
Dy. Collector, in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
30	... E 4—89752	... 50	... Mr. J. S. Saint, Apothecary, Lahore.
31	... E 1—29932	... 1,000	... Nund Lal, Arora, Jummoo.

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
37	... E 4—89431	... 50	... Chunni Lal, Kunjah, *vid* Gujrat.

LAHORE.—Paper Currency Office; *The 4th August* 1876.

I. C. BOSE.
Asstt. to Acctt. Genl., in charge of Currency Office.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
35	... B 28—71628	... 500	... Krishna Hutta, Poona.
	„ —72631	... 500	...
36	... B 42—39860	... 20	... R. Narayana Row, Trichinopoly.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
105	... B 35—90484	... 20	... Mr. G. A. S. Thomson, Madura.
	B 43—29211	... 50	...
106	... B 39—59210	... 5	... Vencotee Row, Sheally.
	„ —60792	... 5	...
107	... B 40—12955	... 5	... Padmanaba Iyer, Collegal.
108	... B 9—48456	... 20	... P. S. Gurumurthi, Madras.
109	... B 40—01339	... 5	... Mr. J. Watson, Negapatam.
110	... B 49—07176	... 10	... Mr. R. A. Bowie, Shemogah.
111	... B 44—56129	... 100	... Krishna Hutta, Poona.
14	... B 42—04034 wrongly joined.	20	... G. Davarajooloo Naidu, Madras.
	„ —03794 wrongly joined.		

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 31st July* 1876.

W. DONALD,
Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
F 7—65888	... 10	... Usuf Ally, Urdu Teacher, Zillah School, Damoh.
F 7—65889	... 10	...

NAGPUR,—Paper Currency Office; *The 2nd August* 1876.

H. KEENE,
Asstt. to Acct. Genl., C. P., in charge of Paper Currency.

Statement of the Affairs of the Bank of Bengal for the week ending 8th August 1876.

LIABILITIES.			Rs.	A.	P.
Capital paid up	...	...	2,00,00,000	0	0
Reserve Fund ...	...	...	16,44,332	7	9
	Rs.	A. P.			
Public Deposits at Head Office	1,45,82,868	0 0	3,47,36,691	9	4
Public Deposits at Branches	2,01,53,823	9 4			
Other Deposits at Head Office and Branches ...	...	...	2,02,41,267	6	4
Bank Post Bills, &c.	...	...	3,88,153	12	4
Sundries	...	...	5,92,743	0	2
Rupees		...	7,76,03,188	3	11

ASSETS.			Rs.	A.	P.
Government Securities	...	...	1,57,23,156	13	6
Loans on Government Securities, &c., at Head Office and Branches	...		51,06,894	10	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...	...	...	40,45,048	6	7
Bills discounted and purchased at Head Office and Branches	...		1,81,06,843	10	7
Balances with other Banks	...		4,34,740	6	1
Bullion ...	...	...	14,796	7	0
Dead Stock ...	...	...	10,52,542	7	4
Stamps ...	...	...	10,757	7	10
Sundries ...	...	...	5,72,844	4	5
			4,50,67,564	9	8
	Rs.	A. P.			
Cash and Currency Notes at Head Office	1,35,11,543	4 0	3,25,35,623	10	3
Cash and Currency Notes at Branches ...	1,90,24,080	6 3			
Rupees		...	7,76,03,188	3	11

By order of the Directors,

BANK OF BENGAL, *Calcutta, 10th August* 1876.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

ACCOUNTANT GENERAL'S OFFICE.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 347.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the* 31*st July* 1876.

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Central Provinces...	May 1876	July 13, 1876
2	Indo-European Telegraph.	Ditto ...	Do. 19 „
3	Assam ...	Ditto ...	Do. 20 „
4	Indian Telegraph...	Ditto ...	Do. 24 „
5	Oudh ...	Ditto ...	Do. 25 „
6	Rajpootana ...	Ditto ...	Do. 26 „
7	Coorg ... / Grand Trunk Road, Lahore to Jhelum	Ditto ...	Do. 27 „
9	Port Blair ...	Apl. 1876	Do. 31 „
10	Madras ...		Do. 5 „
11	Bengal / Hyderabad / Hyderabad Assigned Districts.	Ditto ...	Do. 7 „
14	Central India ...	Ditto ...	Do. 10 „
15	Bombay ...	Ditto ...	Do. 12 „
16	British Burmah ...	Ditto ...	Do. 15 „
17	Mysore ...	Ditto ...	Do. 22 „
18	Punjab ...	Ditto ...	Do. 24 „
19	Military Works ...	Mar. 1876	June 17, „
20	North-Western Provinces.	Ditto ...	July 14 „

IRRIGATION.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Rajpootana ...	May 1876	July 14, 1876
2	Mysore ...	Ditto ...	Do. 31 „
3	Madras ... / Bengal ...	Apl. 1876	Do. 5 „
5	Bombay ...	Ditto ...	Do. 12 „
6	British Burmah ...	Ditto ...	Do. 24 „
7	Punjab ...	Mar. 1876	May 29 „
8	North-Western Provinces.	Ditto ...	June 12 „

GUARANTEED RAILWAYS.

1	Madras ...	Apl. 1876	July 5, 1876
2	Oudh ...	Ditto ...	Do. 6 „
3	Bombay ... / Bengal ...	Ditto ...	Do. 12 „
5	Punjab ...	Mar. 1876	May 29, „

STATE RAILWAYS (CAPITAL).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Kosi Survey ...	May 1876	June 28, 1876
2	Calcutta and South-Eastern State Ry.	Ditto ...	July 3 „
3	Wurdah Valley ...	Ditto ...	Do. 10 „
4	Sindia ...	Ditto ...	Do. 19 „
5	Western Rajpootana	Ditto ...	Do. 20 „
6	Rajpootana ...	Ditto ...	Do. 22 „
7	Nulhati ... / Punjab Northern	Ditto ...	Do. 24 „
9	Nizam's ...	Ditto ...	Do. 28 „
10	Indus Valley ...	Ditto ...	Do. 31 „
11	Rangoon and Irrawaddy Valley. / Rangoon and Sittang Valley.	Apl. 1876	Do. 15, „
13	Northern Bengal ...	Ditto ...	Do. 17 „
14	Holkar / Neemuch	Ditto ...	Do. 20 „
16	Store-keeper, Calcutta.	Mar. 1876	May 24, „
17	Hubbie and Karwar	Ditto ...	June 10 „
18	Assam Extension...	Ditto ...	Do. 12 „
19	Tirhoot ...	Ditto ...	Do. 21 „

STATE RAILWAYS (REVENUE).

1	Calcutta and South-Eastern.	May 1876	July 3, 1876
2	Wurdah Valley ...	Ditto ...	Do. 10 „
3	Oomraotee ... / Khamgaum ...	Ditto ...	Do. 14 „
5	Rajpootana ...	Ditto ...	Do. 23 „
6	Nulhati ...	Ditto ...	Do. 24 „
7	Holkar ...	Ditto ...	Do. 26 „
8	Punjab Northern ...	Ditto ...	Do. 27 „
9	Nizam's ...	Ditto ...	Do. 29 „
10	Tirhoot ...	Mar. 1876	June 21 „

Simla, the 2*nd August* 1876.

J. J. McLEOD INNES, *Lieut.-Colonel*,
Accountant-General, P. W. Dept.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
July 31st, 1876 ...	...	...	...	91,68,101	...
August 1st „ ...	...	...	...	91,68,070	...
„ 2nd „ ...	24,000	...	24,000	91,28,039	...
„ 3rd „ ...	...	...	24,000	91,28,006	...
„ 4th „ ...	...	...	24,000	91,28,235	...
„ 5th „ ...	...	...	24,000	91,28,205	...

CALCUTTA MINT, *The 7th August* 1876.

C. H LUARD,
Offg. Mint Master.

POST OFFICE.

NOTIFICATION.

Calcutta, the 2*nd August* 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

Calcutta, 10*th August* 1876.

No. $\frac{C}{18}$.—Appointments in the Post Office Department made by the Director General of the Post Office.

POSTAL CIRCLE OF MADRAS.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Inspector of Post Office, Mount Division ...	Mr. T. Rhenius.	
Ditto ditto Bangalore Division	Mr. C. S. Bonifacio.	
Ditto ditto Trichinopoly Divn.	Mr. J. G. Combes.	
Ditto ditto Hyderabad Division	Mr. G. Barton Groves.	
Ditto ditto Palamcotta Division	Mr. E. H. Gregory.	
Supernumerary Inspector of Post Office attached to the Postmaster General's Office.	Mr. C. V. Kristnama Charlu ...	Mr. H. M. D'Rozario (from 6th April to 14th May 1876).
Inspector of Post Office, Coimbatore Division	Mr. G. W. Cresswell.	
Superintendent, Dead Letter Office, Madras	Mr. R. McKillop ...	Mr. J. Dique.
Inspector of Post Office, Coconada Division	Mr. J. Bower.	
Ditto ditto Cuddalore Division	Mr. M. Kinsley.	
Ditto ditto Vellore Division...	Mr. H. D. Theobold.	
Ditto ditto Vizagapatam Divn.	Mr. C. Smith.	
Ditto ditto Calicut Division...	Mr. E. M. Dawes.	

No. $\frac{C}{19}$.—Appointments in the Post Office Department made by the Director General of the Post Office.

BRITISH BURMAH POSTAL CIRCLE.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Chief Inspector of Post Office, British Burmah.	Mr. W. J. Barwise ...	Mr. W. J. B. Mackenzie.
Postmaster, Rangoon	Mr. C. H. Antram ...	Mr. C. H. Allnutt.
Postmaster, Moulmein	Mr. W. Twemlow.	

JOHN DILLON,
For *Director General of the Post Office of India.*

The 11*th August* 1876.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 13th August 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate Ports, for transmission per Steamer *Malda*, will be closed at the General Post Office on Monday, the 14th August 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 15th August 1876.

2. Book post and pattern packets must be posted on the 14th August 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Straits and Hong-Kong, for transmission per Steamers *Penguin* and *A. Apcar* will be closed at the General Post Office on Wednesday, the 16th August 1876, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 16th August 1876, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, and United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 18th August 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer *Nil*, will be closed at the General Post Office on Friday, the 18th August 1876, at 7 P. M.

Mails for Rangoon and Moulmein for transmission per Steamer *Nil*, will be closed at the General Post Office on Friday, the 18th August 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 11*th August* 1876.

Alexander, Miss A.
Almandy, Stanley.
Andrew, John.
Appling, T. A.
Barber, Mrs. J.
Ball, E.
Borssay, Monsieur.
Bull, A. W.
Campbell, J. W.
Danford, Geo., Mrs.
DeGois, D.
Dorn and Co., Messrs.
Elliott, E.
Fernandez, Mrs. M.
Flour, Augil.
Girding, Mr.
Green, Mrs. M. A.
Guest, Mrs. H.
Haley, S.
Hanna, Capt. H. B.
Hills, Mrs. M.
Hope, Private (No. 1968).
Jackson, J. M.
Johnson, W.
Kynoch, Geo.
Langworthy, E. M.
Leicester, James, Messrs. & Co.
Liquidator of the late Life Assurance Company.
Lewis & Miller, Messrs.
Martin, J. T., Messrs. & Co.
Miller, James.
Minto, William.
Noyce, C.
Oeiac, L.
Pay, Captain C. M.
Price, Mrs. R.
Raymond, Mr.
Robertson, Mrs. T.
Sandeman, J. M.
Seliger, Jos.
Schoeneman, C. H.
Schmidt, F.
Scontari, Nicol.
Shircore, Mrs. C. G.
Sparling, F. C.
Tassy, Rev. J.
Tissendie, R.
Turner, F. H.
V. M., care of Messrs. A. Dorn & Co.
White, Geo.

Letters marked "Care of Post Office, to be kept till called for."

A. E. P.
Bailey, F. G.
Boadle, H.
Birks, A. R.
Boulter, R. F.
Borthwick, Mrs.
Brownlow, Arthur.
Browne, D.
Bullers, T.
C., Mrs.
Carey or Kelly, Engineer.
Chichester, R. E.
Dutton, B. C.
E. B.
E. F. W.
Fernandez, J. T.
Fleming, Mrs. L. H.
Gaye, A. C.
Harris, T. J. P.
Hazard, John.
Heffernan, Mrs.
Holland, Capt. J.
Hollingsworth, J. B.
Howey, E. W.
Hindmarsh, William.
Jamarson, Wm.
Jones, A. G.
Kearns, E. W. F.
Lee, Mrs. A. J.
Lintott, James.
Locke, Henry.
MacIntyre, A.
MacPherson, J. J.
Mendes, V. E.
Micheli Aristodenio, Signr.
Munro, Major C. A.
O'Brien, Capt. T. E.
Peters, W.
Pearce, G. S.
Phelan, T. W.
Phillips, James.
Phunk, Major-Genl.
Preston, Geo.
Rabontean, Mr.
Price, J.
Rean, T. R.
Rice, J. W.
Rodrigues, S.
Rowcliffe, R. H.
Ryan, E., Mrs.
Smith, Geo. A.
Stephens, Dr.
Stewart, Dr. A. H.
Southerland, Miss J.
Sykes, B.
T. B., Mrs.
Tanquarette, D.
Walker, G.
Winkla, Patrick Waller & Co.
Wilson, G.
Wilson, L. W. J.
Wilcox, Mrs.

Papers.

Beazley, J. L.
Holland, Capt. H. O. H.
Munro, Major C. A.
St. George, F.

Registered Letters.

Boulter, R. E.
Sturt, R. L. N.
Taylor, W.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

Publications for sale at the Bengal Secretariat Press,

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India:
Vol. I. 24-Pergunnahs and Sundarbans.
Vol. II. Nadiya and Jessore.
Vol. III. Midnapur, Hughli, and Howrah.
Vol. IV. Bardwan, Bankura, and Birbhum.
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Price, per volume, Rs. 2-8; *postage,* 9 *annas.*

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs.* 2; *with map, Rs.* 3-4.

The Bengal Administration Report for 1874-75. *Price, Rs.* 4-8; *postage,* 14 *annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

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The Bengal Administration Report for 1872-73. *Price, Rs.* 7-8; *postage, Re.* 1-4.

Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs.* 10; *postage, Re.* 1-2.

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Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

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Ditto	ditto 1869	... „	2 4	„
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JOHN ELLIOTT, M.A.,
Meteorological Reporter to the Govt. of Bengal.

CALCUTTA,
The 26th August 1875.

NOW READY.

Published by the Government of Bengal,

THE STATISTICAL REPORTER,

Vol. II, No. 3, for August 1876.

The Trade Centres of Bengal, No. V.—Tirhoot.—Seaborne Trade of Calcutta, June 1876.—Import of European Cotton Piece Goods into the Punjab.—The Lalmye Range of Hills in the District of Tipperah.—The Mineral Resources of India.—Statistics regarding the Drawings of the Home Government of India 1834-35 to 1871-72.—Tea Cultivation in Bengal, 1875.—Progress and Administration of the East Indian and Eastern Bengal Railways, 1875.—Carolina Rice at the Sydapet Farm, Madras.—Jail Mortality, May 1876.—Vital Statistics, Bengal, during the month of May 1876.—Vital Statistics of the Town of Calcutta, June 1876.—Vital Statistics of the Suburbs of Calcutta, June 1876.—Statements of River Traffic in Bengal, district by district, during May 1876.—Statements of Bengal Railway Traffic during May 1876.—Grain Imports into the United Kingdom.—SUPPLEMENT: Sanitation in Calcutta.

Subsequent Numbers will issue on or about the 1st of each successive month.

Subscription, Rs. 12 per annum; postage, Re. 1, payable in advance; or Rs. 2 per each Number if purchased singly.

All business matters should be arranged with, and advertisement rates may be learnt from, Mr. E. M. Lewis, Superintendent of the Bengal Secretariat Press.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 19, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Simla, the 9th August 1876.

Office closed during the month of July 1876.

Name of Station.	Where situated.	Date.	REMARKS.
Monghyr ...	Bengal Presy. ...	8th ...	3rd Class

Calcutta, the 15th August 1876.

No. 13.—Mr. W. F. Melhuish, an Officiating Superintendent of the 3rd Grade, is allowed privilege leave for three months, under Section 21 of the Civil Leave Code, with effect from the afternoon of the 6th August 1876.

No. 14.—Mr. C. F. VanIngen, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for one month, under Section 21 of the Civil Leave Code, with effect from the afternoon of the 28th July 1876.

The 18th August 1876.

No. 15.—Mr. C. J. Nuttall, an Assistant Superintendent of the 3rd Grade, is allowed furlough on medical certificate for twenty months, under Section 10 (a) of the Civil Leave Code, with effect from the forenoon of the 30th May 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Simla, the 8th August 1876.

LEAVE OF ABSENCE.—Major James Sconce, Bengal Staff Corps, Deputy Superintendent of

Revenue Survey, 2nd Grade, for three months, under Chapter VI, Section 22, of the Civil Leave Code, from such date as he may avail himself of it.

H. L. THUILLIER, *Colonel, R.A.*,
Surveyor General of India.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 14th August 1876.

No. 29.—Mr. E. P. Wrixon, Assistant Surveyor, 2nd Grade, is granted six months' leave on private affairs, under Section 5, Supplement F of the Civil Leave Code, with effect from the 17th July 1876.

H. R. THUILLIER, *Capt., R.E.*,
Offg. Superintendent, G. T. Survey of India.

INDIAN MUSEUM.

NOTIFICATION.

Calcutta, the 15th August 1876.

Mr. G. Nevill, Assistant Secretary, &c., of the Indian Museum, reported his return from two months and eight days' privilege leave granted him in Notification of the 5th June last, on the forenoon of 14th August 1876.

By order of the Trustees,
W. T. BLANFORD,
Hony. Secy.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 11th August 1876.

No. 86.—Mr. J. C. Wyatt, Assistant Engineer, 2nd Grade, is transferred from the 5th to the 2nd Circle, Military Works.

No. 87.—Mr. J. Hogan, Assistant Engineer, 2nd Grade, is transferred from the 2nd to the 3rd Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.*,
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Camp Fyzabad, the 11th August 1876.

No. A.—Privilege leave of absence for a period of twenty-four days is hereby granted to Captain G. T. Maitland, Executive Engineer, 1st Allahabad Division, Military Works, from the 6th September 1876.

J. J. HUME, *Colonel*,
Supdg. Engr., 2nd Circle, Mily. Works.

4th Circle.

Umballa, the 10th August 1876.

No. 19.—Mr. A. Grant, Assistant Engineer, Firozepore Division, Military Works, returned to duty on the forenoon of the 5th current, from the two months' privilege leave granted to him in this Office Notification No. 11 of 1st June last.

WILLIAM B. HOLMES, *Major, R.E.*,
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

The 7th August 1876.

No. 14.—Corporal H. Goad, R.E., Overseer, 1st Grade, attached to this Circle, in Inspector General of Military Works' Notification No. 75 of 1st July 1876, is posted to the 1st Peshawur Division, Military Works, which he joined on the 26th July 1876.

C. M. BROWNE, *Lieut.-Col., R.E.*,
Offg. Supdg. Engr., 5th Circle, Mily. Works.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 18th August 1876.

In continuation of this Office Notification dated the 8th August 1876, the two months' privilege leave granted to Lieutenant D. A. Scott, R.E., Assistant Engineer, 1st Grade, under Notification No. 23, dated 24th May 1876, is hereby cancelled.

F. S. TAYLOR, *Lieut.-Col., R.E*,
Consg. Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATION.

Simla, the 14th August 1876.

No. 180.—Mr. P. P. Dease, temporary Assistant Engineer, 1st Grade, Indus Valley State Railway, is granted two months' leave on medical certificate, from the 10th July 1876, or such subsequent date as he may avail himself of the same.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.*,
Director of State Railways.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 12th August 1876.

No. 90.—Mr. B. Parkes, Assistant Engineer, 2nd Grade, Soan Division, returned to duty from the privilege leave granted to him by Notification No. 84, dated 22nd July 1876, on the forenoon of 31st July 1876.

No. 91.—Mr. J. Smith, Sub-Store-keeper, 2nd Grade, Jhelum Depôt, is allowed privilege leave for sixty-one days, with effect from the forenoon of 3rd August 1876.

No. 92.—Mr. R. Howarth, Supervisor, 1st Grade, is transferred from Chenab Division to the Ravi Division. He left the former on the forenoon of the 10th July 1876, and joined the latter on the forenoon of the same date.

No. 93.—Baboo Benwari Lall Bose, Accountant, 3rd Grade, returned to duty from the privilege leave granted to him by Notification No. 70, dated 17th June 1876, on the forenoon of 1st August 1876.

No. 94.—Sabdha Ram Sahui, Apprentice Engineer, transferred by Notification No. 89, dated 29th July 1876, left the Indus Division on the afternoon of the 23rd July 1876, and joined the Bakrala Division on the forenoon of the 24th idem.

No. 95.—Mr. F. J. E. Spring, Assistant Engineer, 1st Grade, returned to duty from the privilege leave granted to him by Notification No. 55, dated 6th May 1876, on the 25th July 1876.

No. 96.—Mr. F. J. E. Spring, Assistant Engineer, 1st Grade, is transferred from the Indus Division to the Soan Division, which Division he joined on the afternoon of the 29th July 1876. Portion of Notification No. 84 of the 29th July 1876, relating to the transfer of Mr. Spring, is hereby cancelled.

No. 97.—Baboo Hurish Chunder Paul, Overseer, 1st Grade, Chenab Division, is allowed three months' privilege leave, with effect from the forenoon of the 25th July 1876.

No. 98.—Mr. M. S. Dooley, Executive Engineer, 4th Grade, Chenab Division, returned to duty from the privilege leave granted to him by Notification No. 62, dated 3rd June 1876, on the afternoon of 31st July 1876.

ALEX. GRANT,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 10th August 1876.

No. 202.—Captain Sedgwick, R.E., Executive Engineer, 4th Grade, is granted three months' privilege leave from 1st September, or from the date he may be relieved of No. 2 Jaipur Division.

No. 203.—Mr. J. R. Scott, Assistant Engineer, No. 1 Division, is granted six weeks' privilege leave, from 7th August, or such date as he may be able to avail himself of the same.

J. G. LINDSAY, *Major, R. E.*,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATION.

Dinapore, the 10th August 1876.

No. 48.—Messrs. T. W. Lilly and W. Rose, Temporary Supervisors, 2nd Grade, attached to the Durbhunga Division, Tirhoot State Railway, are transferred to the Somastipoor Division.

F. S. STANTON, *Lieut.-Col., R.E.*,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 10th August 1876.

No. 83.—Mr. J. W. Henry, Executive Engineer, Kotri Division, is granted three months' privilege leave from 7th September 1876, or such subsequent date as he may avail himself of it.

No. 84.—The following transfer has been made by the Superintending Engineer, Lower Sind District:—

Mr. B. Baxter, Assistant Engineer, 2nd Grade, from the Mehur to the Sehwan Division.

M. RAYNE,
Engineer-in-Chief.

HOLKAR STATE RAILWAY—(Open Line).

NOTIFICATION.

Khandwa, the 1st August 1876.

Mr. E. N. Homan, Store-keeper, 1st Grade, Holkar and Neemuch State Railways, is granted three months' privilege leave, from the 5th August 1876, and is permitted to make over temporary charge of his Office to Mr. Mungul Sing, Sub-Store-keeper, from the forenoon of that date.

W. S. S. BISSET, *Manager (Open Line)*,
Holkar State Railway.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Khandwa, the 10th August 1876.

The line between Mhow, Indore, and Oojein was opened for passenger and parcels traffic only on the 3rd August 1876.

The daily train runs as under:—

DOWN TRAIN.				UP TRAIN.			
Miles.	Stations.		Hours.	Miles.	Stations.		Hours.
			A.M.				P.M.
	Mhow	dep.	8. 0		Oojein	dep.	1-50
50	Oojein	arr.	12-27	50	Mhow	arr.	6-17

W. S. S. BISSET, *Manager (Open Line)*,
Holkar and Neemuch State Rys.

Mhow, the 11th August 1876.

No. 52.—With reference to Director of State Railways' Notification No. 97 of 31st May 1876, Mr. E. Johnston, Executive Engineer, 4th Grade, left Mhow to join the Rajpootana State Railway on the 24th June 1876.

No. 53.—Mr. F. S. Homfray, Store-keeper, 2nd Grade, reported his departure for Khundwa on the forenoon of the 7th August 1876, to take charge of the Store Magazine during the absence of Mr. E. N. Homan, Store-keeper, 1st Grade, on privilege leave.

CHARLES CHEYNE,
Engineer-in-Chief.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th August 1876.

PARTICULARS.	3½ per cent. Loan of 1853-54.	4 per cent. Loans									5 per cent. Debentures for		TOTAL AMOUNT.
		of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.	of 1854-55.	Transfer of 1866.	of 1870.	of 1871.	of 1872.	6 per cent. Loan of 1858-67.	5½ per cent. Loan of 1858-60.	10 years.	15 years.	
														Repayable, June 1877.	Repayable, June 1882.	
Balance of 31st July 1876	55,600	33,173	2,346	14,65,493	31,52,200	1,64,22,100	1,09,15,800	1,65,27,300	35,64,900	2,57,000	3,00,17,900	82,800	4,23,78,900	28,94,000	32,97,000	13,09,70,112
Add—																
Amount enfaced at Madras between 1st and 15th August 1876 ...	...	...	...	...	...	...	...	5,000	...	...	...	...	...	...	...	5,000
Amount enfaced at Bombay between 1st and 15th August 1876...	...	...	...	...	...	...	...	...	...	...	...	...	6,000	...	...	6,000
Amount enfaced at Calcutta between 1st and 15th August 1876	...	...	...	...	...	1,17,100	27,700	34,000	15,000	...	2,000	...	3,57,500	...	20,000	5,73,003
	55,600	33,173	2,346	14,65,493	31,52,200	1,65,39,200	1,09,43,500	1,65,66,300	35,79,900	2,57,000	3,00,19,900	82,800	4,27,42,300	28,94,000	33,17,000	13,15,54,412
Deduct—																
Amount written off in the London Registers	...	...	...	...	600	33,500	40,500	2,06,700	...	...	5,88,100	...	6,69,300	...	...	15,45,300
Balance on 15th August 1876	55,600	33,173	2,346	14,65,493	31,51,600	1,63,88,600	1,09,15,300	1,65,60,600	35,79,900	2,57,000	2,94,31,800	82,800	4,26,73,000	28,94,000	33,17,000	13,09,09,712

NOTE.—From 9th June 1867 to 15th June 1876, enfaced from India, 2,231 lakhs.
" 16th " 1876 to 30th " " " 22 " "
" 1st July " to 15th July " " " 15 " "
" 16th " " to 31st " " " 12 " "
" 1st Aug. " to 15th Aug. " " " 15 " "
2,295 lakhs.
Re-transferred from London, 2,312 lakhs. 2,342 "
Balance against London ... 34 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 16th August 1876.

Statement of the Affairs of the Bank of Bengal for the week ending 15th August 1876.

LIABILITIES.			Rs.	A.	P.
Capital paid up ...	...	...	2,00,00,000	0	0
Reserve Fund ...	...	...	16,44,307	7	9
	Rs.	A. P.			
Public Deposits at Head Office ...	1,63,09,381	9 4	3,47,12,636	0	8
Public Deposits at Branches ...	1,84,03,254	7 4			
Other Deposits at Head Office and Branches ...	...	...	2,09,25,208	5	7
Bank Post Bills, &c.	...	...	2,24,645	13	11
Sundries ...	...	...	5,79,775	12	3
Rupees	...		7,80,86,573	8	2

ASSETS.			Rs.	A.	P.
Government Securities ...	...		1,55,91,526	3	6
Loans on Government Securities, &c., at Head Office and Branches	...		47,73,656	6	2
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...	...	...	39,83,743	15	11
Bills discounted and purchased at Head Office and Branches	...		1,67,53,715	10	3
Balances with other Banks	...		5,95,201	12	1
Bullion ...	...	...	14,796	7	0
Dead Stock ...	...	...	10,50,407	8	2
Stamps ...	...	...	10,774	9	4
Sundries ...	...	...	5,60,179	7	6
			4,33,34,001	15	11
	Rs.	A. P.			
Cash and Currency Notes at Head Office ...	1,41,61,846	14 3	3,47,52,571	8	3
Cash and Currency Notes at Branches ...	2,05,90,724	10 0			
Rupees	...		7,80,86,573	8	2

By order of the Directors,

BANK OF BENGAL,
Calcutta, 17th August 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Akola Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.		Value. Rs.	Name of Claimant.
K 2—19325	...	20	... Mr. E. H. Lobo, of Nandode *vid* Unklesur, in Gujrat.

AKOLA,—Paper Currency Dept.; *The 8th August* 1876.

C. W. A. DAVIES,
Assistant Commissioner.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.		Value. Rs.	Name of Claimant.
F 13—01649 05327	...	5	... Rajaram Seth, Sadar Bazar, Nagpur.
F 7—69394	...	10	... Dalchund Misser, Constable, Chhindwarra Police.
" 69395	...	10	...

NAGPUR,—Paper Currency Office; *The 11th August* 1876.

H. KEENE,
Asstt. to Accts. Genl., C. P., in charge of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
37	... B 49—68520	...	10	... Goolam Mahomed, Trichinopoly.
38	... B 36—88002	...	5	... V. Pachayappen, Cuddalore.
	B 39—10415	...	5	...
40	... B 49—28424	...	10	... V. Ramachendra Row, Vellore.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
112	... B 40—15976	...	5	... Mahomed Ibrahim Khan, Madras.
113	... B 39—32587	...	5	... Revd. Louis St. Cyr, Dindigul.
	" 56448	...	5	...
	" 67271	...	5	...
	B 40—01443	...	5	...
114	... B 49—53021	...	10	... Karojee Row, Bellary.
115	... B 34—29994	...	10	... Kristniengar, Mysore.
	B 49—07254	...	10	...
	B 35—93914	...	20	...
	" 93915	...	20	...
116	... B 41—55262	...	10	... C. Soobroya Moodelliar, Bellary.
	B 42—18718	...	20	...
117	... B 43—25150	...	50	... K. Krishna Row, Madras.
118	... B 42—28962	...	20	... M. Venkaji Panthalu, Trivellore.
15	... B 43—42838 wrongly joined.	...	50	... Captain J. B. Lawrence, Bangalore.
	" 42833 wrongly joined.			

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.; *The 7th August* 1876.

W. DONALD,
Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
163	... L 52—16008	500	Messrs. Mitter and Bhunjo.
164	... L 67—94076	50	Babu Pran Kristo Roy.
165	... L 22—26335	5	The Post Master General, N. W. Provinces.
170	... L 21—05981 to „ —06000	5 each	Mr. J. A. C. Neame.
	L 22—31941 „ —31944	5 „	

NOTES PARTIALLY LOST OR DESTROYED.

215	... A 91—78261	100	Lieutenant-Colonel H. H. C. Warrington.
216	... L 57—61108	10	Babu Obhoy Churn Mitter.
	L 58—22545	10	
	L 72—07114	10	
217	... L 69—52206	100	Babu Bama Churn Mookerjee.
153	... L 64—03555 „ —03554	20	Messrs. E. Solomon & Co.
154	... L 16—75082 „ —75081	5	Azeemuddeen.
155	... L 22—06885 „ —06884	5	Babu Dwarka Nath Banerjee.
156	... L 82—08185 „ —08184	100	Golam Rohomon.
157	... A 65—01519 „ —01516	10	Babu Hurro Nath Mozoomdar.
158	... L 7—19506 „ 19509	20	Tarachand Ghonessam Das.
	L 72—26049 „ 26046	10	
	L 60—09557 „ 09558	10	
	L 43—01467 „ 01464	10	
	L 58—82649 „ 82651	10	
	L 39—46501 „ 46505	10	
	L 24—31395	5	
	L 10—80506		
	L 20—51894 „ 51882	5	
	L 22—84403 „ 84406	5	
	L 17—90125 „ 90126	5	
	L 23—78839 „ 78836	5	
	L 22—61476 „ —61461	5	

CALCUTTA,—Paper Currency Office; *The 18th August* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.		Value. Rs.	Name of Claimant.
J 7—53257 „ —53256	wrongly joined.	5	Mrs. A. Wigram, Calicut.
J 4—67765 „ —67767	wrongly joined.	50	Mr. L. W. Boyer, Tatta Mulla, Manantoddy.
J 3—82648 „ —82638	wrongly joined.	100	Gokooldoss Nanje, Sowcar, Calicut.

CALICUT,—Paper Currency Office; *The 9th August* 1876.

P. A. COLE,
Dy. Collector, in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
32	... E 4—85702	50	Sergeant T. Tyers, Norara *vid* Allygurh.
33	... E 2—25548	500	The Post Master General, North-Western Provinces. Allahabad.
34	... E 6—96020	10	Luchman Pershad, Executive Engineer's Office, Lower Ganges Canal, Bhangaon.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value Rs.	Name of Claimant.
43 ... E 7—13066	5	Alli Bukhs Khan, Hissar.
46 ... E 4—73689 „ —81630	50 50	Messrs. Edulji & Son, Amritsar.
47 ... E 5—49683	20	Bunsi Dhur, Treasurer, Dharumsala.
49 ... E 3—93512	100	Teloo Mal and Nathoo Mal, Ferozepore.
50 ... E 5—88657	20	Sree Kishen, Calcutta.
14 ... E 12—08483 „ —08485	20	Mir Akbar Ali, Karnal.

LAHORE,—Paper Currency Office; *The 11th August* 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
26	... D 4—59903	50	The Magistrate of Muzaffarnagar.
	„ 59904	50	
27	... „ 57456	50	Chunni Lall, Jounpur.
28	... L 49—92046	50	Mr. E. Morgan, Lucknow.

NOTES PARTIALLY LOST OR DESTROYED.

50	... L 47—16107		20	Lalla Girdhur Lall, Agra.
19	... L 47—25308 „ 25309	wrongly joined.	20	Wazeer Khan, Mount Aboo.

ALLAHABAD,—Paper Currency Office; *The 10th August* 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
1876-77.			
14	... C 90—71522	1,000	Mr. Raghoonath Wasudew Zoharchall, Bombay.
	„ 71523	1,000	
	„ 63120	1,000	

NOTES PARTIALLY LOST OR DESTROYED.

1876-77.			Rs.	
84	... C 99—54176		20	Mrs. Rosalline Phillips, Deolee, Rajputana.
32	... C 84—29827 „ 29826	mismatched.	20	Mr. W. Adams, High Court, Bombay.

BOMBAY,—Paper Currency Dept.; *The 9th August* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

MAPS OF THE SURVEY OF INDIA,

Published at the Office of the Surveyor General of India, Calcutta, for the quarter ending 30th June 1876.

Local Agents,

Calcutta,—Messrs. Thacker, Spink & Co.
Allahabad,—Curator of Government Books.
Nagpoor, Do. Do.
Lahore,—Mr. W. Ball, Bookseller and Stationer.
Madras,—Messrs. Higginbotham & Co.
Bombay,—Messrs. Thacker, Vining & Co.

N. B.—Maps are *not sold* at the Office of the Surveyor General of India, Calcutta, but applications for maps on payment should be made to Agents. This Department only issues maps *free of charge* on the Public Service. It is particularly requested that the nearest local Agent, as above, be first applied to, for any map required on the Public Service before indenting on this Department. The cost of postage of parcels must be borne by applicants themselves, as also such incidental charges as may be incurred at their request for mounting and binding maps. The best maps are invariably supplied in lieu of those asked for which may not be available, and lists of all newly published maps are periodically notified in the Gazettes of India and of local Governments.

Description.	Size.	Price of Map unmounted per sheet or copy. Uncolored. Rs. A.	Colored. Rs. A.
GENERAL MAPS. *Scale 24 Miles = 1 Inch.*			
Assam Province (without hills)	Imperial ...	0 12	0 12
REVENUE SURVEY MAPS. *Scale 1 Mile = 1 Inch.*			
Bhawulpore State, Sheets Nos. 11, 24, 29, 31, 32, 37, 43 and 47	Double Elephant	1 8	1 12
Goalpara District, „ „ 8, 11, 12 and 16			
Baitool Do. „ „ 1, 3 and 6			
Bilaspur Do. „ „ 1 to 9			
Delhi Do. „ „ 1 to 6			
Sonthal Purgunnahs „ „ 1 and 2	Double Royal ...	1 8	1 12
TOPOGRAPHICAL SURVEY MAPS. *Scale 1 Mile = 1 Inch.*			
Gwalior and Central India, Sheets Nos. 69 and 70	Double Elephant...	1 0	1 4
Ganjam and Orissa, Sheet No. 23	Ditto ...	1 0	1 4
North-Eastern Division, Central Provinces, Sheets Nos. 24, 25, 26, 30, and 31 ...	Ditto ...	1 0	1 4
Ganjam and Orissa, Sheets Nos. 44, 45 and 78	Ditto ...	1 4	1 4
Chota Nagpore, Sheet No. 14	Ditto ...	1 0	1 4
Scale 2 Miles = 1 Inch.			
Khasia and Garrow Hills, Sheets Nos. 24 and 25	½ Imperial ...	0 8	0 10
CANTONMENT, CITY AND CIVIL STATION PLANS. *Scale 12 Inches = 1 Mile.*			
Ajmere City and Environs (Rajputana)	4 Sheets of Atlas ...	3 8	4 0
Kishengarh City (Rajputana)	2 Sheets of D. R. ...	1 8	1 12
Scale 6 Inches = 1 Mile.			
Nusseerabad Cantonment (Ajmere, Rajputana)	Atlas ...	0 8	0 10
Sehore (Bhopal State)	Imperial ...	0 8	0 10
Narsingarh (Central India)	½ Atlas ...	0 8	0 10

SURVEYOR GENERAL'S OFFICE, *Calcutta, 20th July* 1876.

J. O. N. JAMES,
Assistant Surveyor General.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
August 7th, 1876...	...	...	24,000	91,35,823	...
„ 8th „ ...	...	...	24,000	91,38,411	...
„ 9th „ ...	...	1,002	22,984	90,71,723	...
„ 10th „ ...	...	...	22,984	90,77,187	...
„ 11th „ ...	...	...	22,984	90,82,939	...
„ 12th „ ...	...	Holiday.			

CALCUTTA MINT, *The 14th August* 1876. } C. H LUARD, *Offg. Mint Master.*

Report of a Deserter from the 2-22nd Regiment, dated at Ranikhet, this 14th day of August 1876.

Number, Rank and Name,—18 Bde. 251, Private Robert Stanley.
Age,—23 years and 10 months.
Height,—5 feet 10 inches.
Complexion,—Palish.
Eyes,—Hazel.
Hair,—Auburn.
Marks,—None.
Date of Desertion,—10th August 1876.
Place of Desertion,—Ranikhet.
Date of Enlistment,—27th October 1870.

At what Place Enlisted,—Liverpool.
Parish and County in which born,—Middleton, Lancaster.
Trade,—Clerk.
Coat or Jacket, Waistcoat, Breeches or Trowsers. } Civilian clothes.
REMARKS.—Supposed to have in his possession his Regimental Rifle, also a white waterproof over-coat.

W. A. ARMSTRONG, *Colonel,*
Comdg. 2-22nd Regiment.

Report of a Deserter from the 2-12th Regiment of Foot, dated at Fort William, this 17th day of August 1876.

Number, Rank, and Name,—2136, Private Thomas Carr.
Age,—23 years and 3 months.
Size,—5 feet 7¾ inches.
Color of—
Complexion, fresh; hair, light brown; eyes, blue.
Date of Desertion,—12th August 1876.
Place of Desertion,—Fort William, Calcutta.
Date of Enlistment,—2nd May 1871.

At what Place Enlisted,—Preston, Lancashire.
Parish and County in which born,—Walton-le-dale, Preston, Lancashire.
Marks,—None.
Trade,—Carter.
Coat or Jacket, Waistcoat, Breeches or Trowsers. } White uniform.
REMARKS.—None.

C. J. C. SILLERY, *Major,*
Comdg. 2-12th Regiment.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 2nd August 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

Calcutta, the 17th August 1876.

No. $\frac{C}{21}$.—ERRATUM.—In Post Office Notification No. $\frac{C}{10}$, dated 28th July 1876, published in the *Gazette of India* of the 5th August 1876, Part II, page 392—

For Mr. W. U. Hoghton, read Mr. W. A. Hoghton.

JOHN DILLON,
for *Director General of the Post Office of India.*

The 18th August 1876.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 20th August 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate Ports, for transmission per Steamer *Africa*, will be closed at the General Post Office on Monday, the 21st August 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Cathay*, will be closed at the General Post Office on Monday, the 21st August 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 22nd August 1876, by which mails for Mauritius, St. Denis, Reunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands, and Madagascar can be forwarded.

2. Book post and pattern packets **must be** posted on the 21st August 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Nil*, will be closed at the General Post Office on Friday, the 25th August 1876, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer *Nil*, will be closed at the General Post Office on Friday, the 25th August 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 18th August 1876.

Appling, T. A.
Boissay, Monsieur.
Brae, T.
Burgess, W. T.
Cummings, W.
Dalzdell & Co., Messrs.
D'Cruz, Charlotte, Mrs.
DeGois, D.
Danford, Mrs. Geo.
Dorn, A. & Co., Messrs.
Elliott, E.
Fernandez, Mrs. M.
Green, Mrs. M. A.
Gordon, L.
Hamilton, R.
Hills, Mrs. M.
Hope, Private (No. 1968).
Jackson, J. M.
Jehzkelle Menache, Monsr.
Kruger, C. A.
Kynoch, Geo.
Leicester, James, Mr.
Lemert, Dr.
Liquidator of the late Life Assurance Company.
Lacey, D.
Lord, G. P.
Main, Mrs.
Martin, J. T., Messrs., & Co.
McNicol, John.
Minto, William.
Noyce, C.
Oeiac, L.
Pay, Captain C. M.
Rodrigues, S.
Sandeman, J. M.
Scontari, Nicol.
Secy. of the Army Scripture Readers' Society.
Seliger, Jos.
Smart, J.
Tassy, Rev. J.
Tissendie, R.
Turner, F. H.
V. M., care of Messrs. A. Doru & Co.
Villiers, S. W. & Co. Messrs.
Wren, Miss M.

Letters marked "Care of Post Office, to be kept till called for."

A. E. P.
Bailey, F. G.
Battye, H. D., Major.
Beadle, H.
Beck, R. A.
Birks, A. R.
Borthwick, Mrs.
Brownlow, Arthur.
Browne, D.
Bullers, T.
C., Mrs.
Carey, or Kelley, Engineer.
Chichester, R. E.
Daws, W.
Dutton, B. C.
E. B.
E. F. W.
Fernandez, J. T.
Fleming, Mrs. L. H.
Gaye, A. C.
Harris, T. J. P.
Hazard, John.
Hefferman, Mrs.
Hindmarsh, William.
Holland, Capt. J.
Hollingsworth, J. B.
Howey, E. W.
Jamarson, Wm.
Kearns, E. W. F.
Lee, Mrs. A. J.
Locke, Henry.
MacIntyre, A.
Mendes, V. E.
Micheli Aristodenio, Signr.
Munro, Major C. A.
O'Brien, Capt. T. E.
Palmer, Henry.
Pearce, G. S.
Peters, W.
Phelan, T. W.
Phillips, James.
Phunk, Major-Genl.
Pillay, A. T.
Price, J.
Raban, Jas.
Rabontean, Mr.
Rice, J. W.
Rowcliffe, R. H.
Russell, Mrs. E.
Ryan, Mrs. E.
Stephens, Dr.
Sutherland, Miss J.
Sykes, B.
T. B. Mrs.
Tanquarette, D.
Walker, G.
West, J.
Wilcox, Mrs.
Wilson, L. W. J.
Winkla, Patrick Waller & Co.
Woods, R.
Wren, Mrs.

Papers.

Beazley, J. L.
Holland, Capt. H. O. H.
Munro, Major C. A.
St. George, F.

Registered Letters.

H. P. Shepherd.
Pillay, A. T.

W. ALPIN,
Offg. Post Master of Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 26, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.

Indore Residency, the 17th August 1876.

No. 954.—With reference to Notification No. 1706G, dated the 10th August 1876, Major H. W. Harris assumed charge of the Office of Assistant Cantonment Magistrate, Mhow, on the forenoon of the 1st June 1876.

The 19th August 1876.

No. 959.—With reference to Notification No. 1747 G., dated 11th August 1876, Colonel W. C. Lester, Political Agent, 3rd Class, Officiating Political Agent, 2nd Class, assumed charge of the offices of Bheel Agent, Bhopawar, and Commandant, Malwa Bheel Corps, from Lieutenant-Colonel W. Kincaid, Political Agent, 3rd Class, and Officiating Political Agent, 2nd Class, on the forenoon of the 15th August 1876.

No. 963.—The privilege leave for sixty days granted in Notification No. 734, dated 6th July 1876, to Surgeon-Major A. D. Campbell, in medical charge, Malwa Bheel Corps, is cancelled, no Officer having been available to relieve him.

The 21st August 1876.

No. 970.—The privilege leave for thirty days granted in Notification No. 555, dated 31st May last, to Lieutenant H. A. Vincent, Officiating Adjutant, 1st Central India Horse, is cancelled at that Officer's request.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

ESTABLISHMENT.

Indore, the 21st August 1876.

No. 33.—Rampershad, Overseer, 2nd Grade, was relieved of his charge in the Southern Road Division on the 6th June 1876, with reference to Government Notification No. 542, dated 30th December 1875, transferring him from Central India to Oudh.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.—MILITARY.

Mount Aboo, the 15th August 1876.

No. $\frac{2852}{1302}Z$.—LEAVE.—Captain J. H. L. Greenfield, 2nd-in-Command, of the Deolee Irregular Force, is granted privilege leave for ninety days from the 1st September next, or from such date as he may avail himself of the same.

No. $\frac{2865}{1302}Z$.—LEAVE.—Dr. T. H. Hendley, Agency Surgeon, Jeypore, is granted privilege leave for thirty-five days, with effect from the 25th August 1876.

A. C. LYALL,
Offg. Agent, Govr. Genl., for Rajputana.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 22nd August 1876.

No. 13.—LEAVE OF ABSENCE.—Mr. Arthur William Smart, Probationary Assistant Surveyor, 4th Grade, for three months, under Chapter VI, Section 21 of the Civil Leave Code, from the date on which his services may be spared.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATIONS.

Simla, the 17th August 1876.

Privilege leave for one month and fifteen days is granted to Mr. P. White, Assistant Surveyor, 4th Grade, No. 8, or Mysore, Topographical Survey, under Supplement F, Section 12, of the Civil Leave Code, from the forenoon of 1st September next.

The 18th August 1876.

Privilege leave for one month is granted to Mr. A. Kitchen, Assistant Surveyor, 4th Grade, attached to No. 5, or Bhopal and Malwa Topographical Survey, under Supplement F, Section 12, of the Civil Leave Code, from the forenoon of the 5th proximo.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 18th August 1876.

No. 74.—Captain R. Bullock, Officiating Deputy Commissioner, Hyderabad Assigned Districts, has been granted privilege leave for two months, with effect from the 16th August 1876, or from such date as he may avail himself of it.

By Order,
A. J. DUNLOP,
Offg. 2nd Assistant Resident.

POLICE DEPARTMENT, OUDH.

NOTIFICATION.

Lucknow, the 16th August 1876.

No. 248.—Privilege leave for three months is granted to Captain M. Tweedie, District Superintendent of Police, Sitapore, from 1st September 1876, or any subsequent date from which he may avail himself of the same. This cancels the leave granted in Notification No. 206 of 26th ultimo.

Mr. J. Luffman, Head Quarters Inspector of Police, will officiate as District Superintendent, Police, Sitapore, in Captain Tweedie's absence.

O. L. SMITH, *Lieut.-Col.,*
Offg. Depy. Secy. to Chief Commr., Oudh, Police Department.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 14th August 1876.

No. 88.—Major W. R. Tucker, R.E., Superintending Engineer, 3rd Grade, 1st Circle, Military Works, is granted two months and eleven days' privilege leave from the 22nd August 1876, or such subsequent date as he may avail himself of the same.

The 16th August 1876.

No. 89.—Mr. J. Southon, Supervisor, 1st Grade, is transferred from the 2nd to the 4th Circle, Military Works.

No. 90.—Sergeant S. Fraser, Supervisor, 2nd Grade, is transferred from the 4th to the 2nd Circle, Military Works.

The 18th August 1876.

No. 91.—Major W. R. Tucker, R.E., Superintending Engineer, 3rd Grade, 1st Circle, Military Works, is granted two months and seven days' privilege leave from 20th August 1876, or such subsequent date as he may avail himself of the same.

This cancels Inspector General's Notification No. 88 of 14th August 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

3rd Circle.

Meerut, the 16th August 1876.

No. 33.—With reference to Inspector General of Military Works Notification No. 84, dated 31st July 1876, Sergeant J. Thomas, Overseer, 1st Grade, is posted to the Morar Division, Military Works, which he joined on the morning of the 7th August 1876.

R. TYNDALL, *C.E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

Umballa, the 15th August 1876.

No. 20.—Captain F. F. Cotton, R.E., Executive Engineer, Ferozepore Division, Military Works, availed himself on the forenoon of the 7th instant of the two months' privilege leave granted to him in this Office Notification No. 14 of the 12th ultimo.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 16th August 1876.

No. 131.—Mr. G. J. Sherman, Storekeeper, 2nd Grade, Tirhoot State Railway, is granted two months' leave on medical certificate with effect from the 20th July 1876.

No. 132.—Baboo Russick Lall Roy, Assistant Engineer, 2nd Grade, Tirhoot State Railway, is granted three months' leave on medical certificate with effect from the date he may avail himself of the same.

No. 133.—The undermentioned Officers of the Holkar and Neemuch State Railways passed the departmental standard examination on the 15th July 1876:—

Mr. J. M. Campion, Asst. Engineer, 1st Grade.
„ T. Michell, „ 2nd „

The 17th August 1876.

No. 134.—*Corrigendum.*—In Director's Notification No. 129, dated 7th August 1876, *for* "Mr. S. de V. H. Alexander, Executive Engineer, 2nd Grade," *read* "Mr. S. de V. H. Alexander, Executive Engineer, temporary 2nd Grade."

The 21st August 1876.

No. 135.—In supersession of the leave granted in Director's Notification No. 73 of the 17th April 1876, Mr. A. J. Bell, Executive Engineer, 3rd Grade, Indus Valley State Railway, is granted twelve months' leave on medical certificate and one month's subsidiary leave, the latter with effect from the 17th March 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 19th August 1876.

No. 49.—Two months' privilege leave is granted to Baboo Byj Nath Chatterjee, Officiating Accountant, 4th Grade, attached to the Durbhunga Division, from such date as he may avail himself of the same.

The 22nd August 1876.

No. 50.—Mr. C. W. Hodson, Assistant Engineer, 2nd Grade, is transferred from the Somastipoor Division to the Durbhunga Division, Tirhoot State Railway.

No. 51.—Two months' privilege leave is granted to Mr. G. H. Tait, Executive Engineer, 3rd Grade, in charge of Kosee Extension Surveys, No. 2 Division, from the 1st proximo, or such date as he may avail himself of the same.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 21st August 1876.

No. 23.—With reference to Notification No. 125, dated 29th ultimo, by Director of State Railways, Mr. P. C. Gilhooly, Sub-Engineer, 3rd Grade, reported his arrival at Agra on the forenoon of this date.

HORACE BELL,
Offg. Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 14th August 1876.

No. 85.—In continuation of this Office Notification No. 78, dated 31st July 1876, Mr. J. R. Bell, Executive Engineer, 3rd Grade, handed over charge of the Bahawalpur Division to Mr. E. Hyde, Executive Engineer, 4th Grade, on the afternoon of 8th instant, and received charge of the Sutlej Bridge Division from Mr. W. J. Galwey, temporary Superintending Engineer, on the afternoon of 9th instant.

No. 86.—With reference to Government of India, Public Works Department, Notification No. 329, dated 21st July 1876, Mr. W. J. Galwey, temporary Superintending Engineer, received charge of the Mooltan District from Mr. M. Rayne, Engineer-in-Chief, on the forenoon of this day

The 21st August 1876.

No. 87.—Lalla Mungoo Ram, Apprentice Accountant, attached to the Central Office of Accounts, is granted an extension of two weeks' privilege leave from 21st August 1876.

No. 88.—Baboo B. M. Bose, Assistant Engineer, 2nd Grade, Sutlej Bridge Division, is granted one month and fourteen days' privilege leave from 8th September 1876, or such subsequent date as he may avail himself of it.

No. 89.—The following transfer has been made by the Superintending Engineer, Lower Sind District:—

Shunker Ram Chunder Augustry, Overseer, 2nd Grade,—from Kotri to the Mehur Division.

M. RAYNE,
Engineer-in-Chief.

HOLKAR STATE RAILWAY—(Open Line).

NOTIFICATION.

Khandwa, the 17th August 1876.

With reference to this Office Notification, dated the 1st August 1876, Mr. F. S. Homfray, Store-keeper, 2nd Grade, took over charge of the Office of the Store-keeper, Holkar and Neemuch State Railways, from Mr. Mungall Singh, Sub-Store-keeper, on the forenoon of the 15th August 1876.

W. S. S. BISSET, *Manager (Open Line),*
Holkar State Railway.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 17th August 1876.

No. 204.—Baboo Shurut Chunder Mookerjee, Accountant, 4th Grade, No. 4, Haldibari Division, is granted two months' privilege leave. He availed himself of this leave on the forenoon of 3rd August 1876.

No. 205.—Baboo Woomesh Chunder Chatterjee, Accountant, 3rd Grade, Central Office of Accounts, is transferred to No. 4 Division, which he joined on the afternoon of 23rd July 1876.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 21st August 1876.

No. 899.—This Office Authorisation No. 747, dated 21st July, commuting seventeen days' subsidiary leave granted to Mr. Scott, Executive Engineer, to privilege, is cancelled.

JAMES COLLET,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTICE.—Sealed tenders for the purchase rate per yard of a lot (nearly 2,000 yards) of red broadcloth of different textures, red flannel, and red turkey cloth (saloo), new, or hardly used, will be received by the Manager of the above Railway up to noon of the 7th September 1876, and will be opened at his office in presence of tenderers on the afternoon of the 8th September 1876.

Further particulars can be obtained on application to the undersigned.

By order,
GEO. HILEY,
Store-keeper.

NOTIFICATIONS.

Agra, the 16th August 1876.

No. 40.—Babu Mehtab Chunder Mullick, Assistant Engineer, 2nd Grade, is transferred from the Delhi to the Sambhar Division of the Rajputana State Railway, which he joined on the forenoon of the 12th instant.

No. 41.—Mr. T. W. Bartlett, Assistant Engineer, 1st Grade, availed himself, on the afternoon of the 9th August 1876, of the three months' privilege leave granted in Notification No. 30 of 26th June last.

The 17th August 1876.

No. 42.—Mr. E. Johnston, Executive Engineer, 4th Grade, made over, and Mr. B. W. Blood, Executive Engineer, Sambhar Division, received, charge of the Ajmere Division, temporarily, on the forenoon of the 11th August 1876.

KELLOW C. PYE,
Manager.

Statement of the Affairs of the Bank of Bengal for the week ending 22nd August 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,74,057	7	9
Public Deposits at Head Office ... 1,35,00,009 13 10			
Public Deposits at Branches ... 1,73,18,901 8 1	3,08,18,911	5	11
Other Deposits at Head Office and Branches	2,39,65,976	14	8
Bank Post Bills, &c.	2,27,502	13	4
Sundries	6,03,360	10	0
Rupees ...	7,72,89,809	3	8

ASSETS.	Rs.	A.	P.
Government Securities	1,56,51,532	7	3
Loans on Government Securities, &c., at Head Office and Branches ...	47,98,295	8	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches	36,46,645	4	4
Bills discounted and purchased at Head Office and Branches ...	1,65,71,332	10	4
Balances with other Banks ...	6,41,415	4	8
Bullion	14,796	7	0
Dead Stock	10,50,709	8	10
Stamps	10,717	4	3
Sundries	3,09,446	13	2
	4,26,94,891	4	1
Cash and Currency Notes at Head Office ... 1,39,68,065 8 7			
Cash and Currency Notes at Branches ... 2,06,26,852 7 0	3,45,94,917	15	7
Rupees ...	7,72,89,809	3	8

By order of the Directors,

BANK OF BENGAL, *Calcutta, 24th August* 1876.

J. GORDON, *Chief Acctt. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
41	... B 49—20094 ...	10	... V. Swamynatha Moodeliar, Trikaloor.
42	... B 39—94672 ...	5	... Mr. R. R. Kuruvila, Chintadrepettah.

NOTES PARTIALLY LOST OR DESTROYED.

119	... B 44—70462 ...	100	...	P. Sooria Narain Row, Kemedy.
120	... B 30—96938 ...	20	...	K. G. Mootoosawmy Reddy, Porto Novo.
121	... B 41—47525 ...	10	...	Ramasawmy Pouly, Combaconum.
16	... B 43—09592 wrongly joined. B 32—80525	50	...	M. Casecpathiah, Madras.

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 14th August* 1876.

W. DONALD, *Asstt. Acctt. Genl., in charge of Paper Currency Dept.*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
173	... L 66—88792 ...	50	... Babu Sharut Chunder Chatterjee.
178	... L 66—88368 ...	50	...
	L 67—75022 ...	50	...
	„ —75064 ...	50	...
	„ —75066 ...	50	...
	„ —75056 ...	50	...
	L 68—24296 ...	100	... The Agent of Messrs. B. N. Dey & Co. at Shillong.
	L 69—91757 ...	100	...
	„ —39730 ...	100	...
	L 82—29602 ...	100	...
	„ —06172 ...	100	...
	L 78—77565 ...	20	...

NOTES PARTIALLY LOST OR DESTROYED.

160	... L 33—00043 ...	10	...	Mr. Charles Johnson.
	L 6—98828 ...			
161	... L 33—82132 ...	10	...	Babu Shama Churn Das.
	„ —82134 ...			
	L 11—01425 ...	5	...	
	„ —01426 ...			
	L 15—11783 ...	5	...	
	„ —11782 ...			
164	... L 34—81955 ...	10	...	Babu Baney Madhub Nundy.
	„ —91829 ...			
166	... L 33—48727 ...	10	...	Luckhon Majee.
	L 34—56882 ...			
167	... L 11—21549 ...	5	...	Hy. S. Schurr, Esq.
	„ —25097 ...			
168	... L 15—57056 ...	5	...	Jahirooddeen Ahamed.
	„ —56700 ...			
169	... A 78—94488 ...	10	...	Hazee Ahamud.
	„ —94487 ...			
	L 10—12533 ...	5	...	
	„ —12534 ...			
	L 15—07487 ...	5	...	
	„ —07841 ...			
145	... L 39—18246 ...	10	...	Hafez Charrugooddeen.
	„ —18249 ...			
218	... L 60—77500 ...	10	...	Babu Haradhun Banerjee.
219	... L 42—41769 ...	10	...	Mr. G. W. L. Paterson.
	L 20—06465 ...	5	...	
220	... L 62 - 26338 ...	10	...	Mr. A. Graham.
221	... L 44—96501 ...	10	...	Babu Raj Bullub Sahaie.
222	... L 46—41979 ...	20	...	Mr. W. T. Ryves.
223	... L 22—90953 ...	5	...	Babu Juggessar Mookerjee.
224	... L 65—86541 ...	20	...	Babu Juggo Mohun Chuckerbutty.
226	... L 35—33693 ...	10	...	Babu Gobinda Nath Synial.
	L 17—13402 ...	5	...	
	L 25—22415 ...	5	...	
	„ 22414 ...	5	...	
227	... L 72—70226 ...	10	...	Mr. J. Tyson, Bandmaster, 54th Regiment.
228	... L 9—45170 ...	5	...	Babu Madhub Chandra Burmon.
229	... L 68—46723 ...	100	...	Babu Oshidhari Bose.
230	... L 73—80815 ...	10	...	Mr. J. Fawcett.

CALCUTTA.—Paper Currency Office; *The 25th August* 1876.

R. E. HAMILTON, *Offg. Assistant Commissioner of Paper Currency.*

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
35	... E 2—26218 ...	500	... The Post Master General, North-Western Provinces, Allahabad.
36	... E 10—04733 ...	10	... Bundah Ali, Meean Meer.
37	... E 12—23013 ...	20	... Shunker Das & Co., Lahore.
	E 4—89210 ...	50	...

NOTE PARTIALLY LOST OR DESTROYED.

48	... E 12—17046 ...	20	... Baboo Ovhoy Charan Addy, Calcutta.

LAHORE.—Paper Currency Office; *The 19th August* 1876.

I. C. BOSE, *Asstt. to Acctt. Genl., in charge of Currency Office.*

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No. 1876-77.	No. of Notes.	Value. Rs.	Name of Claimant.
89	... M 19—39158 ...	10	... Mr. J. M. Vas, Nandode.
99	... M 24—17644 ...	100	... Bhaskor Keshew, Carkoon, Dharwar.
	M 5—79856 ...	50	...
	M 18—89806 ...	10	...
88	... M 19—87427 wrongly joined. „ 87426	10	... Mr. Purshotum Shricrishnaje, Bombay.

BOMBAY.—Paper Currency Dept.; *The 16th August* 1876.

G. W. CLINE, LL.D., *Assistant Commissioner.*

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
29	... D 4—48396	... 50	... Ahmud Hossein, Bans Bareilly.
30	... L 47—10616	... 20	... The Magistrate of Moozaffarnagar.
31	... D 4—55272	... 50	... Mr. A. Ennis, Toondla.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
51	... L 47—28207	... 20	... Soorjoo Pershaud, Banda.
52	... D 11—41608	... 10	... Quarter Master Sergeant R. Kelly, Kasauli.
	„ —41891	... 10	...
53	... D 11—28205	... 10	... Messrs. Nowrojee & Co., Lucknow.
	„ —28206	... 10	...
	„ —28115	... 10	...
	„ —28117	... 10	...

ALLAHABAD,—Paper Currency Office; *The 17th August* 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 7—51916 } mismatched	10	... Ebraimjee Lookmanjee, Watch-maker, Camp Kurrachee.
„ —63414 } ed.		

KURRACHEE,—Paper Currency Dept.; *The 9th August* 1876.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Coconada Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
B 36—37481	... 5	... C. Savaji Row, Termoor.
I 3—08162	... 100	... Kristna Hutla, Marwaree, Vital Peit, Poona.
„ —08405	... 100	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
H 7—06295	...	5	... Devagooplapu Perrazu, Pittapore.
„ —06296	...	5	...
„ —06436	...	5	...
„ —06450	...	5	...
I 10—19900	...	10	...

COCONADA,—Paper Currency Dept.; *The 11th August* 1876.

H. RICHARDSON,
Depy. Collr. in charge of Paper Currency.

ADVERTISEMENT.

Requests the favor of Executive Engineers or others tendering for the purchase of the whole or part of the following surplus iron :—

750 Mds. ... 1″ Square.
120 „ 3″ × ¾″

And for the transfer of—
One Californian Pump.
One Sand Pump.
One Norton's Tube Pump.

W. ECKSTEIN, *C. E.*,
Executive Engineer,
Fyzabad Divn., Mily. Works.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for	Balance of Bullion: Under Assay.	Balance of Bullion: Assayed.	Balance of Bullion: Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
August 14th, 1876...	31,253	...	54,237	90,88,457	...
„ 15th „ ...	...	...	54,237	90,44,374	...
„ 16th „ ...	...	...	54,237	90,51,492	...
„ 17th „ ...	...	...	31,253	90,58,751	...
„ 18th „ ...	13,892	...	45,146	90,04,808	...
„ 19th „ ...	...	31,134	13,980	90,86,034	

CALCUTTA MINT, *The 21st August* 1876.

C. H LUARD,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 2nd August 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

The 25th August 1876.

Mails for France, Foreign Europe *viâ* France, the intermediate Ports, Mauritius and China, for transmission per French Mail Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 26th August 1876, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Rajpootana*, will be closed at the General Post Office on Saturday, the 26th August 1876, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Saturday, the 26th August 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the

General Post Office on Sunday, the 27th August 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate Ports, for transmission per Steamer *Goa*, will be closed at the General Post Office on Monday, the 28th August 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 29th August 1876, by which mails for Mauritius, St. Denis, and Reunion, can be forwarded.

2. Book post and pattern packets must be posted on the 28th August 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 1st September 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer , will be closed at the General Post Office on Friday, the 1st September 1876, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 1st September 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 25th August 1876.

Anderson, A.
Appling, T. A.
Bates, W.
Brae, T.
Burgess, W. T.
Coles, J. O.
Cummings, W.
Cunningham, Denis.
Dalzdell & Co., Messrs.
D'Cruz, Mrs. Charlotte.
Dorn, A. & Co., Messrs.
Elliott, E.
Fernandez, Mrs. M.
Garten, Major
Gilteen, Mr.
Green, Mrs. M. A.
Hamilton, R.
Harclot, D. G.
Jehzkelle Menache, Monsr.
Keeper of Records and Muniments.
Kruger, C. A.
Kynoch, Geo.
Lemert, Dr.
Lacey, D.
Maggo, C. D.
Main, Mrs.
Massacano, A.
McIntosh, Mrs.
McClelland, Dr. John.
Mortelli, John & Co., Messrs.
Norris, C.
Novel, C. & Co.
Oflaherty, Mr.
Pay, Captain C. M.
Paliologus, Miss.
Potter, Mrs. J. H.
Pudma Lochun Dutt.
Ramsden, H.
Rebeiro, Mrs. G.
Sandeman, J. M.
Secy. of the Army Scripture Readers' Society.
Steel, Robert.
Stewart, Mrs.
Tassy, Rev. J.
Terry, H. B.
Tissendie, R.
Wood, Mr.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Bailey, F. G.
Battye, Major H. D.
Beadle, H.
Birks, A. R.
Borthwick, Mrs.
Browne, D.
Bullers, T.
Carey or Kelly, Engineer.
Chichester, R. E.
Davies, A.
Daws, W.
Dutton, B. C.
E. F. W.
Fernandez, J. T.
Fleming, Mrs. L. H.
Gaye, A. C.
Harris, T. J. P.
Heffernan, Mrs.
Hindmarsh, William.
Holland, Capt. J.
Hollingsworth, J. B.
Howey, E. W.
Isaac, M.
Jamarson, Wm.
James, C. T.
Kearns, E. W. F.
Lee, Mrs. A. J.
Locke, Henry.
MacIntyre, A.
Mendes, V. E.
Micheli Aristodenio, Signr.
Munro, Major C. A.
O'Brien, Capt. T. E.
Palmer, Henry.
Pearce, G. S.
Peters, W.
Phelan, T. W.
Phillips, James.
Phunk, Major-Genl.
Price, J.
Raban, Jas.
Rabonteau, Mr,
Richards, J. W.
Rowcliffe, R. H.
Russell, Mrs. E.
Ryan, Mrs. E.
Stephens, Dr.
Sykes, B.
T. B., Mrs.
Tanquarette, D.
Walker, G.
West, J.
Wilson, L. W. J.
Winkla, Patrick Waller & Co.

Papers.

Holland, Capt. H. O. H.
Hubbard, C.
Munro, Major C. A.
Proprietor, Star of India.
Ring, J. B.
St. George, F.

Registered Letters.

Sign, G. S. Sopra.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. **It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set :**

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The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

Publications for sale at the Bengal Secretariat Press.

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India:

Vol. I. 24-Pergunnahs and Sundarbans.
Vol. II. Nadiya and Jessore.
Vol. III. Midnapur, Hughli, and Howrah.
Vol. IV. Bardwan, Bankura, and Birbhum.
Vol. V. Dacca, Bakarganj, Faridpur, and Maimunsing.

Price, per volume, Rs. 2-8; postage, 9 annas.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 10 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, Re. 1-4.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2: postage, 2 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs. 10; postage, Re. 1-2.*

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Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 8 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 12 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 6 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1876. *Price, Rs. 3; postage, 8 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 5 annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

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West India Pilot. Vol. I ...	... „	3 0 0
West India Pilot. Vol. II ...	... „	6 0 0

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THE STATISTICAL REPORTER,

Vol. II, No. 3, for August 1876.

The Trade Centres of Bengal, No. V.—Tirhoot.—Seaborne Trade of Calcutta, June 1876.—Import of European Cotton Piece Goods into the Punjab.—The Lalmye Range of Hills in the District of Tipperah.—The Mineral Resources of India.—Statistics regarding the Drawings of the Home Government of India, 1834-35 to 1871-72.—Tea Cultivation in Bengal, 1875.—Progress and Administration of the East Indian and Eastern Bengal Railways, 1875.—Carolina Rice at the Sydapet Farm, Madras.—Jail Mortality, May 1876.—Vital Statistics, Bengal, during the month of May 1876.—Vital Statistics of the Town of Calcutta, June 1876.—Vital Statistics of the Suburbs of Calcutta, June 1876.—Statements of River Traffic in Bengal, district by district, during May 1876.—Statements of Bengal Railway Traffic during May 1876.—Grain Imports into the United Kingdom.—SUPPLEMENT: Sanitation in Calcutta.

Subsequent Numbers will issue on or about the 1st of each successive month.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 2, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 23rd August 1876.

The Honorable the Chief Justice has, with the approval of His Excellency the Governor General in Council, appointed Mr. E. A. Nott to officiate as Assistant Registrar of the Court, Original Side, during the absence of Mr. W. R. Fink on leave, or until further order.

By Order,
R. BELCHAMBERS,
Registrar.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned Estates having come under charge of this Office, all persons having claims upon, being indebted to, or holding property belonging to the said Estates are requested to place themselves in immediate communication with the undersigned:—

Wolff Landeshut, of Dacca, a German subject, died at Dacca on the 9th May 1876.

James Taylor, a British subject, formerly an Engine Driver in the Rajpootana State Railway, died at Bandikin, Jeypore, on the 6th June 1876.

Richard Cottom, an Engine Driver in the service of the Elgin Mills Company at Cawnpore, died at Cawnpore on the 13th June 1876.

John Watkins, an Assistant Engineer, employed in the Northern Bengal State Railway, died at Goalpara on the 7th May 1876.

Thomas Hookey, a plate-layer on the Neemuch State Railway, died at Indore on the 10th June 1876.

HIGH COURT, CAL., *The 26th Aug.* 1876. } F. S. COLLIS, *Offg. Administrator Genl.*

No. 725.—*Account of the Revenue and Expenditure of the Government of India for the first month of the year* 1876-77, *as compared with the corresponding period of* 1875-76.

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimates, 1876-77.	April 1875.	April 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	1,718,967	1,564,469	...	154,498
II.—Tributes ...	700,000	103,201	69,827	...	33,374
III.—Forest ...	600,000	28,927	35,491	6,564	...
IV.—Excise on Spirits and Drugs ...	2,525,000	202,476	217,069	14,593	...
V.—Assessed Taxes ...	...	35	65	30	...
VI.—Customs ...	2,620,000	297,040	209,251	...	87,789
VII.—Salt ...	6,300,000	497,944	449,526	...	48,418
VIII.—Opium ...	8,200,000	672,149	667,053	...	5,096
IX.—Stamps ...	2,837,000	257,664	238,775	...	18,889
X.—Mint ...	124,000	5,116	25,273	20,157	...
XI.—Post Office ...	778,000	65,968	64,935	...	1,033
XII.—Telegraph* ...	281,500	...	22,499	...	776
XIII.—Law and Justice ...	316,000	23,965	12,004	...	1,101
XIV.—Marine ...	198,000	10,903	5,931	...	182
XV.—Interest ...	488,000	83,539	4,308	...	4,086
XVI.—Pensions ...	504,400	4,126	42,526	...	...
XVII.—Gain by Exchange ...	347,000	38,440	6,402	...	4,834
XVIII.—Miscellaneous ...	238,400	11,236			
TOTAL ...	48,438,300	4,020,996	3,635,394	...	385,602
Army ...	840,800	49,062	50,168	1,106	...
Public Works, Ordinary ...	65,000	Accounts for April 1876 not received.			
Canals ...	627,000				
State Railways ...	415,000				
Guaranteed Railways ...	...				
Traffic Receipts ...	7,888,000	695,581	728,630	33,049	...
TOTAL ...	58,174,100	4,765,639	4,414,192	...	351,447
England, including Army and Public Works ...	193,900	26,272	12,389	...	13,883
GRAND TOTAL ...	58,368,000	4,791,911	4,426,581	...	365,330

EXPENDITURE.	Estimates, 1876-77.	April 1875.	April 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,106,400	39,580	73,134	33,554	...
2.—Interest on Service Funds and other Accounts ...	390,000	42,099	6,819	...	35,280
3.—Refunds and Drawbacks ...	300,000	28,010	15,852	...	12,158
4.—Land Revenue ...	2,467,800	182,411	179,779	...	2,632
5.—Forest ...	414,500	24,953	42,304	17,351	...
6.—Excise on Spirits and Drugs ...	87,000	7,100	7,836	736	...
8.—Customs	189,000	15,416	15,578	162	...
9.—Salt	525,600	34,691	41,530	6,839	...
10.—Opium	2,199,000	674,151	889,971	215,820	...
11.—Stamps	71,700	5,923	6,076	153	...
12.—Mint	79,000	6,209	18,567	12,358	...
13.—Post Office	760,400	71,132	61,150	...	9,982
14.—Telegraph*	381,300	...	...	...	...
15.—Administration and Public Departments ...	1,251,500	100,036	121,890	21,854	...
16.—Minor Departments	249,400	12,702	18,139	5,437	...
17.—Law and Justice	2,364,200	186,770	189,922	3,152	...
18.—Marine	403,400	32,225	30,136	...	2,089
19.—Ecclesiastical	161,100	13,088	14,478	1,390	...
20.—Medical	184,000	17,207	15,173	...	2,034
21.—Political	293,400	25,652	25,339	...	313
22.—Allowances	1,675,200	80,356	72,643	...	7,713
24.—Superannuation	686,000	89,182	88,906	...	276
25.—Loss by Exchange	2,332,000	94,562	65,978	...	28,584
26.—Miscellaneous	45,000	3,911	6,818	2,907	...
27.—Allotments for Provincial Services ...	5,059,400	423,022	421,215	...	1,807
TOTAL ...	25,576,300	2,210,388	2,429,233	218,845	...
Army ...	11,820,700	853,866	886,045	32,179	...
Public Works, Ordinary, including Irrigation ...	2,441,500	Accounts for April 1876 not received.			
Extraordinary, including Railways ...	3,015,900				
Land and Supervision	93,000				
Interest paid in India	30,000				
State Railways	262,000				
Guaranteed Railways	...				
Profits	Surplus				
Traffic Receipts	4,418,000	237,423	216,710	...	20,713
TOTAL ...	47,687,400	3,301,677	3,531,988	230,311	...
England, including Army, State Railways, Guaranteed Interest, Public Works, Ordinary and Extraordinary ...	14,295,600	967,317	918,467	...	48,850
GRAND TOTAL ...	61,983,000	4,268,994	4,450,455	181,461	...

* Telegraph figures for April 1876 are included in the India accounts for June 1876, and will be taken in the Statement for that month.

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The* 31*st August* 1876.

E. F. HARRISON, *Comptroller General.*

R. TAYLOR, *Offg. Deputy Comptroller General.*

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 31*st August* 1876.

No. 46.—Mr. W. Monement, 3rd Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for one month, under Section 12, of Supplement F of the Civil Leave Code, with effect from 25th July 1876.

W. PALMER, *Examiner of Telegraph Accounts.*

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Aboo, the 23*rd August* 1876.

No. $\frac{2236}{1363}$ *Z.*—Captain W. J. W. Muir, Political Agent in Haraotee and Tonk, is granted privilege leave for one month, with effect from the 17th August 1876.

No. .—Captain R. H. F. Rennick, Officiating 2nd-in-Command of the Erinpoorah Irregular Force, is granted leave for one month from the 20th September 1876, to visit Calcutta for the purpose of presenting himself for examination in Persian and Hindee.

The 26*th August* 1876.

$\frac{2956}{1364}$ *Z.*—APPOINTMENT.—Major C. H. Clay, Commandant of the Deolie Irregular Force, to be in charge of the Office of the Political Agent, in Harowtee and Tonk, with effect from the afternoon of the 16th August 1876.

C. K. M. WALTER, *In charge, Rajputana Agency Office.*

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 29*th August* 1876.

No. 14.—LEAVE OF ABSENCE.—Mr. Thomas Wilfred Reilly, Surveyor, 4th Grade, for three months, from the 22nd instant, under Chapter VI, Section 21, of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R. A., Superintendent of Revenue Surveys.*

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 29*th August* 1876.

No. 31.—Mr. J. O. Hughes, Assistant Surveyor, 3rd Grade, is granted fifteen days' privilege leave from such date as his services can be spared.

H. R. THUILLIER, *Capt., R.E., Offg. Superintendent, G. T. Survey of India.*

PUBLIC WORKS DEPARTMENT— Military Works.

NOTIFICATIONS.

Simla, the 21*st August* 1876.

No. 92.—With reference to Government of India, Public Works Department Notification No. 353, dated 5th August 1876, Lieutenant R. M. Hyslop, Assistant Engineer, 1st Grade, is posted to the 3rd Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E., Offg. Inspr. Genl. of Military Works.*

1st Circle.

The 28*th August* 1876.

No. 2513.—Third Grade Assistant Engineer Baboo Callypuddo Sein attached to the Fort William Division, availed himself of fifteen days' privilege leave granted in Superintending Engineer's Notification No. 1677 of 8th June 1876 from the forenoon of 16th instant.

F. J. DAVIES, *Colonel, Offg. Supdg. Engr., 1st Circle, Mily. Works.*

2nd Circle.

The 28*th August* 1876.

No. 3A.—Privilege leave of absence for a period of one month is granted to Captain Clive, R.E., Executive Engineer, 2nd Allahabad Division, Military Works, from the 1st October 1876, or any subsequent date he may avail himself of it.

J. J. HUME, *Colonel, Supdg. Engr., 2nd Circle, Mily. Works.*

3rd Circle.

Meerut, the 23*rd August* 1876.

No. 34.—Privilege leave for three months is granted to Kedarnath Turfdar, Overseer, 1st Grade, Morar Division, Military Works, from such date as he may avail himself of the same.

No. 35.—With reference to Superintending Engineer's Notification No. 24, dated 11th July 1876, Lieutenant S. Grant, R.E., Assistant Engineer, 2nd Grade, Meerut Division, Military Works, availed himself of one month's privilege leave on the afternoon of the 14th August 1876.

R. TYNDALL, *C. E., Supdg. Engr., 3rd Circle, Mily. Works.*

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The University Examinations in Arts of 1876-77 will be held on the undermentioned dates:—

Entrance Examination and First Examination in Arts on Monday, the 27th November, and following days.

B. A. Examination on Tuesday, the 2nd January, and following days.

Applications from candidates for admission to the Entrance and First Arts Examinations must be lodged with the Registrar before the 26th October.

Applications from candidates for admission to the B. A. Examination must be lodged with the Registrar before the 24th November.

All candidates from the same Institution must appear at one and the same place of examination.

J. SUTCLIFFE, *Registrar.*

SENATE HOUSE, *The* 1*st Sept.* 1876.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 22nd August 1876.

No. 136.—Consignments of "Kaiphul" (whether a dye or a drug), will be carried on Indian State Railways at the 1st class rate.

The addition should be made in the general classification of goods.

The August 1876.

No. 137.—Baboo Juggun Nath, Sub-Storekeeper, 1st Grade, Tirhoot State Railway, is appointed to officiate as Store-keeper, 2nd Grade, during the temporary absence on sick leave of Mr. G. J. Sherman, or until further orders.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 19th August 1876.

No. 99.—Madaree, Accountant, 4th Grade, appointed by Public Works Department, Notification No. 388, dated 26th July 1876, joined the Office of Examiner of Accounts, Punjab Northern State Railway, on the forenoon of 14th August 1876.

The 26th August 1876.

No. 100.—Mr. J. N. Robinson, Sub-Engineer, 3rd Grade, Chenab Division, is allowed three months' privilege leave, with effect from the forenoon of the 17th August 1876.

No. 101.—Mr. C. H. Berry, Supervisor, 2nd Grade, transferred from Punjab Northern State Railway to the Rajputana State Railway by Director of State Railways' Notification No. 121, dated 27th July 1876, left this Railway on the forenoon of 15th August 1876.

No. 102.—Mr. P. C. Gilhooly, Sub-Engineer, 3rd Grade, transferred from Punjab Northern State Railway to the Sindia State Railway by Director of State Railways' Notification No. 125, dated 29th July 1876, left this Railway on the forenoon of 14th August 1876.

ALEX. GRANT,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS—(Open Line).

NOTIFICATION.

Khandwa, the 29th August 1876.

It is hereby notified for public information, that with the approval of the Director of State Railways, the following Stations of the Mhow and Oojein Section of the Holkar and Neemuch State Railways, will be opened for the reception of public telegraph messages on and from the 1st September 1876, between the hours of 6 A. M. and 6 P. M. daily, and at such other times as passenger trains are in the stations :—

Mhow.	Fatehabad.
Indore.	Oojein.

W. S. S. BISSET, *Manager (Open Line),*
Holkar and Neemuch State Railways.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 25th August 1876.

No. 54.—Mr. E. Johnston, Executive Engineer, 4th Grade, reported his arrival at Mhow, on the afternoon of the 15th August 1876, from Ajmere.

No. 55.—Mr. W. G. Gilchrist, Assistant Engineer, 1st Grade, Barnagar Division, returned from the three months' privilege leave granted him in Notification No. 35, dated 22nd April 1876, on the 15th August 1876.

No. 56.—Lieutenant W. H. Johnstone, R.E., Assistant Engineer, 1st Grade, returned from the one month's privilege leave granted him in Notification No. 43, dated 10th June 1876, on the afternoon of the 16th August 1876, and assumed charge of the Bhugora Sub-Division, Ghât Division, from Mr. W. C. L. Floyd, Assistant Engineer, 1st Grade.

No. 57.—With reference to Notification No. 38, dated 9th May 1876, Mr. W. C. L. Floyd, Assistant Engineer, 1st Grade, assumed charge of Roosia Sub-Division, Ghât Division, on the afternoon of the 16th August 1876, from Mr. J. E. Howe, Sub-Engineer, 3rd Grade.

CHARLES CHEYNE,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATION.

Dinapore, the 25th August 1876.

No. 52.—Two months' privilege leave is granted to Baboo Thakoor Dass, Overseer, 2nd Grade, attached to Kosee Extension Surveys, No. 2 Division, from the 15th September, or such later date as he may avail himself of the same.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 22nd August 1876.

No. 206.—With reference to Notification No. 193 of 21st July 1876, Mr. T. J. Dumayne, Assistant Engineer, 2nd Grade, joined No. 4, Haldibari Division, on the forenoon of 11th August.

No. 207.—Mr. J. R. Scott, Assistant Engineer, 1st Grade, No. 1, Nator Division, availed himself of the leave granted him in Notification No. 203, on the afternoon of 12th August 1876.

No. 208.—With reference to Government of Bengal, General Department, Notification No. 1848C.S., dated 21st July 1876, Baboo Gopal Chunder Dass, Special Deputy Collector, ceased to belong to the Establishment of the Northern Bengal State Railway, from the forenoon of the 24th July.

No. 209.—Erratum in Notification No. 194—*For* Sergeant Peece, *read* Sergeant Preece.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTICE.—Sealed tenders for the purchase rate per yard of a lot (nearly 2,000 yards) of red broadcloth of different textures, red flannel, and red turkey cloth (saloo), new, or hardly used, will be received by the Manager of the above Railway up to noon of the 7th September 1876, and will be opened at his office in presence of tenderers on the afternoon of the 8th September 1876.

Further particulars can be obtained on application to the undersigned.

By order,
GEO. HILEY,
Store-keeper.

NOTIFICATION.

Agra, the 28th August 1876.

No. 43.—With reference to Government of India, Notification No. 364, dated 17th August 1876, Mr. J. C. Oman, Accountant, 1st Grade, joined the Office of the Examiner of Accounts, Rajputana State Railway, on the forenoon of the 24th idem.

Sergeant W. E. Walker, Accountant, 2nd Grade, is transferred from the Central Office to the Workshops Division of the Rajputana State Railway.

KELLOW C. PYE,
Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 19th August 1876.

No. 90.—Sergeant T. Collier, Supervisor, 2nd Grade, Meher Division, is granted twenty days' privilege leave from this or such subsequent date as he may be permitted to avail himself of it.

No. 91.—Mr. P. Duncan, Assistant Engineer, 2nd Grade, Reti Division, is granted three months' language and three months' privilege leave from 1st September 1876, or such subsequent date as he may avail himself of it.

The 23rd August 1876.

No. 92.—Mr. P. C. Augier, temporary Sub-Engineer, 3rd Grade, Sehwan Division, is granted thirty days' privilege leave, from 5th August 1876, or such subsequent date as he may be permitted to avail himself of it.

No. 93.—Mr. H. C. Graham, Executive Engineer, 2nd Grade, Sehwan Division, is granted two months' privilege leave from 1st October 1876, or such subsequent date as he may be able to avail himself of it.

No. 94.—The following transfer has been made by the Superintending Engineer, Upper Scinde District :—

Mr. W. Monies, Engineer Apprentice, from the Ghotki to the Reti Division.

M. RAYNE,
Engineer-in-Chief.

To Contractors.

Tenders are invited for the supply of three lacs of hammer dressed stone for the Indus Bridge.

The stones required are of large size, and in connection with the supply ten lacs of rubble stone and ten lacs of ballast will be taken.

Rates are required for each description of stone. Further particulars can be obtained from undersigned who will receive the tenders for submission to the Engineer-in-Chief, who does not bind himself to accept the lowest or any tender.

W. HUNT,
Executive Engineeer, Ghoteki Division.

Statement of the Affairs of the Bank of Bengal for the week ending 29th August 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,74,032	7	9
Public Deposits at Head Office (Rs. 1,29,14,557 8 3) / Public Deposits at Branches (Rs. 1,76,93,946 0 4)	3,06,08,503	8	7
Other Deposits at Head Office and Branches	2,35,26,784	8	8
Bank Post Bills, &c.	2,53,151	3	3
Sundries	6,28,499	7	4
TOTAL ...	7,66,90,971	3	7

ASSETS.	Rs.	A.	P.
Government Securities	1,56,70,343	11	3
Loans on Government Securities, &c., at Head Office and Branches ...	46,97,995	8	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches	28,05,405	11	9
Bills discounted and purchased at Head Office and Branches	1,73,97,544	4	3
Balances with other Banks ...	6,08,321	3	2
Bullion	14,796	7	0
Dead Stock	10,60,732	12	3
Stamps	10,768	3	3
Sundries	2,33,262	2	11
	4,24,89,170	0	1
Cash and Currency Notes at Head Office (Rs. 1,46,24,812 14 10) / Cash and Currency Notes at Branches (Rs. 1,95,76,988 4 8)	3,42,01,801	3	6
TOTAL ...	7,66,90,971	3	7

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

BANK OF BENGAL; Calcutta, 31st August 1876. J. GORDON, *Chief Accts. & Depy. Secretary.*

2 *b*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
122	B 49—57782		10	Murdanayagum Pillay, Trichinopoly.
	B 38—83906		100	
123	B 36—90434		5	Mrs. Agnes O'Brien, Cuddalore.
124	B 42—31137		20	Narso Krishna Patka Shigaum, Bangalore.
	„ —31138		20	
	„ —31139		20	
	„ —31140		20	
	„ —31146		20	
17	B 44—77519	wrongly joined.	100	V. C. Moonesawmy Chetty, Madras.
	„ —77516			
18	B 35—40370	ditto	20	B. Ramiah Chetty, Vellore.
	„ —40373			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 21st August 1876.

W. DONALD,
Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No. 1876-77.	No. of Notes.		Value. Rs.	Name of Claimant.
104	M 24—63965		100	Poonumchund Talchund, Ahmedabad.
113	M 18—24586		10	Hormusje Dhunjebhoy Bhesania, Malabar Hill, Bombay.
	M 19—39845		10	
114	C 84—76736		10	Vussanje Shamje, Bombay.
35	C 78—56847		20	Mr. Jugonath Nanabhai Selang, Bombay.
	„ —56849			
118	M 24—69710		100	Mr. Edward Meyes, Secunderabad.

BOMBAY,—Paper Currency Dept.;
The 22nd August 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
32	D 7—78919		100	Dwarka Pershad, Jounpore.
	„ —87614		100	

NOTES PARTIALLY LOST OR DESTROYED.

54	D 4—58642		50	Kasi Ram, Allahabad.
20	D 10—25940	wrongly joined.	5	Mohendronath Ghose, Delhi.
	„ —25937			

ALLAHABAD,—Paper Currency Office;
The 24th August 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
38	E 12—09787		20	Hurdial and Jeykishen, Bankers, Sealkote.
39	E 3—93582		100	Wali Ullah and Zoolficar of Amritsar, now at Lahore.
	E 13—02293		100	
40	E 3—97263		100	Buldeo Sahai, Treasury Clerk, Bhawulpore.

NOTES PARTIALLY LOST OR DESTROYED.

15	E 6—45337	wrongly joined.	10	Ram Kishen, Paper Currency Office, Lahore.
	„ —45338			
51	E 5—77565		20	The Reverend Fr. Polycorp, R. C. Chaplain of Lahore, on behalf of the Superioress, Convent, Serdhana.
	„ —93772		20	

LAHORE,—Paper Currency Office;
The 25th August 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.		Value. Rs.	Name of Claimant.
F 8—45897		20	W. R. Rice, Esq., M.D., Civil Surgeon, Jabalpur.
„ —49642		20	

NAGPUR,—Paper Currency Office;
The 24th August 1876.

Deputy Commissioner of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
182	L 68—29321	100	Dowlut Duftry.
183	L 38—42951	100	The Inspector Sec. O., Garden Reach.
	L 68—77554	100	
	L 19—77616	50	
	A 92—39588	50	
184	L 50—97472	100	Mr. F. G. Bailey.
185	L 64—65191	20	Babu Obhoy Churn Das.
188	L 66—33491	50	The Collector, Midnapore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
170	L 33—28303	10	Babu Satcoree Banerjee.
	„ —28306		
171	L 59—64546	10	Babu Peary Mohun Banerjee.
	„ —64548		
172	L 10—89340	5	Babu Radhica Churn Mitter.
	„ —89337		
173	L 20—85732	5	Babu Nundo Lal Bose.
	„ —85731		
175	L 22—04233	5	Babu Nety Churn Sreemany.
	„ —04232		
174	L 21—03285	5	Babu Behary Lal Dey.
	„ —03265		
231	A 9—25221	20	Mr. W. Campbell.
232	L 38—71099	100	Mr. A Cumming.
	L 50—04686	100	
	L 67—47632	50	
	L 78—51527	20	
	L 45—45289	20	
	„ —14892	20	
	L 37—87458	20	
	L 72—21912	10	
	L 71—02535	10	
233	L 24—16970	5	Babu Nund Kishore Prosad.
234	L 72—17990	10	Babu Bussunto Kumar Dutt.
235	L 73—57741	10	Mr. J. Walk.
236	L 7—17386	20	Messrs. Hamilton & Co.
237	L 44—15684	10	The Post Master General, North-Western Provinces.
	L 59—54929	10	
	L 22—52025	5	
238	L 60—04019	10	Babu Herombo Nath Mookerjee.
	L 57—13641	10	
	L 78—44541	20	
	„ 44550	20	
239	L 24—23398	5	Babu Golap Chander Bhuttacharjee.
240	L 23—51994	5	Shaik Rohim Bux.
241	L 72—08324	10	Hajee Summer Jaffer.
	L 71—78969	10	
	L 60—58835	10	
242	L 67—36333	50	Babu Prosuno Kumar Roy.
243	L 9—31072	5	Babu Roma Nath Banerjee.
225	L 46—14289	20	Mr. R. Howe.
	L 64—22405	20	

CALCUTTA,—Paper Currency Office;
The 1st September 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
August 21st, 1876...	10,163	...	24,143	91,09,701	...
„ 22nd „ ...	...	...	24,143	90,87,962	...
„ 23rd „ ...	8,775	...	32,919	90,99,221	...
„ 24th „ ...	...	13,839	19,065	91,29,677	...
„ 25th „ ...	...	...	19,065	91,39,219	...
„ 26th „ ...	...	10,047	8,896	91,60,632	...

CALCUTTA MINT,
The 28th August 1876.

C. H. LUARD,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 2nd August 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

The 1st September 1876.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 3rd September 1876, at 7 P. M.

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Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 8th September 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 1st September 1876.

Anderson, A.
Bennell, John.
Bretton, J. H. M.
Casey, Mrs.
Cock, J. P.
Coles, J. O.
Cunningham, Denis.
Dalzdell & Co., Messrs.
D'Cruz, T.
Deviling, Mr.
Dolgetty, N. H.
Douglas, Mrs. C. H.
Duarte, Thos.
Elliott, E.
Empson, Fred.
Gilteen, Mr.
Green, Mrs. M. A.
Hannen, Mrs. H.
Harclot, D. G.
Holmes, Mrs.
Hudson, F. A.
Jehzkelle Menache, Monsr.
Keeper of Records and Muniments.
Kynoch, Geo.
Lallement, Dr.
Massacano, A.
McIntosh, Mrs.
McGrath, Mrs. H.
Mortelli, John & Co. Messrs.
Newton, Stanley.
Norris, C.
Novel, C. & Co.
Pay, Captain C. M.
Pereira, Mrs. L. E.
Potter, Mrs. J. H.
Pudma Lochun Dutt.
Ramsden, H.
Rodway, Walter.
Reghelin, J. J.
Reid, H.
Schilizi & Co., Messrs.
Seliger, F.
Somerville, C. J.
Steel, Robert.
Stewart, Mrs.
Tassy, Rev. J.
Terry, H. B.
Tissendie, R.
Wood, Mr.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Battye, Major H. D.
Beadle, H.
Birks, A. R.
Borthwick, Mrs.
Browne, D.
Bullers, T.
Carey or Kelly, Engineer.
Corke, Chas.
Chichester, R. E.
Dutton, E. C.
E. F. W.
Fernandez, J. T.
Fleming, Mrs. L. H.
Gaye, A. C.
Harris, T. J. P.
Heffernan, Mrs.
Hindmarsh, William.
Holland, Capt. J.
Hollingsworth, J. B.
Howey, E. W.
Isaac, M.
Jamarson, Wm.
Kearns, E. W. F.
Locke, Henry.
MacIntyre, A.
Mendes, V. E.
Micheli Aristodenio, Signr.
Munro, Major C. A.
O'Brien, Capt. T. E.
Orton, B.
Palmer, Henry.
Pearce, G. S.
Peters, W.
Phelan, T. W.
Phunk, Major-Genl.
Price, J.
Raban, Jas.
Rabontean, Mr.
Richards, J. W.
Russell, Mrs. E.
Ryall, Capt.
Stephens, Dr.
Sykes, B.
T. B., Mrs.
Tanquarette, D.
Walker, G.
Webb, A.
Wilson, L. W. J.
Winkla, Patrick Waller & Co.

Papers.

Holland, Capt. H. O. H.
Munro, Major C. A.
Proprietor, "Star of India."
Ring, J. B.
St. George, F.

Parcel.

Grundy, T. A.

Registered Letters.

Furlong, Esq.
Lallemant, Dr. D.
Pereira, C. H.
Stevenson, David.

W. ALPIN,
Offg. Post Master of Calcutta.

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Dalzdell & Co., Messrs.
D'Cruz, T.
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Dolgetty, N. H.
Douglas, Mrs. C. H.
Duarte, Thos.
Elliott, E.
Empson, Fred.
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Hannen, Mrs. H.
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Holmes, Mrs.
Hudson, F. A.
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Keeper of Records and Muniments.
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Lallement, Dr.
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McGrath, Mrs. H.
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Ramsden, H.
Rodway, Walter.
Reghelin, J. J.
Reid, H.
Schilizi & Co., Messrs.
Seliger, F.
Somerville, C. J.
Steel, Robert.
Stewart, Mrs.
Tassy, Rev. J.
Terry, H. B.
Tissendie, R.
Wood, Mr.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Battye, Major H. D.
Beadle, H.
Birks, A. R.
Borthwick, Mrs.
Browne, D.
Bullers, T.
Carey or Kelly, Engineer.
Corke, Chas.
Chichester, R. E.
Dutton, F. C.
E. F. W.
Fernandez, J. T.
Fleming, Mrs. L. H.
Gaye, A. C.
Harris, T. J. P.
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Mendes, V. E.
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Munro, Major C. A.
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Proprietor, "Star of India."
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Stevenson, David.

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CALCUTTA, SATURDAY, SEPTEMBER 9, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 4th September 1876.

Office opened during the month of August 1876.

Name of Station.	Where situated.	Date.	REMARKS.
Soonaghur ...	Kattywar ...	22nd ..	

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 7th September 1876.

No. 47.—Mr. E. St. A. Vaz, Head Clerk of the Deputy Director's Office, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from 29th August 1876.

No. 48.—Mr. H. N. Alexander, 2nd Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, special leave on private affairs without allowance for one month in extension of leave granted to him in Notification No. 39, dated 12th April 1876, under Section 9, Supplement F of the Civil Leave Code.

W. PALMER,
Examiner of Telegraph Accounts.

BANK OF BENGAL.

Calcutta, the 1st September 1876.

Notice is hereby given that the Bank of Bengal, General Treasury, and Public Debt Office, will be closed from the 22nd September to the 3rd October, both days inclusive, on account of the Doorgah and Lukhi Poojah Holidays, in conformity with Government Notification No. 3464 of 29th October 1867.

All Government acceptances that may fall due between Thursday, the 21st September and Wednesday, the 4th October, will be paid by the Bank on any day after Monday, the 18th September.

By order of the Directors,

R. HARDIE,
Secretary & Treasurer.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The University Examinations in Arts of 1876-77 will be held on the undermentioned dates:—

Entrance Examination and First Examination in Arts on Monday, the 27th November, and following days.

B. A. Examination on Tuesday, the 2nd January, and following days.

Applications from candidates for admission to the Entrance and First Arts Examinations must be lodged with the Registrar before the 26th October.

Applications from candidates for admission to the B. A. Examination must be lodged with the Registrar before the 24th November.

All candidates from the same Institution must appear at one and the same place of examination.

SENATE HOUSE, *The 1st Sept.* 1876. } J. SUTCLIFFE, *Registrar.*

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 25th August 1876.

No. 78.—Mr. E. A. Hobson, Officiating Assistant Superintendent of Police, Hyderabad Assigned Districts, has been granted privilege leave for ten days, with effect from 1st September 1876, or from such date as he may avail himself of it.

By Order,
A. J. DUNLOP,
Offg. 2nd Assistant Resident.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 30th August 1876.

No. $\frac{3006}{1430}$Z.—Colonel C. R. Blair, Commandant of the Mhairwara Battalion, availed himself of the privilege leave granted him in this Office Notification No. $\frac{2668}{1165}$G, dated 26th July 1876, on the 3rd August 1876, and returned to duty on the 20th August 1876.

The unexpired portion of the leave is hereby cancelled.

C. K. M. WALTER,
In charge, Rajputana Agency Office.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 4th September 1876.

No. 32.—Mr. J. W. Mitchell, Surveyor, 4th Grade, is granted two months' privilege leave from such date as his services can be spared.

H. R. THUILLIER, *Capt., R.E.,*
Offg. Superintendent, G. T. Survey of India.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATIONS.

Simla, the 29th August 1876.

Privilege leave for one month is granted to Mr. F. E. Warde, Assistant Surveyor, 3rd Grade, attached to No. 7 or Rajputana Topographical Survey Party, under Supplement F, Section 12, of the Civil Leave Code, from the forenoon of the 1st proximo.

The 2nd September 1876.

Privilege leave for two months is granted to Mr. W. W. McNair, Assistant Surveyor, 2nd Grade, No. 8 or Nandidroog Mysore Topographical Survey, under Supplement F, Section 12, of the Civil Leave Code, from the forenoon of the 1st September 1876.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 30th August 1876.

No. 138.—With reference to Director's Notification No. 50 of the 13th March 1876, Mr. C. H. G. Jenkinson, Assistant Engineer, 1st Grade, Western Rajputana State Railway, is granted six days' subsidiary leave, with effect from the 8th February 1876.

The 31st August 1876.

No. 139.—With reference to Government of India, Public Works Department, Notification No. 368 of the 21st August 1876, Lance Corporal C. Williams and Private J. Morrison, Overseers, 1st Grade, are posted to the Punjab Northern State Railway.

The 1st September 1876.

No. 140.—Consignments of the under-mentioned articles will be carried on Indian State Railways at the rates of the classes specified against each :—

Names of Articles.	Proposed Classification.	
	Class.	
Amla ...	1	
Bark Cinchona ...	2	
Benjamin or silarus ...	2	
Carriages in pieces ...	2	
Carts, bamboo ...	2	If in pieces and dismounted otherwise as carriages in coaching traffic.
Cinchona Bark ...	2	
Card twine string ...	2	
Drainage pipes ...	1	
Emery powder ...	2	
Googool ...	2	
Hand bags of canvas, carpet or leather ...	2	
Iron railing, ornamental ...	2	
Iron bird cages ...	2	
Kheela or rice, parched ...	1	
Kote lukree ...	1	
Kurroo-wood ...	1	
Manganese ...	2	
Measuring tape ...	2	
Mokai or Mokai stone ...	1	
Monj rope and string ...	2	
Nakla ...	1	
Nagkassur ...	2	
Ornamental iron railing ...	2	
Patent fuel ...	1	
Plate powder ...	1	
Rain gauges ...	2	
Reeds for writing ...	2	
Rice, parched ...	1	
Records ...	2	
Rope and string, moonj ...	2	
Shafts ...	2	
Silarus or Benjamin ...	2	
Silk, waste ...	2	
Solution of ammonia ...	2	
Spirits in casks, not bottled, 6 tons or over ...	2	
Tape, measuring ...	2	
Ultramarine ...	2	
Yams ...	1	

The necessary additions should be made, alphabetically, in the general classification of goods on State Railways.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATION.

Lahore, the 2nd September 1876.

No. 103.—Mr. H. F. Storey, temporary Executive Engineer, 1st Grade, is allowed sixty-one days' privilege leave with effect from the forenoon of the 16th August 1876.

ALEX. GRANT,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 30th August 1876.

No. 44.—With reference to Director of State Railways' Notification No. 98, dated 1st June 1876, Mr. M. S. N. Hecquet, Sub-Engineer, 1st Grade, was relieved of his duties on this Railway on the afternoon of the 26th August 1876.

The 1st September 1876.

No. 45.—Mr. H. Halpin, temporary Sub-Engineer, 3rd Grade, is granted an extension of leave without allowances for two months and fifteen days, in addition to the leave granted him in this Office Notification No. 32 of 29th June last.

The 4th September 1876.

No. 43.—With reference to Public Works Department Notification No. 355, dated 7th August 1876, Babu Novina Chandra Rai, Paymaster, Rajpootana State Railway, reported his arrival on the forenoon of the 2nd September 1876.

KELLOW C. PYE,
Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 1st September 1876.

No. 96.—Mr. F. George, Accountant, 4th Grade, Sutlej Bridge Division, reported his return from the leave granted in this Office Notification No. 52, dated 14th June 1876, on the forenoon of the 26th ultimo.

No. 97.—Lalla Mungoo Ram, Apprentice Accountant, attached to the Central Office of Accounts, is granted leave without pay for five weeks from 31st July 1876; this cancels this Office Notifications Nos. 80 and 87, dated 31st July and 21st August 1876, respectively.

M. RAYNE,
Engineer-in-Chief.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 6th September 1876.

No. 15.—LEAVE OF ABSENCE.—Mr. Edmund Hume Stephen Gasper, Probationary Assistant Surveyor, 4th Grade, for two months, from the 1st instant, under Section 12, Supplement F, of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

PUBLIC WORKS DEPARTMENT— Military Works.

NOTIFICATIONS.

Simla, the 28th August 1876.

No. 93.—Honorary Captain J. Copeland, Assistant Engineer, 3rd Grade, is transferred from the 2nd to the 1st Circle, Military Works.

The 29th August 1876.

No. 94.—With reference to Government of India, Public Works Department, Notification No. 315, dated 14th July 1876, Mr. J. A. Ellis, Accountant, 3rd Grade, is posted to the Office of Examiner of Accounts, Military Works, which he joined on the forenoon of 15th August 1876.

The 1st September 1876.

No. 95.—With reference to Government of India, Public Works Department, Notification No. 368, dated 21st August 1876, the following postings are made :—

To 3rd Circle, Military Works.

Lance Sergeant R. Logan, Overseer, 1st Grade.
Mr. H. Miller, Overseer, 2nd Grade.

To 4th Circle, Military Works.

Mr. J. A. Connor, Overseer, 2nd Grade.

To 5th Circle, Military Works.

Corporal V. H. Swann, Overseer, 2nd Grade.
Mr. G. H. Neville, Overseer, 2nd Grade.

The 2nd September 1876.

No. 96.—Mr. J. F. Chew, Accountant, 4th Grade, is transferred from the Chakrata Division to the Umballa Division, Military Works.

Mr J. Lenehan, Accountant, 4th Grade, is transferred from the Office of Examiner of Accounts, Military Works, to the Chakrata Division, Military Works.

No. 97.—With the approval of the Government of India, Public Works Department, Lieutenant M. Laugharne, R.E., Assistant Engineer, 1st Grade, is appointed to officiate as Executive Engineer, Ferozepore Division, Military Works, during the absence of Captain F. F. Cotton, R.E., on privilege leave.

No. 98.—With the approval of the Government of India, Public Works Department, Lieutenant-Colonel Davies, Executive Engineer, 1st Grade, is appointed to officiate as Superintending Engineer, 1st Circle, Military Works, in addition to his own duties during the absence of Major Tucker, R.E., on privilege leave. Lieutenant-Colonel Davies took over charge of the Circle from Major Tucker on the afternoon of 22nd August 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

3rd Circle.

Meerut, the 5th September 1876.

No. 36.—With reference to Superintending Engineer's Notification No. 25 of 11th July 1876, Lieutenant S. C. Turner, R.E., temporary Executive Engineer, 3rd Grade, Agra Division, Military Works, availed himself of one month's privilege leave on the morning of the 28th August 1876.

No. 37.—With reference to Inspector General Military Works' Notification No. 85 of 5th August 1876, Mr. R. J. Bailey, Assistant Engineer, 2nd Grade, took over charge of the Agra Division, Military Works, from Lieutenant S. C. Turner, R.E., on the forenoon of the 28th August 1876.

R. TYNDALL, *C. E.*,
Supdg. Engr., 3rd Circle, Mily. Works.

To Contractors.

Tenders are invited for the supply of three lacs of hammer dressed stone for the Indus Bridge.

The stones required are of large size, and in connection with the supply ten lacs of rubble stone and ten lacs of ballast will be taken.

Rates are required for each description of stone. Further particulars can be obtained from undersigned who will receive the tenders for submission to the Engineer-in-Chief, who does not bind himself to accept the lowest or any tender.

W. HUNT,
Executive Engineer, Ghoteki Division.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for	Balance of Bullion	
			Under Assay.	Assayed.
	Rs.	Rs.	Rs.	Rs.
August 28th, 1876... ...	39,901	...	48,797	90,71,758
„ 29th „	3,696	8,731	43,754	89,92,156
„ 30th „	...	...	43,754	89,07,804
„ 31st „	21,980	159	65,578	88,25,297
Sept. 1st „	...	...	65,578	87,36,402
„ 2nd „	...	43,325	22,209	86,92,715

CALCUTTA MINT, *The 5th Sept.* 1876.

C. H. LUARD, *Offg. Mint Master.*

Statement of the Affairs of the Bank of Bengal for the week ending 5th September 1876.

LIABILITIES.	Rs.	A.	P.	Rs.	A.	P.
Capital paid up				2,00,00,000	0	0
Reserve Fund				16,74,032	7	9
Public Deposits at Head Office ...	97,76,818	5	5			
Public Deposits at Branches ...	1,65,23,014	8	3	2,62,99,832	13	8
Other Deposits at Head Office and Branches				2,42,24,640	1	3
Bank Post Bills, &c.				1,86,001	6	9
Sundries				6,32,558	1	6
TOTAL ...				7,30,17,064	14	11

ASSETS.	Rs.	A.	P.	Rs.	A.	P.
Government Securities				1,46,06,464	7	6
Loans on Government Securities, &c., at Head Office and Branches ...				47,18,795	8	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...				27,54,152	12	0
Bills discounted and purchased at Head Office and Branches				1,82,18,179	4	4
Balances with other Banks ...				6,15,374	4	9
Bullion				14,796	7	0
Dead Stock				10,49,383	15	0
Stamps				10,680	10	4
Sundries				2,19,556	2	2
				4,22,07,383	7	4
Cash and Currency Notes at Head Office ...	1,21,01,872	11	1	3,08,09,681	7	7
Cash and Currency Notes at Branches ...	1,87,07,808	12	6			
TOTAL ...				7,30,17,064	14	11

BANK OF BENGAL; *Calcutta, 7th September* 1876.

J. GORDON, *Chief Acctt. & Depy. Secretary.*

By order of the Directors,
R. HARDIE, *Secy. & Treasurer.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
41	E 3—98868	100	The Deputy Commissioner, Hazara, on behalf of Lieutenant W. D. B. Fenton, 11-8th R. A.
	E 4—98106	50	
	„ —98108	50	
42	E 6—91125	10	Lieutenant-Colonel H. Melvill, 19th Bengal Lancers, Meean Meer.

NOTE PARTIALLY LOST OR DESTROYED.

54	E 2—26494	500	Gholam Sadik Khan, Merchant of Multan, now at Lahore.

LAHORE,—Paper Currency Office; *The 2nd September* 1876.

I. C. BOSE, *Asstt. to Acctt. Genl., in charge of Currency Office.*

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No. 1876-77.	No. of Notes.	Value. Rs.	Name of Claimant.
13	C 5—89419	50	Krishnarao Trimbuck Baput, Ahmednagar.

NOTES PARTIALLY LOST OR DESTROYED.

61	C 99—33208	20	Mr. Patrick Gleison, Senior Coast Guard Inspector, Carwar.
	„ —33209	20	
94	M 18—22540	10	Chintamon Moreshwar, Sawant Wari.
111	M 19—97132	10	Mr. L. G. A. DeSouza, Quarter Master General's Office, Poona.

BOMBAY,—Paper Currency Dept.; *The 30th August* 1876.

G. W. CLINE, LL.D., *Assistant Commissioner.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
483	B 34—04940	...	10	S. N. C. Cunterava Charry, Madras.
125	B 49—86613	...	10	J. T. Greatorex, Esq., Madras.
126	B 41—13482	...	10	P. Gooroosawmy Pillay, Vellore.
127	B 39—72310	...	5	D. Rajaruthnum Pillay, Madanapully.
128	B 41—74579	...	10	Amildar of Kaveladurga, Shemogah.
129	B 40—14647	...	5	Messrs. Barclay and Morgan, Madras.
	B 49—95671	...	10	
130	B 49—53096	...	10	V. Ramalinga Moodeliar, Bellary.
19	B 42—02076	wrongly joined.	20	T. Iasawmy, Bellary.
	„ —02079			

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 28th August* 1876.

W. DONALD, *Asstt. Acctt. Genl., in charge of Paper Currency Dept.*

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 7—49068	10	Mr. Ramchunder Atmaram, Abkaree Carkoon, Mamledar's Cutcherry, Dindoree, Nassik,
G 7—74237	10	Mr. Purtabrai Pelajrai, School Master, Beyla.

KURRACHEE.—Paper Currency Dept.; *The 26th August* 1876.

W. A. INGLE, *Asstt. Depy. Commr. of Paper Currency.*

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
33	D 7—70436	...	100	M. C. Mullick, Kishungarh.
34	D 7—32859	...	100	The Post Master, Cawnpur.
35	D 10—76862	...	5	The Post Master General, North-Western Provinces, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

55	D 10—80384	...	5	Lukshmi Narain, Basti.
56	D 11—52344	...	10	G. E. Knox, Esq., C.S., Allahabad.
	D 5—87296	...	20	
	D 4—64237	...	50	
	D 7—93837	...	100	
57	D 10—37574	...	5	Surendro Nath Chatterjee, Allahabad.

ALLAHABAD,—Paper Currency Office; *The 31st August* 1876.

T. H. S. BIDDULPH, *Asstt. Acctt. Genl., in charge of Paper Currency Office.*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
189	L 67—98356	...	50	Wooma Bhye Kally Das.
190	L 68—57369	...	100	Babu Protap Chunder Banerjee.
	„ —87811	...	100	
193	L 82—12679	...	100	Mahomed Attaoolla Khan.
	L 69—31525	...	100	
	L 51—92801	...	100	
	L 77—27347	...	20	
	L 40—23314	...	10	

NOTES PARTIALLY LOST OR DESTROYED.

176	L 1—86264	...	10	Babu Odoy Chunder Bose.
	„ —86265	...		
177	L 24—65313	...	5	Babu Jogendro Lal Bose.
	„ —65315	...		
163	L 45—43126	...	20	Shaik Mozooddeen.
	„ —43125	...		
244	L 5—03632	...	10	Babu Radhajibon Roy.
	L 22—93347	...	5	
245	L 21—75491	...	5	Babu Raj Mohun Bosu.
246	L 52—47123	...	500	Roy Ramprosad.
	L 69—84628	...	100	
	L 67—26870	...	50	
247	L 70—53266	...	1,000	The Post Master General, North-Western Provinces.
248	L 66—38473	...	50	Babu Chunder Mohun Ganguly.
	„ —38474	...	50	
249	L 82—42585	...	100	Babu Dwarka Nath Mookerjee.
250	L 25—01148	...	5	W. S. Halsey, Esq., C. S.
251	A 73—88062	...	20	Babu Woomesh Chunder Banerjee.
	A 66—53078	...	10	
	A 95—35780	...	10	
	A 80—85326	...	10	
	A 69—05794	...	10	
	„ —05793	...	10	
152	L 17—01924	...	5	Babu Isan Chander Sircar.
	„ —01926	...	5	
253	L 67—50277	...	50	Babu Sreenath Gupta.
	L 23—39283	...	5	
254	L 15—71624	...	5	Babu Kristo Lal Chuckerbutty.

CALCUTTA,—Paper Currency Office; *The 8th September* 1876.

R. E. HAMILTON, *Offg. Assistant Commissioner of Paper Currency.*

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st August 1876.

PARTICULARS.	4½ PER CENT. LOANS					5 PER CENT. DEBENTURES FOR		5 PER CENT. LOAN OF 1865-67.	5½ PER CENT. LOAN OF 1869-70.	5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
	of 1854-55.	Transfer of 1865.	of 1870.	of 1871.	of 1872.	10 years.	15 years.			10 years.	15 years.	
										Repayable, June 1877.	Repayable, June 1882.	
	£	£	£	£	£	£	£	£	£	£	£	£
Balance of 15th August 1876	1,09,15,800	1,63,60,600	35,79,900	2,57,000	2,94,31,800			82,800	4,20,73,000	25,94,000	33,17,000	13,00,08,712
Add—												
Amount enfaced at Madras between 16th and 31st August 1876 ...	...	27,000	...	...	...			...	2,78,000	...	...	3,07,000
Amount enfaced at Bombay between 16th and 31st August 1876 ...	...	...	...	...	...			...	38,400	...	...	38,400
Amount enfaced at Calcutta between 16th and 31st August 1876 ...	18,200	87,300	...	...	11,100			...	60,600	...	11,000	2,80,700
	1,09,34,000	1,64,74,900	35,79,900	2,57,000	2,94,42,900			82,900	4,21,50,000	25,94,000	33,28,000	13,06,35,812
Deduct—												
Amount written off in the London Registers	29,500	75,000	80,700	...	1,34,100			...	2,91,800	...	10,000	16,59,700
Balance on 31st August 1876	1,09,04,500	1,63,99,900	34,99,200	2,57,000	2,92,58,800			82,900	4,21,77,200	25,94,000	33,18,000	12,89,77,112

PARTICULARS.	4 PER CENT. LOANS					3½ PER CENT. LOAN OF 1853-54.	TOTAL AMOUNT.
	of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.		
	£	£	£	£	£	£	£
Balance of 15th August 1876	33,173	2,346	14,65,493	31,51,600	1,63,88,600	55,600	1,54,74,700
Add—							
Amount enfaced at Madras between 16th and 31st August 1876 ...	...	...	...	1,000	1,000	...	2,000
Amount enfaced at Bombay between 16th and 31st August 1876 ...	...	...	...	...	1,000	...	1,000
Amount enfaced at Calcutta between 16th and 31st August 1876 ...	...	...	...	61,800	31,700	...	93,500
	33,173	2,346	14,65,493	32,04,400	1,64,22,300	55,600	1,55,71,200
Deduct—							
Amount written off in the London Registers	...	...	...	40,000	9,47,600	...	9,87,600
Balance on 31st August 1876	33,173	2,346	14,65,493	31,64,400	1,54,74,700	55,600	1,45,83,600

NOTE.—From 6th June 1867 to 30th June 1876, enfaced from India, 2,321 lakhs; re-transferred from London, 2,334 lakhs.

From	1st July 1876	to 15th July	3	lakhs.
"	16th "	" 31st "	13	"
"	1st Aug.	" 15th Aug.	5	"
"	16th "	" 31st "	5	"
			2,347	
Balance against London			45	lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 4th September 1876.

Report of a Deserter from the 73rd Regiment of Foot, dated at Subathu, this 30th day of August 1876.

Number, Rank and Name,—60 Bde. No. 296 Private James Hodgson.
Age,—24 years and 7 months.
Size,—5 feet 5¾ inches.
Color of—
Complexion, Fresh; Hair, Light Brown; Eyes, Grey.
Date of Desertion,—26th August 1876.
Place of Desertion,—Subathu.
Date of Enlistment,—5th July 1871.
At what Place Enlisted,—Preston.
Parish and County in which born,—Lancaster, Lancashire.
Marks,—Mole close to navel and scar on right knee.
Trade,—Labourer.
Coat or Jacket, Waistcoat, Breeches or Trowsers, } Regimental Serge Clothing and Helmet.
REMARKS,—None.
Under 5 years' service.

J. W. BARNES, *Lieut.-Colonel,*
Comdg. 73rd Regiment.

Report of a Deserter from the 7-13th Royal Regiment of Artillery, dated at Calcutta, this 8th day of September 1876.

Number, Rank, and Name,—3661, Gunner Charles Brown.
Age,—28 years.
Size,—6 Feet 2 Inches.
Color of—
Complexion, fresh; hair, brown; eyes, hazel.
Date of Desertion,—5th September 1876.
Place of Desertion,—Calcutta.
Date of Enlistment,—6th January 1871.
At what Place Enlisted,—Bristol.
Parish and County in which born,—Weedon, Northampton.
Marks,—2 teeth broken in front.
Trade,—Laborer.
Coat or Jacket,—Serge Jacket.
Waistcoat,—None.
Breeches or Trowsers,—White duck trousers.
REMARKS.—None.

H. N. JONES, *Captain,*
Comdg. 7-13th R. A.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 2nd August 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

The 8th September 1876.

Mails for Madras, Ceylon and the Intermediate Ports, for transmission per Steamer *Madura,* will be closed at the General Post Office on Monday, the 11th September 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 12th September 1876.

2. Book post and pattern packets must be posted on the 11th September 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour Overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 13th September 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer *Nil,* will be closed at the General Post Office on Friday, the 15th September 1876, at 7 P. M.

Mails for Rangoon and Moulmein for transmission per Steamer *Nil,* will be closed at the General Post Office on Friday, the 15th September 1876, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, and United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 15th September 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 8th September 1876.

Bennell, John.
Bretton, J. H. M.
Breik, A.
Casey, Mrs.
Castor, C. F.
Clarke, W. E.
Cock, J. P.
Coles, H. M.
Connors, J.
Connors, M., Mrs.
Cunningham, Denis.
Davidson, J. C., Mrs.
Day, Alice, Mrs.
D'Cruz, T.
Denovan, D.
Deviling, Mr.
Dickens, P., Mrs.
Dorliac Leon, Monsieur.
Douglas, Mrs. C. H.
Duarte, Thos.
Empson, Fred.
Fairweather, J. F.
Fisher, R.
Godfrey, S.. Miss.
Hannen, Mrs. H.
Harclot, D. G.
Hefferman, M. J., Mrs.
Holmes, Mrs.
Hudson, F. A.
Jordan, Sarah, Miss.
Kilby, J. C.
Kynoch, Geo.
Lallement, Dr.
Matthews, P., Miss.
McGrath, Mrs. H.
McIntosh, Mrs.
Miller, Sophia, Mrs.
Norton, John.
Norris, C.
Parker, C., Mrs.
Pay, Captain C. M.
Pereira, Mrs. L. E.
Pudma Lochun Dutt.
Pushong, R. A. J.
Rodway, Walter.
Reghelin, J. J.
Reid, H.
Saunders, Mrs.
Schilizi & Co., Messrs.
Secretary, Canning Institute.
Seliger, F.
Sharpe, G.
Smith, Mrs.
Somerville, C. J.
Tassy, Rev. J.
Tissendie, R.

Letters marked "Care of Post Office, to be kept till called for."

Anderson. Andrew.
Battye, Major H. D.
Beadle, H.
Birks, A. R.
Borthwick, Mrs.
Browne, D.
Bullers, T.
Carey or Kelly, Engineer.
Chichester, R. E.
Dutton, B. C.
E. F. W.
Fleming, Mrs. L. H.
Gaye, A. C.
Graham, C.
Hamilton, E.
Harris, T. J. P.
Heffernan, Mrs.
Hindmarsh, William.
Holland, Capt. J.
Hollingsworth, J. B.
Howey, E. W.
Isaac, M.
Jamarson, Wm.
Littlewood, J. H.
MacIntyre, A.
Mandsley, E. R.
Mendes, V. E.
Micheli Aristodenio, Signr.
Munro, Major C. A.
O'Brien, Capt. T. E.
Orton, B.
Palmer, Henry.
Pearce, G. S.
Peters, W.
Phelan, T. W.
Phunk, Major-Genl.
Price, J.
Raban, Jas.
Rabontean, Mr.
Reed, J.
Ryall, Capt.
Smith, Geo. A.
Stephens, Dr.
Stroesko, Michel.
Sykes, B.
T. B., Mrs.
Tanquarette, D.
Thuillier, D'Arey.
Walker, G.
Webb, A.
Wilson, L. W. J.
Winkda, Patrick Waller & Co.

Papers.

Holland, Capt. H. O. H.
Munro, Major C. A.
Proprietor, Star of India.
Ring, J. B.
St. George, F.

Parcel.

Daye, S. R.
Grundy, T. A.

Registered Letters.

Aynsley, W. M.
Furlong, Esq.
Lallemant, Dr. D.
Mandsley, E. R.
Pereira, C. H.
Stevenson, David.

W. ALPIN,
Offg. Post Master of Calcutta.

Publications for sale at the Bengal Secretariat Press.

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India:—

Vol. I. 24-Pergunnahs and Sundarbans.
Vol. II. Nadiya and Jessor.
Vol. III. Midnapur, Hughli, and Howrah.
Vol. IV. Bardwan, Bankura, and Birbhum.
Vol. V. Dacca, Bakarganj, Faridpur, and Maiminsing.

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The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 10 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, Re. 1-4.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs. 10; postage, Re. 1-2.*

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price, 8 annas per copy, or including postage, 10 annas.*

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Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1876. *Price, Rs. 3; postage, 8 annas.*

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Vol. II, No. 4, for September 1876.

The Trade Centres of Bengal (No. VI.—Goalundo) *With a Sketch Map.*—Sea-borne Trade of Calcutta, July 1876.—The Census of Calcutta, 1876.—(by Mr. Beverley, C.S.) No. I.—Introductory Remarks and manner of taking the Census.—Statistics relating to Cinchona Cultivation in British India.—The District of Noakholly (No. II.—Its present features.)—The Trade and Commerce at the fair of Nijni-Novgorod.—Harvest returns of all the Districts of Bengal, 1875-76.—Loss to Agriculture from the practice of using cattle-dung as fuel.—Vital Statistics, Bengal, during the month of June 1876.—Jail Mortality, June 1876.—Vital Statistics of the Town of Calcutta, July 1876.—Vital Statistics of the Suburbs of Calcutta, July 1876.—Trade between Bengal and Nepal, second quarter of 1876.—Traffic on the Diamond Harbour and Baraset Roads.—No. III.—Traffic on the Bankipore and Gya Road.—No. III.—Statements of River Traffic in Bengal, district by district, during June 1876.—River-borne traffic of the Principal Marts in Bengal during the first half of the year 1876.—River Steamer Traffic in Bengal.—No. II.—Statements of Bengal Railway Traffic during June 1876.

Subsequent Numbers will issue on or about the 1st of each successive month.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 16, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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Ē. J. DEAN,
Publisher, Gazette of India.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned Estates having come under charge of this Office, all persons having claims upon, being indebted to, or holding property belonging to the said Estates are requested to place themselves in immediate communication with the undersigned:—

William Hunter Smoult, of Bishops Lydiard, near Taunton, in the county of Somerset, in England, died in England on the 23rd November 1870.

Henry Smith, formerly of Whittlesey in the Isle of Ely, in the county of Cambridge, Esquire, but late of Jhelum, in the Punjab, a Lieutenant in the 11th Regiment, Bengal Native Infantry, died at Jhelum, on the 21st May 1857.

Harriet Snykers, wife of Leonard Snykers, now of Rome, Gentleman, died at Paris, on the 18th May 1874.

John Rodgers, an Engine Driver in the Indus Valley State Railway, died at Mooltan, on the 28th June 1876.

William Ruth, a pensioner of the Government Telegraph Department, died at Lucknow, on the 14th June 1876.

Richard Congdon, of Dhoolie Tea Estate, at Seebsaugor, Assam, a Tea Planter, died at Seebsaugor in September 1874.

George Albert Colvill, a Lieutenant in the 1st Battalion, 3rd Foot, died at Qualla Kangsa D. Malaya, on the 29th February 1876.

Gustave Adolph Oluffs, a Driver in the Great Indian Peninsular Railway, died at Nagpur on the 13th September 1875.

Reverend Thos. Simons, of the American Baptist Missionary Union, died at Prome, in British Burmah, on the 19th February 1876.

HIGH COURT, CAL., *The 9th Sept.* 1876. } F. S. COLLIS, *Offg. Administrator Genl.*

BANK OF BENGAL.

Calcutta, the 1st September 1876.

Notice is hereby given that the Bank of Bengal, General Treasury, and Public Debt Office, will be closed from the 22nd September to the 3rd October, both days inclusive, on account of the Doorgah and Lukhi Poojah Holidays, in conformity with Government Notification No. 3464 of 29th October 1867.

All Government acceptances that may fall due between Thursday, the 21st September and Wednesday, the 4th October, will be paid by the Bank on any day after Monday, the 18th September.

By order of the Directors,

R. HARDIE,
Secretary & Treasurer.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 9th September 1876.

No. 16.—Mr. J. J. Allen, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for three months, under Section 21, of the Civil Leave Code, with effect from the forenoon of the 1st September 1876.

The 13th September 1876.

No. 17.—Mr. M. R. Trower, an Assistant Superintendent of the 1st Grade, availed himself on the 25th August 1876 of the two years' furlough granted to him in Notification No. 51, dated 29th February 1876.

The 15th September 1876.

No. 18.—Mr. K. E. Symons, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for two months under Section 21 of the Civil Leave Code, with effect from the forenoon of the 22nd August 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.

Mount Aboo, the 6th September 1876.

No. 2368S.—In supersession of the Notification No. 1187S, dated 13th May 1876, published in the *Gazette of India*, Part II, dated 27th idem, page 266, Mr. James Rollo is permanently appointed Assistant Engineer, 1st Grade, from the date of Assistant Engineer Captain Landon's leaving the Public Works Department of this Administration, *viz.*, the 9th July 1876.

By order,

A. G. CROMMELIN,
Secy. to Agent Governor General and Chief Commr., in the P. W. D., Rajputana.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 8th September 1876.

No. 16.—LEAVE OF ABSENCE.—Mr. Elliot Playfair Smyth Hill, Probationary Assistant Surveyor, 4th Grade, for one month, from the 1st instant, under Section 12, Supplement F, of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 9th September 1876.

No. 99.—With the approval of the Government of India, Public Works Department, the following officiating appointments are made :—

Lieutenant J. W. Thurburn, R.E., to officiate as Executive Engineer, 2nd Peshawar Division, Military Works, during the absence of Lieutenant Nicholson, R.E., on privilege leave.

Captain G. D'A. Jackson, to officiate as Executive Engineer, Mooltan Division, Military Works, during the absence of Mr. Hilton, on privilege leave.

The 11th September 1876.

No. 100.—With reference to Government of India Public Works Department Notification, No. 369, dated 22nd August 1876, the following Officers are posted to the Circles opposite their names :—

Lieutenant G. H. Sim, R. E.,—4th Circle Military Works.

Lieutenant J. A. Ferrier, R. E.,—2nd Circle Military Works.

Lieutenant W. F. H. Stafford, R. E.,—2nd Circle Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

1st Circle.

Calcutta, the 8th September 1876.

No. 2637.—Third Grade Assistant Engineer Baboo Callypuddo Sein attached to the Fort William Division, returned from 15 days' privilege leave on the forenoon of 31st August 1876.

No. 2638.—Honorary Captain J. Copeland, Assistant Engineer, 3rd Grade, transferred from 2nd to 1st Circle, Military Works, in Inspector General, Military Works' Notification No. 93 of 28th August 1876, is posted to the Fort William Division.

F. J. DAVIES, *Colonel,*
Offg. Supdg. Engr., 1st Circle, Mily. Works.

4th Circle.

The 11th September 1876.

No. 21.—With reference to Inspector General's Notification No. 95 of the 1st current, Mr. J. A. Conner, Overseer, 2nd Grade, is posted to the Jullundur Division, Military Works.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

The 6th September 1876.

No. 15.—Captain A. Hill, R.E., Executive Engineer, 4th Grade, attached to this Circle in Inspector General's Notification No. 74 of 8th June 1876, is posted to the 1st Rawalpindee Division which he joined on the afternoon of 14th April 1876.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

7th Circle.

The 4th September 1876.

No. 2004.—Privilege leave for fifteen days is granted to Mr. Martin, Assistant Engineer, 2nd Chukrata Division, with effect from 18th June 1876.

J. BIRNEY, *Major, R.E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATIONS.

Port Blair, the 14th August 1876.

No. 121.—Captain Darwood, Harbour Master, is granted two months' privilege leave, with effect from the date of departure of the Indian Government Ship *Czarewitch.*

The 17th August 1876.

No. 122½.—Captain Darwood availed himself of the leave granted him in Order No. 121 of the 14th instant, this morning.

C. A. BARWELL, *Major-Genl.,*
Chief Commr. and Supdt., Andaman and Nicobar Islands.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 13th September 1876.

Lieutenant D. A. Scott, R.E., Assistant Engineer, 1st Grade, Officiating Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta, passed the departmental standard examination according to Chapter II, Section IV, para. 22, on the 13th September 1876.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consg. Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATION.

Simla, the 11th September 1876.

No. 141.—Mr. J. Collet, Engineer-in-Chief, Western Rajputana State Railway, is granted thirty-seven days' privilege leave, with effect from the 4th September 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 8th September 1876.

No. 46.—With reference to Director of State Railways' Notification No. 121, dated 27th July 1876, Mr. C. H. Berry, Supervisor, 2nd Grade, reported his arrival at Agra for employment in the Locomotive Department of this Railway, on the forenoon of the 19th August 1876.

The 12th September 1876.

No. 47.—With reference to this Office Notification No. 42, dated 16th August 1876, Mr. B. W. Blood, Executive Engineer, 4th Grade, made over, and Mr. E. Johnston, Executive Engineer, 4th Grade, again received charge of the Ajmere Division, on the forenoon of 7th instant.

KELLOW C. PYE,
Manager.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 12th September 1876.

No. 53.—Mr. G. H. Tait, Executive Engineer, 3rd Grade, availed himself of the two months' privilege leave granted to him in this Office Notification No. 51 of 22nd August 1876, from the afternoon of the 4th instant.

No. 54.—With reference to Director of State Railways' Notification No. 98 of 1st June 1876, Mr. N. Hecquet, Sub-Engineer, 1st Grade, reported his arrival at Bazetpoor on the afternoon of the 29th August 1876, and is posted to the Durbhunga Division, Tirhoot State Railway.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 8th September 1876.

No. 210.—With reference to Government of India, Notification No. 140, Public Works Department, of 20th March 1876, Mr. C. D. Berrill, Supervisor, 2nd Grade, joined this Railway on the afternoon of 15th December 1875, and was posted to No. 2 Division.

No. 211.—Mr. C. D. Berrill, Supervisor, 2nd Grade, of No. 2, Jaipur Division, is transferred to Porada Section. He joined that section on the afternoon of the 31st August 1876.

No. 212.—Mr. T. E. Owen, Executive Engineer, is temporarily transferred to the Office of the Engineer-in-Chief from the date of his giving over charge of No. 3 Division. He joined this office at Darjeeling on the forenoon of the 8th September 1876.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 9th September 1876.

No. 58.—Mr. E. Johnston, Executive Engineer, 4th Grade, reported his departure from Mhow on the 30th August 1876, to rejoin his post at Ajmere.

No. 59.—Mr. J. Curley, temporary Supervisor, 1st Grade, Barnagar Division, returned on the 1st September 1876 from the privilege leave granted in Notification No. 33, dated 15th April 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 4th September 1876.

No. 99.—Mr. J. B. Chalmers, Assistant Engineer, 1st Grade, Shujabad Division, is granted twenty days' privilege leave from 11th September 1876, or such subsequent date as he may avail himself of it.

The 7th September 1876.

No. 102.—This Office Notification No. 44 of 7th June 1876, granting three months' leave without allowances to Baboo Jogindro Nath Sircar, Overseer, 2nd Grade, is cancelled.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 9th September 1876.

No. 104.—With reference to Notification No. 103, dated 2nd September 1876, Mr. H. F. Storey, Executive Engineer, 1st Grade, made over, and Mr. M. S. Dooley, Executive Engineer, 4th Grade, received charge of the Chenab Division of the Jhelum Section on the forenoon of the 16th August 1876.

No. 105.—Mr. A. W. Spratt, Overseer, 1st Grade, Jhelum Division, is allowed one month's privilege leave with effect from the afternoon of the 1st September 1876.

No. 106.—Mr. A. Wallace, Sub-Engineer, 1st Grade, Jhelum Division, is allowed three months' privilege leave with effect from the forenoon of 29th August 1876.

ALEX. GRANT,
Engineer-in-Chief.

ACCOUNTANT GENERAL'S OFFICE.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 380.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 31st August* 1876.

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.				IRRIGATION.				STATE RAILWAYS (CAPITAL).			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received	Date of receipt.
1	Rajpootana ...	June 1876	Aug. 16, 1876	1	Rajpootana ...	June 1876	Aug. 10, 1876	1	Rangoon and Sittang Valley.	July 1876	Aug. 21, 1876
2	Assam ...	Ditto ...	Do. 17 ,,	2	Mysore ...	Ditto ...	Do. 28 ,,	2	Calcutta and South-Eastern.	June 1876	Do. 1 ,,
3	Central Provinces...	Ditto ...	Do. 22 ,,	3	Bengal ...	May 1876	Do. 2 ,,	3	Western Rajpootana	Ditto ...	Do. 15 ,,
4	Indian Telegraph...	Ditto ...	Do. 23 ,,	4	Bombay ...	Ditto ...	Do. 9 ,,	4	Wurdah Valley ...	Ditto ...	Do. 16 ,,
5	Oudh, Coorg, Port Blair, Mysore	Ditto ...	Do. 28 ,,	5	Madras ...	Ditto ...	Do. 16 ,,	5	Sindia ...	Ditto ...	Do. 19 ,,
				6	British Burmah ...	Ditto ...	Do. 19 ,,	6	Store-keeper, Calcutta.	Ditto ...	Do. 22 ,,
				7	Punjab ...	Apl. 1876	Do. 21 ,,	7	Indus Valley ...	Ditto ...	Do. 28 ,,
				8	North-Western Provinces.	Mar. 1876	June 12 ,,	8	Nulhati, Rajpootana, Punjab Northern	Ditto ...	Do. 29 ,,
9	Hyderabad Assigned Districts.	Ditto ...	Do. 29 ,,					11	Nizam's ...	Ditto ...	Do. 29 ,,
11	Indo-European Telegraph.	May 1876	July 19, 1876					12	Tirhoot Surveys ...	May 1876	June 28, 1876
12	Grand Trunk Road Lahore to Jhelum.	Ditto ...	Do. 27 ,,		GUARANTEED RAILWAYS.			13	Northern Bengal ...	Ditto ...	Aug. 7 ,,
13	Central India ...	Ditto ...	Aug. 3, 1876					14	Holkar, Neemuch	Ditto ...	Do. 9 ,,
14	Bengal ...	Ditto ...	Do. 9 ,,	1	Bengal ...	June 1876	Aug. 29, 1876	16	Rangoon and Irrawuddy Valley.	Ditto ...	Do. 12 ,,
15	British Burmah ...	Ditto ...	Do. 12 ,,	2	Oudh ...	May 1876	Do. 7 ,,	17	Assam Extension...	Ditto ...	Do. 29 ,,
16	Bombay ...	Ditto ...	Do. 14 ,,	3	Madras ...	Ditto ...	Do. 16 ,,	18	Tirhoot ...	Apl. 1876	Do. 9 ,,
17	Madras ...	Ditto ...	Do. 16 ,,	4	Bombay ...	Ditto ...	Do. 21 ,,				
18	Military Works ...	Ditto ...	Do. 31 ,,	5	Punjab ...	Apl. 1876	Do. 11 ,,		STATE RAILWAYS (REVENUE).		
19	Punjab ...	Apl. 1876	July 24 ,,					1	Calcutta and South-Eastern.	June 1876	Aug. 1, 1876
20	North-Western Provinces.	Ditto ...	Aug. 28, 1876					2	Oomraotee, Khamgaum	Ditto ...	Do. 14 ,,
								4	Nulhati, Punjab Northern	Ditto ...	Do. 28 ,,
								6	Nizam's ...	Ditto ...	Do. 29 ,,
								7	Wurdah Valley ...	May 1876	July 10, 1876.
								8	Rajpootana ...	Ditto ...	Do. 22 ,,
								9	Holkar ...	Ditto ...	Do. 25 ,,
								10	Tirhoot ...	Apl. 1876	Aug. 21 ,,

Simla, the 4th September 1876.

J. J. McLEOD INNES, *Lieut.-Colonel,*
Accountant-General, P. W. Dept.

Statement of the Affairs of the Bank of Bengal for the week ending 12th September 1876.

LIABILITIES.		Rs.	A.	P.
Capital paid up		2,00,00,000	0	0
Reserve Fund		16,74,032	7	9
	Rs. A. P.			
Public Deposits at Head Office ...	1,11,47,850 1 0	2,63,38,280	3	1
Public Deposits at Branches ...	1,51,90,430 2 1			
Other Deposits at Head Office and Branches		2,28,68,712	5	11
Bank Post Bills, &c.		2,21,269	3	5
Sundries		6,01,405	9	0
TOTAL ...		7,17,03,699	13	2

ASSETS.		Rs.	A.	P
Government Securities		1,42,66,842	9	6
Loans on Government Securities, &c., at Head Office and Branches ...		48,65,030	4	9
Accounts of Credit on Government Securities, &c., at Head Office and Branches		27,01,489	15	4
Bills discounted and purchased at Head Office and Branches		1,82,42,994	3	11
Balances with other Banks ...		6,31,255	5	11
Bullion		14,796	7	0
Dead Stock		10,47,498	9	6
Stamps		10,369	7	10
Sundries		2,20,684	1	6
		4,20,00,961	1	3
	Rs. A. P.			
Cash and Currency Notes at Head Office ...	1,31,97,728 1 8	2,97,02,738	11	11
Cash and Currency Notes at Branches ...	1,65,05,010 10 3			
TOTAL ...		7,17,03,699	13	2

By order of the Directors,

BANK OF BENGAL;
Calcutta, 14th September 1876.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
43	... E 4—94948 ...	50	... The Post Master, Cawnpore.
44	... E 3—87903 ...	100	... Mohomed Atta Ullah Khan, of Rampore, care of Shahabuddeen, Bareilly, North-Western Provinces.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
4	... E 7—63265 ...	5	... Dr. D. N. Martin, 30th Punjab Native Infantry, Hoti Murdan.
	,, —63266 ...	5	...

LAHORE,—Paper Currency Office;
The 9th September 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
36	... D 7—82105 ...	100	... Mohomed Utaoollah Khan, Rampúr.
	D 10—27298 ...	5	...
37	... D 10—24551 ...	5	... Baboo Banee Madhub Chattopadhya, Jhansie.
38	... D 10—76904 ...	5	... The Post Master General, North-Western Provinces, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
58	... D 5—81277	...	20	... Mr. D. Reid, Faizabad.
	,, —81278	...	20	...
59	... L 47—24181	...	20	... A. C. Tupp, Esq., Naini Tal.
	,, —24182	...	20	...
	,, —24183	...	20	...
21	... D 6—82589 wrongly joined.		10	... Mr. J. Thomas, Calcutta.
	,, —82588 wrongly joined.			

ALLAHABAD.—Paper Currency Office;
The 7th September 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
195	L 82—17715	100	Babu Ausnootosh Soor.
	„ —30155	100	
	L 79—59828	20	
196	L 77—80702	20	The Post Master General, North-Western Provinces.
198	L 82—17629	100	The District Superintendent of Police, Burdwan.
	„ —17630	100	
	„ —39361	100	
199	L 58—31266	10	The Post Master, Calcutta.
202	L 82—44615	100	Babu Nuttobur Chatterjee.
203	L 82—21430	100	The District Superintendent of Police, Burdwan.
204	L 24—13575	5	Mr. J. S. Lambe.
207	L 66—36769	50	Babu Panchcowry Das.
208	L 68—58829	100	Babu Tara Mohun Mookerjee.
209	L 80—44647	20	The District Superintendent of Police, Howrah.
	„ —44648	20	
211	L 52—56864	500	Mr. Youman, Superintendent of Calcutta Police.
	L 82—63372 to „ —63378	100 each	
	L 81—04688	50	
	„ —04689	50	
	L 86—06700	10	
	„ —21501	10	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
178	L 32—82797	10	Babu Gopaul Chunder Bromho.
	„ —82792		
	A 65—61213	10	
	A 66—56224		
	A 69—25434	10	
	A 98—13291		
	L 62—41522	10	
	„ —41523		
	L 15—85828	5	
	„ —85827		
179	L 43—31542	10	Babu Parbutty Churn Biswas.
	L 41—25589		
180	L 57—52505	10	Sokhee Chund Ram.
	L 44—46574		
	L 59—49535	10	
	„ —06684		
255	L 73—20294	10	Dr. James Irving.
256	L 70—39411	1,000	Captain G. A. Harrison.
257	L 79—22531	20	Mr. A. Kelly.
	L 44—78253	10	
258	L 72—72092	10	Mr. M. L. Forgen.
259	L 34—25146	10	Babu Gya Bistoo Laha.
260	L 69—85252	100	Babu Mahatab Chunder Mullick.
	L 68—89635	100	
261	L 79—32078	20	Mr. H. B. Beames.

CALCUTTA,—Paper Currency Office;
The 15th September 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No. 1876-77.	No. of Notes.	Value. Rs.	Name of Claimant.
12	M 19—17516	10	Keshub Deo, Draftsman, Mhow.
13	M 24—51048	100	Rajanah, Master Tailor, B. Battery, C. Brigade, Secunderabad.
	„ —73689	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
96	C 78—70589	20	N. Krishnarao Manjunath, Maulatdar and first class Magistrate.
	C 99—66533	20	Coompta.
107	M 20—84767	10	Lieutenant-Colonel H. H. C. Warrington, Officiating Second-in-Command, 3rd Regiment, P. L. S., Secunderabad.
123	M 24—31829	100	Banajee Kallajee, Sootar Chawl, Bombay.
	M 23—12244	50	
	„ —13670	50	
	C 85—98920	50	
	M 5—54869	50	
	„ —89190	50	
	„ —89171	50	
	M 20—86725	10	
	„ —86766	10	
	„ —55104	10	
	„ —55103	10	
	M 19—52304	10	
	„ —71413	10	
	„ —75373	10	
	„ —18617	10	
	„ —35184	10	
	C 16—44528	10	
124	M 23—24662	50	Lulloobhoy Kassidas, Kálbádavi Road, Bombay.
	„ —24663	50	

BOMBAY.—Paper Currency Dept.;
The 6th September 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
131	B 42—37028	20	C. Lingiah Chetty, Madras.
132	B 44—64169	100	Egah Theroovengadathan Chetty, No. 3, China Bazar, Madras.
20	B 42—38712 wrongly joined. „ —38713	20	G. Venkatanarasimah Chetty, Madras.

FORT ST. GEORGE.
Accett. Genl.'s Office, Paper Currency Dept.;
The 4th September 1876.

W. DONALD,
Asstt. Accett. Genl.,in charge of Paper Currency Dept.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION	
			Under Assay.	Assayed.
	Rs.	Rs.	Rs.	Rs.
September 4th, 1876	11,531	...	33,741	85,92,871
„ 5th „	1,27,800	...	1,61,541	85,10,393
„ 6th „	...	21,814	1,39,705	84,36,128
„ 7th „	1,599	...	1,41,304	83,50,180
„ 8th „	...	...	1,41,304	82,50,771
„ 9th „	...	11,967	1,29,802	81,76,113

CALCUTTA MINT.
The 11th Sept. 1876.

C. H. LUARD,
Offg. Mint Master

To Contractors.

Tenders are invited for the supply of three lacs of hammer dressed stone for the Indus Bridge.

The stones required are of large size, and in connection with the supply ten lacs of rubble stone and ten lacs of ballast will be taken.

Rates are required for each description of stone. Further particulars can be obtained from undersigned who will receive the tenders for submission to the Engineer-in-Chief, who does not bind himself to accept the lowest or any tender.

W. HUNT,
Executive Engineeer, Ghoteki Division.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 2nd August 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

The 15th September 1876.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Madura*, will be closed at the General Post Office on Monday, the 18th September 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Bokhara*, will be closed at the General Post Office on Monday, the 18th September 1876, at 7 P. M.

Mails for Straits and Hong-Kong, for transmission per Steamers *Hindostan* and *Argyll*, will be closed at the General Post Office on Monday, the 18th September 1876, at 7 P. M.

The next Overland Mail *vid* Bombay will close at the General Post Office on Tuesday, the 19th September 1876, by which mails for Mauritius, St. Denis, Réunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book post and pattern packets must be posted on the 18th September 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 19th September 1876, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 22nd September 1876, at 7 P. M.

Mails for Rangoon, Moulmein and the Straits, for transmission per Steamer , will be closed at the General Post Office on Friday, the 22nd September 1876, at 7 P. M.

Mails for France, Foreign Europe *vid* France, the intermediate ports, Mauritius and China, for transmission per French Mail Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 23rd September 1876, at 7 P. M.

After Tuesday the 19th September 1876, the Overland Mail *vid* Bombay will, until further notice, be closed at the General Post Office on every Friday.

The first Friday Mail will be on 29th September 1876.

After Friday, the 22nd September 1876, Mails for British Burmah will, until further notice, be closed at the General Post Office on every Sunday.

The first Sunday Mail will be on 1st October 1876.

The Fortnightly Mails for Chittagong, Akyab, Kyouk Phyoo and Sandoway, will also, after Friday, the 22nd September 1876, until further notice, be closed at the General Post Office on Sunday.

The first Sunday Mail will be on Sunday, the 8th October 1876.

List of Unclaimed Letters lying in the Calcutta Post Office on the 15th September 1876.

Andrew, Walter.	Denovan, D.
Anne, Mrs.	Dorliac Leon, Monsieur.
Bailey, F. G.	Duarte, Thos.
Baring. E. & Co., Messrs.	Fontaine, H. S., Monsieur.
Bartlett, A. T., Revd.	Godfrey, S. Miss.
Breik, A.	Green, Jacob.
Brown, H.	Guthrie, W.
Casey, Mrs.	Hardy, F. & Co., Messrs.
Castor, C. F.	Hudson, F. A.
Christie, Mr.	Keogh, W.
Chritchart, R., Miss.	Lackerstein, W.
Clarke, W. E.	Lewis, H., Miss.
Clements, T. O. F.	MacMullin, J.
Coles, H. M.	Matthews, P., Miss.
Connors, J.	Muller, Sophia, Mrs.
Connors, M., Mrs.	Norton, John.
Cortise, Federico.	Norris, Mrs.
Davidson, J. C., Mrs.	O'Silby, H., Lieut.

Parker, C., Mrs.
Peacock, J. B.
Pereira, Mrs. L. E.
Price, J. B.
Pushong, R. A. J.
Ramsden, Mr.
Reid, H.
Rogers, A.
Rowe, E. P. S.
Russell, A. W.
Saunders, Mrs.
Secretary, Canning Institute.
Sharpe, G.
Shaw, W. R. C.
Sherreff & Co., Messrs.
Smith, Mrs.
Tissendie, R.
Troskin, Mr.
Tuthill, T., Dr.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Battye, Major H. D.
Bates, W.
Beadle, H.
Birks, A. R.
Borthwick, Mrs.
Browne, D.
Bullers, T.
Carey or Kelly, Engineer.
Chichester, R. E.
E. F. W.
Fleming, Mrs. L. H.
Gaye, A. C.
Gorman, R.
Graham, C.
Hamilton, E.
Hay, J.
Hindmarsh, William.
Holland, Capt. J.
Hollingsworth, J. B.
Horsenburg, Moritz.
Howey, E. W.
Isaac, M.
Lewis, Chas.
Littlewood, J. H.
MacIntyre, A.
Mandsley, E. R., Lt.
Mendes, V. E.
Micheli Aristodenio, Signr.
O'Brien, Capt. T. E.
Orton, B.
Palmer, Henry.
Pearce, G. S.
Peters, W.
Phelan, T. W.
Phunk, Major-Genl.
Price, J.
Raban, James.
Rabontean, Mr.
Reed, J.
Ryall, Capt.
Smith, A.
Stephens, Dr.
Stroesko, Michel.
Stuart, J.
Sykes, B.
T. B. Mrs.
Vincent, Jos.
Walker, G.
Webb, A.
White, Miss.
Wilson, L. W. J.
Winkla, Patrick Waller & Co.

Papers.

Holland, Capt. H. O. H.
Proprietor, Star of India.
Ring, J. B.
St. George, F.

Parcel.

Barry, Revd. D. T.
Grundy, T. A.

Registered Letters.

Aynsley, W. M.
Jones, A. G.
Mandoley, E. R.
Stevenson, David.

W. ALPIN,
Offg. Post Master of Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 23, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 18th September 1876.

Mr. W. E. H. Forsyth, Clerk of the Crown, High Court, has obtained three months' leave in extension of the leave granted to him by the Court's Notification dated 25th April 1876.

By Order,

R. BELCHAMBERS,
Registrar.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 18th September 1876.

No. 19.—Mr. J. G. Pope, an Assistant Superintendent of the 1st Grade, is allowed furlough on medical certificate for twelve months from 22nd August 1876, under Section 11 (*a*), and subsidiary leave for thirty days from 23rd July 1876, under Section 18 (*a*), of the Civil Leave Code.

The 22nd September 1876.

No. 20.—Mr. C. Heymerdinger, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for three months under Section 21 of the Civil Leave Code, with effect from the forenoon of the 25th August 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 21st September 1876.

No. 49.—Mr. H. Holstebro, Traffic Clerk, has been granted by the Director, Persian Telegraph, privilege leave for one month, under Section 12 of Supplement F of the Civil Leave Code, with effect from the morning of 11th July 1876.

No. 50.—Mr. C. Lyne, Signaller, has been granted by the Director, Persian Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from afternoon of 7th July 1876.

W. PALMER,
Examiner of Telegraph Accounts.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.—MILITARY.

Mount Aboo, the 15th September 1876.

No. $\frac{3133}{1240}G$.—Captain J. H. L. Greenfield, 2nd-in-Command and Squadron Officer of the Deoli Irregular Force, availed himself, with effect from the 5th September 1876, of the privilege leave granted to him in this Office Notification No. $\frac{2052}{1298}G$., dated 15th August 1876.

C. K. M. WALTER,
Offg. Agent, Govr. Genl., for Rajputana.

COMPTROLLER GENERAL'S OFFICE.

NOTICE.

Calcutta, the 20th September 1876.

From and after the 4th October 1876, the Money Order Office, Calcutta, will be located in the Paper Currency Office, No. 1, Dalhousie Square.

R. TAYLOR,
Offg. Comptroller General.

No. 836.—*Account of the Revenue and Expenditure of the Government of India for the second month of the year* 1876, *as compared with the corresponding period of* 1875-76.

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimates, 1876-77.	April and May 1876.	April and May 1875.	COMPARISON OF 2 YEARS. Increase.	COMPARISON OF 2 YEARS. Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	3,745,619	3,546,315	...	199,204
II.—Tributes ...	700,000	142,476	119,908	...	22,568
III.—Forest ...	600,000	75,174	72,602	...	2,572
IV.—Excise on Spirits and Drugs ...	2,525,000	404,092	433,592	29,500	...
V.—Assessed Taxes ...	...	74	93	19	...
VI.—Customs ...	2,620,000	544,336	425,393	...	118,943
VII.—Salt ...	6,300,000	1,035,533	1,015,455	...	20,078
VIII.—Opium ...	8,200,000	1,348,719	1,301,727	...	46,992
IX.—Stamps ...	2,837,000	481,498	476,825	...	4,673
X.—Mint ...	124,000	15,418	61,147	45,729	...
XI.—Post Office ...	778,000	130,510	135,058	4,548	...
XII.—Telegraph* ...	281,500	...	...	...	...
XIII.—Law and Justice ...	316,000	49,823	53,035	3,212	...
XIV.—Marine ...	198,000	27,835	32,670	...	4,165
XV.—Interest ...	488,000	155,905	154,870	...	1,035
XVI.—Pensions ...	604,400	12,976	12,565	...	411
XVII.—Gain by Exchange ...	347,000	70,084	82,537	12,453	...
XVIII.—Miscellaneous ...	238,400	21,355	62,175	40,820	...
TOTAL ...	48,438,300	8,261,327	7,976,967	...	284,360
Army ...	840,800	109,236	108,820	...	416
Public Works, Ordinary, for April ...	65,000	2,792	3,366	574	...
Canals ...	527,000	Accounts not received for April 1876.			
State Railways for April ...	415,000	20,549	28,836	8,287	...
Guaranteed Railways Traffic Receipts ...	7,888,000	1,324,700	1,471,763	147,063	...
TOTAL ...	58,174,100	9,718,604	9,589,752	...	128,852
England, including Army and Public Works ...	193,900	83,714	48,049	...	35,665
GRAND TOTAL ...	58,368,000	9,802,318	9,637,801	...	164,517

EXPENDITURE.	Estimates, 1876-77.	April and May 1876.	April and May 1875.	COMPARISON OF 2 YEARS. Increase.	COMPARISON OF 2 YEARS. Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,106,400	277,960	332,923	54,963	...
2.—Interest on Service Funds and other Accounts ...	390,000	64,760	30,031	...	34,729
3.—Refunds and Drawbacks ...	300,000	49,864	43,298	...	6,566
4.—Land Revenue ...	2,467,800	364,178	358,870	...	5,308
5.—Forest ...	414,500	53,644	74,687	21,043	...
6.—Excise on Spirits and Drugs ...	87,000	13,579	17,651	4,072	...
8.—Customs ...	180,000	30,898	31,205	307	...
9.—Salt ...	525,600	59,426	78,922	19,496	...
10.—Opium ...	2,199,000	1,164,138	1,580,256	416,118	...
11.—Stamps ...	71,700	11,811	12,318	507	...
12.—Mint ...	79,000	15,495	14,741	...	754
13.—Post Office ...	769,400	126,881	128,399	1,518	...
14.—Telegraph* ...	381,300	...	...	...	...
15.—Administration and Public Departments ...	1,251,500	198,231	222,356	24,125	...
16.—Minor Departments ...	249,400	31,222	36,484	5,262	...
17.—Law and Justice ...	2,361,200	366,667	379,919	13,252	...
18.—Marine ...	403,400	58,626	55,832	...	2,794
19.—Ecclesiastical ...	161,100	25,215	26,724	1,509	...
20.—Medical ...	184,000	31,383	29,534	...	1,849
21.—Political ...	293,400	49,703	44,894	...	4,809
22.—Allowances ...	1,675,200	237,898	215,480	...	22,328
24.—Superannuation ...	586,000	165,497	139,470	...	25,937
25.—Loss by Exchange ...	2,332,000	227,950	218,979	...	8,971
26.—Miscellaneous ...	45,000	7,995	12,777	5,682	...
27.—Allotments for Provincial Services ...	5,059,400	846,023	843,038	...	2,985
TOTAL ...	25,576,300	4,477,964	4,928,788	450,824	...
Army ...	11,820,700	1,810,277	1,827,864	...	12,413
Public Works, Ordinary, for April ...	2,441,500	66,589	84,316	17,727	...
Ditto Extraordinary, including Railways, for April ...	3,015,900	110,532	155,395	44,863	...
Land and Supervision for April ...	93,000	4,267	4,209	...	58
Interest paid in India ...	30,000	...	...	...	...
State Railways for April ...	292,000	10,734	21,826	11,092	...
Guaranteed Railways Working Expenses, including Profit ...	4,418,000	482,107	443,206	...	38,901
TOTAL ...	47,637,400	6,992,470	7,465,604	473,134	...
England, including Army, State Railways, Guaranteed Interest, Public Works, Ordinary and Extraordinary ...	14,295,600	1,516,798	1,575,887	59,089	...
GRAND TOTAL ...	61,933,000	8,509,268	9,041,491	532,223	...

* Telegraph figures did not appear in the India accounts for May 1876.

R. TAYLOR,
Offg. Comptroller General.

COMPTROLLER GENL.'S OFFICE;
CALCUTTA,
The 18*th September* 1876.

POLICE DEPARTMENT, OUDH.

NOTIFICATION.

Lucknow, the 8th September 1876.

No. 290.—Privilege leave for one month and one day is granted to Mr. B. Stainforth, District Superintendent of Police, Kheri, from 29th September 1876, or such subsequent date as he may avail himself of the same.

Mr. H. T. Todd, Registrar, Lucknow Division, to officiate as District Superintendent, Police, Kheri, during Mr. Stainforth's absence.

O. L. SMITH, *Lieut.-Col.,*
Offg Depy. Secy. to Chief Commr., Oudh, Police Department.

UBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 15th September 1876.

No. 101.—ERRATUM.—In Inspector General's Notification No. 92, dated 21st August 1876, *for* Lieutenant R. M. Hyslop, Assistant Engineer, 1st Grade, *read* Lieutenant R. M. Hyslop, R.E., temporary Executive Engineer, 4th Grade.

No. 102.—ERRATUM.—In Inspector General's Notification No. 95, dated 1st September 1876, *for* Corporal V. H. Swann, Overseer, 2nd Grade, *read* Corporal V. H. Swann, Overseer, 1st Grade.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

1st Circle.

Calcutta, the 18th September 1876.

No. 2737.—Privilege leave for one month is granted to Major D. C. Walker, R.E., Executive Engineer, Dinapore Division, Military Works, from 25th instant.

The 20th September 1876.

No. 2769.—Privilege leave for two months is granted to 2nd Grade Overseer Baboo Shumboo Chunder Paul, attached to the Darjeeling Division, Military Works, from such date as he may avail himself of the same.

F. J. DAVIES, *Colonel,*
Offg. Supdg. Engr., 1st Circle, Mily. Works.

3rd Circle.

Meerut, the 18th September 1876.

No. 38.—Privilege leave for one month is granted to Barrack Sergeant S. J. Coleman, Meerut Division, Military Works, from such date as he may avail himself of the same.

No. 39.—With reference to this Office Notification No. 34 of 23rd August 1876, Kedar Nath Turfdar, Overseer, 1st Grade, Morar Division, Military Works, availed himself of three months' privilege leave on the 7th September 1876.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

The 16th September 1876.

No. 22.—With reference to Notification No. 90 of the 16th ultimo by the Inspector General, Military Works, Sergeant S. Fraser, Supervisor, left the Kasauli Division, Military Works, on the forenoon of the 6th current *en route* to join his new appointment in the 2nd Circle, Military Works.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

7th Circle.

The 7th September 1876.

No. 2023.—Mr. J. Lenehan, Accountant, 4th Grade, transferred from the Office of the Examiner of Accounts, Military Works, joined the 2nd Chukrata Division on the forenoon of the 28th August 1876.

J. BIRNEY, *Major, R.E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

8th Circle.

Rawal Pindi, the 9th September 1876.

No. 1450.—Lieutenant Thurburn, R.E., Assistant Engineer, 1st Grade, 2nd Peshawur Division, Military Works, returned from the privilege leave granted him per Notification No. 994 of 9th June 1876, on the 15th ultimo, before noon.

No. 1451.—Privilege leave of absence for one month and twenty days is granted to Lieutenant W. G. Nicholson, R.E., Executive Engineer, 2nd Peshawar Division, from such date as he may avail himself thereof.

Lieutenant Thurburn, R.E., Assistant Engineer, 1st Grade, will officiate during his absence, subject to the approval of the Government of India. Lieutenant Nicholson availed himself of the above leave on the 16th ultimo afternoon.

No. 1452.—Privilege leave of absence for three months is granted to Mr. J. E. Hilton, C.E., temporary Executive Engineer, 4th Grade, Mooltan Division, from the 1st September, or such subsequent date as he may avail himself thereof.

Captain Jackson, Assistant Engineer, 1st Grade, will officiate as Executive Engineer, during Mr. Hilton's absence, or till further orders, subject to the approval of the Government of India. Mr. Hilton availed himself of the above leave on the 2nd instant afternoon.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

Report of a Deserter from the 1-3*rd Regiment, "The Buffs," dated at Darjeeling, this* 17*th day of September* 1876.

Number, Rank and Name,—	Color of—
No. 1865, Private Charles Enfield, 1-3rd Foot.	Complexion, (sickly) fair; hair, fair; eyes, blue; no hair on face.
Age.—25 years 7 months.	In regimentals.
Height,—5 feet 11 inches.	

REMARKS,—He is in possession of arms and accoutrements.

GEO. W. MURIEL, *Colonel,*
Comdg. Convalescent Depôt.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 18th September 1876.

Privilege leave for one month is granted to Baboo Bindoo Chunder Chunder, Accountant, 3rd Grade, attached to the Office of the Examiner of Railway Accounts to the Government of India at Calcutta, from the 4th October 1876.

W. A. J. WALLACE, *Captain, R.E.,*
for *Consg. Engr. to Govt. of India for G. Rys.*

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 12th September 1876.

No. 142.—Mr. E. J. Lemaistre, Supervisor, 2nd Grade, Northern Bengal State Railway, is transferred to the Western Rajputana State Railway.

The 14th September 1876.

No. 143.—Mr. J. O'Callaghan, Traffic Superintendent, Rajputana Railway, is transferred temporarily to the Tirhoot Railway, on special duty.

Mr. P. D. Barclay, Assistant Traffic Superintendent, is appointed to officiate as Traffic Superintendent, Rajputana Railway, during the absence of Mr. O'Callaghan, or until further orders.

Mr. C. A. Stephenson, Assistant Traffic Superintendent, Tirhoot Railway, is transferred to the Rajputana Railway, as a temporary measure.

The 15th September 1876.

No. 144.—With reference to Government of India, Public Works Department, Notification No. 369, dated 22nd August 1876, the undermentioned officers of Royal Engineers, Assistant Engineers, 2nd Grade, are posted as follows:—

Lieut. R. C. Maxwell, „ W. V. Constable } to the Western Rajputana State Railway.

„ R. Jennings,—to the Punjab Northern State Railway.

Lieutenant H. Finnis, „ C. R. Hoskyn } to the Indus Valley State Railway.

No. 145.—Captain W. Sedgwick, R.E., Executive Engineer, 4th Grade, Northern Bengal State Railway, is transferred to the Western Rajputana State Railway.

The 18th September 1876.

No. 146.—With reference to Government of India, Public Works Department, Notification No. 385 of the 9th September 1876, Lieutenant F. T. Maxwell, R.E., is posted to the Western Rajputana State Railway.

No. 147.—Mr. J. C. Jowett, Assistant Engineer, 1st Grade, Indus Valley Railway, is appointed to officiate as Executive Engineer of the Kotri Division during the absence on privilege leave of Mr. J. W. Henry, or until further orders.

No. 148.—Mr. A. B. Thomson, Assistant Locomotive Superintendent, transferred temporarily from the Indus Valley Railway in Notification No. 113 of the 1st July 1876, is permanently posted to the Punjab Northern Railway.

No. 149.—With reference to Government of India, Public Works Department, Notification No. 388 of the 14th September 1876, Mr. R. J. Ives, Sub-Engineer, 1st Grade, is posted to the Northern Bengal Railway.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 14th September 1876.

No. 48.—Privilege leave of absence for two months, from the 18th instant, or subsequent date of relief, is granted to Baboo Greeja Bhosun Mukerjea, Accountant, 3rd Grade.

KELLOW C. PYE, *Captain, R.E.,*
Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 14th September 1876.

No. 105.—Mr. R. Winder, Executive Engineer, 4th Grade, reported his return from the leave granted him in this Office Notification No. 57, dated 20th June 1876, at Mooltan, on the forenoon of this date, and is posted to the Shujabad Division, Mooltan District.

No. 106.—The following transfer has been made by the Superintending Engineer, Lower Sind District:—

Mr. J. C. Jowett, Assistant Engineer, 1st Grade, from the Schwan to the Kotri Division.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATION.

Lahore, the 16th September 1876.

No. 107.—In the Notification No. 105, dated 9th September 1876, granting one month's privilege leave to Mr. A. W. Spratt, Overseer, 1st Grade, for "with effect from the afternoon of the 1st September 1876," read "with effect from the forenoon of the 1st September 1876."

ALEX. GRANT,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATION.

Dinapore, the 19th September 1876.

No. 55.—With reference to Director of State Railways' Notification No. 132 of 16th August 1876, Baboo Rassick Laul Roy, Assistant Engineer, 2nd Grade, availed himself of the three months' sick leave granted to him therein on the afternoon of the 18th June 1876, and reported his arrival at Dinapore on the forenoon of the 15th instant.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 15th September 1876.

No. 24.—Babu Gopi Mohun Banerjee, Accountant, 4th Grade, Chumbul Division, is granted one month's privilege leave, with effect from the 12th instant.

HORACE BELL,
Offg. Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 15th September 1876.

No. 213.—Baboo Prosono Coomar Banerjee, Probationary Accountant, 4th Grade, Central Office of Accounts, is granted two months' privilege leave from 4th October 1876.

No. 214.—Captain W. Sedgwick, R.E., Executive Engineer, Southern Division, availed himself of the leave granted him in Notification No. 202 of 10th August, on the forenoon of the 11th September.

The 19th September 1876.

No. 215.—With the sanction of the Director of State Railways, Nos. 1 and 2 Divisions have been formed into one Executive charge from 1st September 1876, and named Southern Division. From the same date Nos. 3 and 4 have been amalgamated and formed into the Northern Division.

The following Engineers are posted to the two new Divisions:—

Southern Division.

Mr. T. M. Vigors, Executive Engineer, 2nd Grade, and Superintendent of Works.
Captain W. Sedgwick, R.E., Executive Engineer, 4th Grade.
Mr. J. A. Anderson, Executive Engineer, 4th Grade, temporary rank.
Mr. A. Thuey, Assistant Engineer, 1st Grade.
Mr. T. W. Grant, Assistant Engineer, 1st Grade, temporary rank.
Mr. J. R. Scott, Assistant Engineer, 1st Grade (on leave).

Northern Division.

Mr. R. Reynolds, Executive Engineer, 2nd Grade.
Mr. T. E. Owen, Executive Engineer, 2nd Grade.
Mr. F. A. Hawkes, Executive Engineer, 3rd Grade, temporary rank.
Mr. W. W. Shanks, Executive Engineer, 4th Grade, temporary rank.
Mr. S. Finney, Assistant Engineer, 2nd Grade (on leave).
Mr. T. J. Dumayne, Assistant Engineer, 2nd Grade.
Mr. W. de W. Peel, Assistant Engineer, 2nd Grade.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

To Contractors.

Tenders are invited for the supply of three lacs of hammer dressed stone for the Indus Bridge.

The stones required are of large size, and in connection with the supply ten lacs of rubble stone and ten lacs of ballast will be taken.

Rates are required for each description of stone. Further particulars can be obtained from undersigned who will receive the tenders for submission to the Engineer-in-Chief, who does not bind himself to accept the lowest or any tender.

W. HUNT,
Executive Engineer, Ghoteki Division.

Statement of the Affairs of the Bank of Bengal for the week ending 19th September 1876.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0	Government Securities	1,43,14,088	6	6
Reserve Fund	16,73,532	7	9	Loans on Government Securities, &c., at Head Office and Branches ...	54,30,594	6	11
Public Deposits at Head Office ... Rs. 1,54,45,119 5 0				Accounts of Credit on Government Securities, &c., at Head Office and Branches	40,54,228	13	11
Public Deposits at Branches ... 1,43,60,781 7 0	2,98,05,900	12	0	Bills discounted and purchased at Head Office and Branches	1,99,47,777	8	3
Other Deposits at Head Office and Branches	2,01,61,930	3	6	Balances with other Banks ...	6,85,732	1	10
Bank Post Bills, &c.	2,14,786	1	1	Bullion	14,796	7	0
Sundries	6,21,442	14	2	Dead Stock	10,46,695	8	3
				Stamps	10,102	3	10
				Sundries	1,42,639	1	0
					4,56,46,654	9	6
				Rs. A. P.			
				Cash and Currency Notes at Head Office ... 1,16,92,711 5 0			
				Cash and Currency Notes at Branches ... 1,51,38,226 8 0	2,68,30,937	13	0
TOTAL ...	7,24,77,592	6	6	TOTAL ...	7,24,77,592	6	6

By order of the Directors,

BANK OF BENGAL;
Calcutta, 21st September 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

2 *b*

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th September 1876.

PARTICULARS.	4 PER CENT. LOANS					4½ PER CENT. LOANS					5 PER CENT. LOAN OF 1856-57.	5½ PER CENT LOAN OF 1859-60.	5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
	of 1824-26.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.	of 1854-55.	Transfer of 1865.	of 1870.	of 1871.	of 1872.			10 years, Repayable, June 1877.	15 years, Repayable, June 1882.	
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
Balance of 31st August 1876	33,173	2,346	14,65,403	31,64,100	1,54,74,700	55,600	1,63,99,900	34,89,200	2,57,000	2,92,59,300	82,900	4,21,77,200	25,94,000	33,15,000	12,89,77,112
Add—															
Amount enfaced at Madras between 1st and 16th September 1876 ...	...	...	...	...	2,000		2,000	...	...	...	...	1,000	...	...	12,000
Amount enfaced at Bombay between 1st and 16th September 1876 ...	...	...	...	...	1,000		1,500	...	...	...	...	3,04,500	...	...	3,07,000
Amount enfaced at Calcutta between 1st and 15th September 1876 ...	...	...	...	...	68,000		34,100	...	...	9,500	...	90,000	...	...	2,02,600
	33,173	2,346	14,65,403	31,64,100	1,55,43,700	55,600	1,64,44,500	34,89,200	2,57,000	2,92,68,800	82,900	4,25,72,700	25,94,000	33,15,000	12,94,86,712
Deduct—															
Amount written off in the London Registers	...	...	...	6,700	4,32,000		1,000	89,900	...	36,000	...	6,53,900	...	5,000	12,32,600
Balance on 15th September 1876	33,173	2,346	14,65,403	31,57,400	1,51,01,700	55,600	1,63,54,600	34,89,200	2,57,000	2,92,32,800	82,900	4,19,14,700	25,94,000	33,10,000	12,82,66,112

NOTE.—From 9th June 1857 to 15th July 1876 enfaced from India, 2,323 lakhs; re-transferred from London, 2,319 lakhs.

16th July 1876	to 31st	July	14	12
1st Aug.	to 15th	Aug.	5	15
16th ,,	to 31st	,,	5	16
1st Sep.	to 15th	Sep.	5	12
				2,382

Balance against London ... 62 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 18th September 1876.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
46	... B 49—96878	...	10	... Major E. D. J. McCarthy, Hyderabad.

NOTES PARTIALLY LOST OR DESTROYED.

133	... B 35—59270	...	20	... M. Atmanada Moodelier, Trikalore.
134	... B 43—55986	...	50	... Mr. G. King, Virdooputty.
135	... B 49—85630	...	10	... Sooboo Annasawmy Moodelier, Coimbatore.
136	... B 36—74790	...	5	... P. Varatharajooloo Naidu, Madras.
21	... B 36—67769 } wrongly joined.	...	5	... N. Poolliah Naidu, Madras.
	„ —67770 }			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 11th September 1876.

W. S. GROVES,
Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
	M 16—83150	...	10	... Kasinath Ramchundra, Ranade, Pundhurpur.

NOTES PARTIALLY LOST OR DESTROYED.

1876-77.				
106	... M 24—35855	...	100	... Mr. D. S. Saldanah, Hubli.
126	... M 3—55184	...	5	... Mr. C. Rodrigues, Rutnagiri.
	M 16—32729	...	10	...
	C 99—37450	...	20	...
36	... C 98—84889 } wrongly joined.	...	10	... Saywuck Sing Naik, Meludpur.
	„ —84890 }			
39	... M 24—30626 } ditto	...	100	... Mr. N. C. Andrade, Bombay.
	C 39—12806 }			
40	... C 85—99424 } ditto	...	50	... Homandas Buchamul, Bombay.
	„ —99878 }			
42	... M 18—90034 } ditto	...	10	... Ram Curran Ram Dyal, Bombay.
	„ —90036 }			

BOMBAY,—Paper Currency Dept.;
The 13th September 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
34	... L 49—87981	...	50	... The Post Master, Cawnpore.
39	... D 7—86395	...	100	... Abdoollah Khan, Allahabad.
40	... D 7—80483	...	100	... The District Superintendent of Police, Allahabad.
	D 4—53363	...	50	...

NOTES PARTIALLY LOST OR DESTROYED.

60	... D 10—79984	...	5	... M.S. Halsey, Esq., Naini Tal.
61	... D 4—55982	...	50	... Baboo Rutton Chund, B. A., Mooradabad.
62	... D 5—69689	...	20	... Baboo Bidre Nauth Bose, Calcutta.

ALLAHABAD,—Paper Currency Office;
The 14th September 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
45	... E 7—30106	...	5	... Babu Puncha Nun Dey, Abbottabad.
	„ —30107	...	5	...
	„ —30108	...	5	...
	„ —30109	...	5	...
	L 19—91324	...	50	...

NOTE PARTIALLY LOST OR DESTROYED.

39	... E 6—97600	...	10	... The Secretary, Great Eastern Hotel Company, Limited, Calcutta.

LAHORE,—Paper Currency Office;
The 16th September 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
212	L 70—74671	1,000	Obilak Sing.
	„ —74672	1,000	
	„ —74673	1,000	
217	L 62—33904	10	Babu Trailokya Nath Mittra.
	L 73—62979	10	
	L 72—29093	10	
	L 73—33833	10	
	L 75—20187	10	
	L 82—00374	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
181	L 22—01463	5	Babu Aughor Nath Chatterjee.
	„ —01465		
	A 62—86881	10	
	„ —63813		
182	L 20—57156	5	Babu Ram Chunder Chuckerbutty.
	„ —45479		
183	L 22—86303	5	Babu Benad Bysak.
	„ —86305		
184	L 40—62458	10	Babu Pran Nath Mookerjee.
	L 43—79867		
185	L 9—46973	5	Babu Shumbhoo Chunder Audy.
	„ —46970		
186	L 9—92222	5	Babu Nobin Chunder Mookerjee.
	„ —92218		
187	L 33—45993	10	Babu Behari Lal Ghose.
	„ —45994		
188	L 7—79369	20	Babu Doorga Churn Chunder.
	„ —79368		
189	L 78—78734	20	Babu Gopaul Chunder Audy.
	„ —78735		
	L 35—12218	10	
	„ —12216		
190	L 71—15589	10	Babu Redoy Nath Sircar.
	L 73—18789		
	L 23—47472	5	
	„ —47473		
262	L 77—26727	20	Goordhur Das and Baldesing.
263	L 9—76403	5	The Post Master General, North-Western Provinces.
264	L 22—93627	5	Babu Isan Chunder Roy.
265	L 60—51646	10	Babu Nitto Lall Dey.
266	L 66—07213	50	H. Dashwood, Esq., C. S.
267	L 72—94231	10	Babu Boroda Kant Chatterjee.
268	L 11—83096	5	Babu Nundo Lal Mitter.
269	L 21—82300	5	Mahomed Abdul Gani.
270	L 67—19449	50	H. Alexander, Esq., C. S.
	L 74—28022	10	
271	L 25—11257	5	The Post Master General, North-Western Provinces.
272	A 11—74853	50	Babu Gunganarain Ghose.
273	L 64—53559	20	Messrs. Jamsetjee's sons.
274	L 71—10378	10	Mr. W. J. Essai.
275	L 16—62438	5	Babu Gobordhun Lal.
284	L 72—17990	10	Babu Kristo Kumar Misser.

CALCUTTA,—Paper Currency Office; *The 21st September* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Akola Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant
C 91—03233	10	Hari Dhondeo, 1st Assistant Master, English, Muralhi School, Akola.
„ —02244	10	

AKOLA,—Paper Currency Dept.; *The 9th September* 1876.

C. W. A. DAVIES,
Assistant Commissioner.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 8—32753	20	Mr. Dhanjisha Edalji, Clerk, Brigade Office, Kurrachee.
G 9—16346	50	
G 7—22011	10	Maboobrai Umersing, Moonshee, City Land Enquiry Office, Kurrachee.
G 8—23158	20	Mr. T. W. B. Jefferies, Editor of the "Sindian", Kurrachee.
G 13—19537	5	Mrs. A. FitzGerald, Kurrachee.

KURRACHEE,—Paper Currency Dept.; *The 12th September* 1876.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 5—66338	20	Chinniah, Butler of Mrs. Desborough, Wellington.
B 38—06525	100	Poonderick Row, of Trimulgherry.

CALICUT.—Paper Currency Office; *The 13th September* 1876.

P. A. COLE,
Dy. Collector, in charge of Paper Currency.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Dept.
	Rs.	Rs.	Rs.	Rs.	Rs.
Sept. 11th, 1876 ...	...	...	1,29,802	80,92,474	...
„ 12th „ ...	...	1,27,018	10,630	81,19,960	...
„ 13th „ ...	...	11,186	...	80,38 904	...
„ 14th „ ...	1,201	...	1,201	78,53,626	...
„ 15th „ ...	...	...	1,201	78,53,626	...
„ 16th „ ...	8,977	...	10,178	77,53,591	...

CALCUTTA MINT, *The 18th Sept.* 1876.

C. H. LUARD,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 2nd August 1876.

DARJEELING LINE.

It has been determined for the present, and until further notice, to start only one carriage (ordinary or express) each way daily on this line.

Two expresses or an express and an ordinary will still be furnished in either direction if required, provided at least seven days' clear notice is given to the Superintendent, Mails, Purniya.

T. W. GRIBBLE,
Offg. Post Master General, Bengal.

The 22nd September, 1876.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam,* will be closed at the General Post Office on Saturday, the 23rd September 1876, at 7 P. M.

Mails for Madras, Ceylon, and the intermediate ports, for transmission per Steamer *Canara,* will be closed at the General Post Office on Monday, the 25th September 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 26th September 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 29th September 1876, by which mails for Mauritius, St. Denis, and Réunion can be forwarded.

2. Book post and pattern packets must be posted on the 28th September 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 30th September 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer , will be closed at the General Post Office on Sunday, the 1st October 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer , will be closed at the General Post Office on Sunday, the 1st October 1876, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 22nd September 1876.

Allen, W.	Hardy, F. and Co., Messrs.
Allexzander, Mrs.	Hudson, F. A.
Andrew, Walter.	Hughes, A. D., Major.
Anne, Mrs.	Innermann, E. A., Mrs.
Aviet, M.	Jordan, Sarah, Miss.
Bailey, F. G.	Keogh, W.
Baring, E. and Co., Messrs.	Kynoch, Geo.
Barnes, F. A., Miss.	Lackerstein, W.
Bartlett, A. T., Revd.	Lewis, H., Miss.
Breik, A.	MacMullin, J.
Broadway, B.	Mondul, William.
Brooks, J. F.	Pereira, H.
Brown, H.	Peacock, J. B.
Carson, H.	Pogson, R.
Chritchart, R., Miss.	Price, J. B.
Clements, T. O. F.	Ramsden, Mr.
Cooper, J. B.	Reed, C., Mrs.
Cortise, Federico.	Robson, James.
Daly, R. M., Capt.	Rogers, A.
Darbie, W.	Rowe, E. P. S.
Davidson, J. C., Mrs.	Sarkis, S. M.
Ellis, J. E. S.	Scott, W.
Fontaine, H. S., Monsieur.	Shaw, W. R. C.
Green, Jacob.	Troskin, Mr.
Guthrie, W.	Tuthill, T., Dr.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.	Mandsley, E. R.
Bates, W	McGowen, W.
Battye, Major H. D.	Mendes, V. E.
Beadle, H.	Micheli Aristodenio, Signr.
Beagley, Mary Ann.	O'Brien, T. E., Capt.
Birks, A. R.	Orton, B.
Borthwick, Mrs.	Palmer, Henry.
Browne, D.	Pearce, G. S.
Bullers, T.	Phelan, T. W.
Carey or Kelly, Engineer.	Phunk, Major Genl.
Chichester, R. E.	Price, J.
D'Cruz, E. A.	Raban, Jas.
E. F. W.	Rabontean, Mr.
Fleming, L. H., Mrs.	Reed, J.
Gaye, A. C.	Ryall, Capt.
Gorman, R.	Smith, A.
Graham, C.	Stephens, Dr.
Hindmarsh, William.	Stroesko, Michel.
Holland, J., Capt.	Stuart, J.
Hollingsworth, J. B.	Sykes, B.
Holywood, F.	T. B., Mrs.
Horsenburg, Moritz.	Walker, G.
Howey, E. W.	Webb, A.
Isaac, M.	White, Miss.
Jones, R. D.	Wilson, L. W. J.
Lewis, Chas.	Wilson, W.
MacIntyre, A.	Winkla, Patrick Waller & Co.

Papers.

Holland, H. O. H., Capt. — Proprietor, Star of India.
Munro, C. A., Major. — St. George, F.

Registered Letters.

Aynsley, W. M. — Macdonald, Chas.
Benjamin, Abdoola E. — Maudsley, E. R.
Gastelle, Emile, Monrs. — Stevenson, David.
Jones, Arnold G. — Wrixon, E. P.

W. ALPIN,
Offg. Post Master of Calcutta.

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Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

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Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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THE STATISTICAL REPORTER,

Vol. II, No. 4, for September 1876.

The Trade Centres of Bengal (No. VI.—Goalundo) *With a Sketch Map.*—Sea-borne Trade of Calcutta, July 1876.—The Census of Calcutta, 1876—(by Mr. Beverley, C.S.) No. I.—Introductory Remarks and manner of taking the census.—Statistics relating to Cinchona Cultivation in British India.—The District of Noakholly (No. II.—Its present features.)—The Trade and Commerce at the fair of Nijni-Novgorod.—Harvest returns of all the Districts of Bengal, 1875-76.—Loss to Agriculture from the practice of using cattle-dung as fuel.—Vital Statistics, Bengal, during the month of June 1876.—Jail Mortality, June 1876.—Vital Statistics of the Town of Calcutta, July 1876.—Vital Statistics of the Suburbs of Calcutta, July 1876.—Trade between Bengal and Nepal, second quarter of 1876.—Traffic on the Diamond Harbour and Baraset Roads.—No. III.—Traffic on the Bankipore and Gya Road.—No. III.—Statements of River Traffic in Bengal, district by district, during June 1876.—River-borne traffic of the Principal Marts in Bengal during the first half of the year 1876.—River Steamer Traffic in Bengal.—No. II.—Statements of Bengal Railway Traffic during June 1876.

Subsequent Numbers will issue on or about the 1st of each successive month.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 30, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

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E. J. DEAN,

Publisher, Gazette of India.

COMPTROLLER GENERAL'S OFFICE.

NOTICE.

Calcutta, the 20th September 1876.

From and after the 4th October 1876, the Money Order Office, Calcutta, will be located in the Paper Currency Office, No. 1, Dalhousie Square.

R. TAYLOR,

Offg. Comptroller General.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 25th September 1876.

No. 21.—Mr. J. M. Lane, an Officiating Superintendent of the 2nd Grade, is allowed privilege leave for two months, under Section 21 of the Civil Leave Code, with effect from the forenoon of the 15th September 1876.

ALBERT CAPPEL,

Offg. Director General of Telegraphs in India.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 18th September 1876.

No. 91.—Major J. T. Bushby, Deputy Commissioner, Hyderabad Assigned Districts, has been granted privilege leave for three months, with effect from such date as he may avail himself of it.

By Order,

G. H. TREVOR,

2nd Assistant Resident.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The following amended forms of clauses 3 & 8 of the Regulations for Honors in Law, having been sanctioned by the Senate, and approved by the Governor General in Council, are published for general information :—

3. Every candidate for Honors shall send his application to the Registrar, at least one month before the date fixed for the commencement of the examination.

8. As soon as possible after the examination, the Syndicate shall publish a list of the candidates who have passed, arranged in order of merit. Candidates shall be bracketed together, unless the Examiners are of opinion that there is clearly a difference in their merits.

The following amended forms of clauses 3, 10, and 11 of the Regulations for the License in Medicine and Surgery, having been sanctioned by the Senate, and approved by the Governor General in Council, are published for general information :—

3. Every candidate for admission to the examination shall send his application, with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

10. Every candidate for admission to the examination shall send his application, with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

11. A fee of twenty-five rupees shall be payable by each candidate. No candidate shall be admitted, unless he shall have paid this fee to the Registrar. A candidate, who fails to pass or present himself for examination, shall not be entitled to claim a refund of the fee. A candidate may be admitted to one or more subsequent examinations on payment of a like fee of twenty-five rupees on each occasion, and, in the case of a candidate who has already failed to pass, on the production of a certificate of having attended a further course of Hospital Practice and Clinical Instruction, subsequently to his last failure, for one academical year.

The following amended forms of clauses 3, 11, and 12 of the Regulations for the Degree of Bachelor in Medicine, having been sanctioned by the Senate, and approved by the Governor General in Council, are published for general information :—

3. Every candidate for admission to the examination shall send his application, with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

11. Every candidate for admission to the examination shall send his application with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

12. A fee of thirty rupees shall be payable by each candidate. No candidate shall be admitted, unless he shall have paid this fee to the Registrar. A candidate, who fails to pass or present himself for examination, shall not be entitled to claim a refund of the fee. A candidate may be admitted to one or more subsequent examinations on payment of a like fee of thirty rupees on each occasion, and, in the case of a candidate who has already failed to pass, on the production of a certificate of having attended a further course of Hospital Practice and Clinical Instruction, subsequently to his last failure, for one academical year.

SENATE HOUSE, *The 28th Sept.* 1876. } J. SUTCLIFFE, *Registrar.*

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.—ESTABLISHMENT.

Indore, the 25th September 1876.

No. 34.—Gunnesh Moreshwar Vadthekur, who was appointed Probationary Overseer, 3rd Grade, in Government Notification No. 276 of the 30th April 1874, is permanently appointed to the Public Works Department.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATION.

Port Blair, the 12th September 1876.

No. 127.—Ganesh Janardan Gokhh, 3rd Grade Overseer, Department Public Works, Andaman and Nicobar Islands, is granted six months' leave on medical certificate, with effect from the 21st instant.

C. A. BARWELL, *Major-Genl.,*
Chief Commr. and Supdt., Andaman and Nicobar Islands.

To Contractors.

Tenders are invited for the supply of three lacs of hammer dressed stone for the Indus Bridge.

The stones required are of large size, and in connection with the supply ten lacs of rubble stone and ten lacs of ballast will be taken.

Rates are required for each description of stone. Further particulars can be obtained from undersigned who will receive the tenders for submission to the Engineer-in-Chief, who does not bind himself to accept the lowest or any tender.

W. HUNT,
Executive Engineeer, Ghoteki Division.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

3rd Circle.

Meerut, the 20th September 1876.

No. 40.—With reference to this Office Notification No. 35 of 23rd August 1876, Lieutenant S. Grant, R.E., Assistant Engineer, 2nd Grade, Meerut Division, Military Works, returned from one month's privilege leave on the afternoon of the 13th September 1876.

The 22nd September 1876.

No. 41.—With reference to Inspector General of Military Works' Notification No. 92 of 21st August 1876, Lieutenant R. M. Hyslop, R.E., Temporary Executive Engineer, 4th Grade, is posted to the Bareilly Division, Military Works, which he joined on the afternoon of the 7th September 1876.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

The 21st September 1876.

No. 23.—With reference to Notification No. 96 of the 2nd current by the Inspector General, Military Works, Mr. J. F. Chew, Accountant, 4th Grade, joined the Umballa Division, Military Works, on the forenoon of the 6th idem.

No. 24.—Mr. A. C. Calder, Accountant, 3rd Grade, attached to the Umballa Division, Military Works, availed himself, on the forenoon of the 11th current, of the two months and nineteen days' privilege leave granted to him in this Office Notification No. 18 of the 12th August 1876.

The 22nd September 1876.

No. 25.—Baboo Romanauth Banerjee, Accountant, 4th Grade, attached to the Ferozepore Division, Military Works, is allowed one month and fifteen days' privilege leave from the 20th October next, or such subsequent date as he may be able to avail himself of the same.

The 23rd September 1876.

No. 26.—Mr. A. Grant, Assistant Engineer, 2nd Grade, is transferred from the Ferozepore Division to the Umballa Division, Military Works.

No. 27.—With reference to Inspector General's Notification No. 100, dated 11th September 1876, Lieutenant G. H. Sim, R.E., is temporarily attached to the Umballa Division, Military Works.

The 25th September 1876.

No. 28.—With reference to this Office Notification No. 21 of the 11th current, Mr. J. A. Conner, Overseer, 2nd Grade, joined the Jullundur Division, Military Works, on the forenoon of the 20th idem.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

Rawal Pindi, the 23rd September 1876.

No. 16.—The under-mentioned Upper Subordinates attached to this Circle in Inspector General's Notification No. 95 of 1st September 1876, are posted to the Lahore Division, which they joined on the 20th current, afternoon :—

Corporal V. H. Swann, Overseer, 1st Grade,
Mr. G. H. Neville, Overseer, 2nd Grade.

No. 17.—Baboo Kedarnauth Banerjee, Supervisor, 2nd Grade, is allowed privilege leave for three months, of which he availed himself on the 15th current.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

7th Circle.

The 18th September 1876.

No. 2073.—Sergeant T. Hearlihy, Overseer, 1st Grade, transferred to the Morar Division, Military Works, was relieved of his duties in the 2nd Chukrata Division on the forenoon of the 4th instant.

No. 2077.—Privilege leave, from the 24th July to 5th August 1876, is granted to Rughbur Dyal, Accountant, Chukrata Road Division.

J. BIRNEY, *Major, R.E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATION.

Simla, the 21st September 1876.

No 150.—Notification No. 130, dated 14th August 1876, is cancelled.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 18th September 1876.

No. 107.—Mr. W. Vardon, Store-keeper, 2nd Grade, Sutlej Bridge Division, is granted privilege leave for two months, with effect from such date as he may be permitted to avail himself of it.

The 22nd September 1876.

No. 109.—The following transfer has been made by the Superintending Engineer, Mooltan District :—

Azeezoodeen, Overseer, 2nd Grade, from the Bahawalpur to the Sutlej Bridge Division.

M. RAYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 13th September 1876.

No. 60.—Crishnajee Gunput, Overseer, 1st Grade, attached to Barnagar Division, Neemuch

State Railway, is granted privilege leave for six weeks, from such date as he may avail himself of it.

The 22nd September 1876.

No. 61.—Mr. B. W. Cantopher, Assistant Engineer, 2nd Grade, Extension Survey Division, Neemuch State Railway, is granted privilege leave for three months, with effect from 28th September 1876, or such subsequent date as he may avail himself of it.

The 23rd September 1876.

No. 62.—Babu Jodunath Banerjee, Accountant, 3rd Grade, attached to the Office of Examiner of Accounts, Holkar and Neemuch State Railways, is granted privilege leave for twenty-eight days, from 19th September 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 20th September 1876.

No. 216.—With reference to Notification No. 215 of 19th September 1876, Mr. T. M. Vigors, Executive Engineer, 2nd Grade, and Superintendent of Works, assumed charge of the Southern Division, and relieved Captain W. Sedgwick, R.E., Executive Engineer, of his charge of No. 2 Division, on the afternoon of the 9th idem.

No. 217.—With reference to Notification No. 215 of 19th September 1876, Mr. R. Reynolds Executive Engineer, 2nd Grade, assumed charge of the Northern Division, and relieved Mr. T. E, Owen, C.E., Executive Engineer, of the No. 3 Rungpore Branch Division, on the afternoon of the 31st August 1876.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

Report of a Deserter attached to the 72nd Regiment of Highlanders, dated at Sialkot, this 20th day of September 1876.

Number, Rank, and Name,—No. 1175, Private William Carter, 2-12th Regiment.	Date of Attestation,—30th October 1862.
Age,—35 years, 10 months.	At what place enlisted,—Rochester.
Size,—About 5 feet 5 or 6 inches.	Parish and County in which born,—Clonmel, Tipperary.
Color of—Complexion, dark; hair, dark brown; eyes, dark.	Marks,—Not known.
Date of Desertion,—17th September 1876.	Trade,—Labourer.
Place of Desertion,—Sialkot.	Coat or Jacket, Waistcoat, Breeches or Trowsers. } Not known; only helmet missing.
	REMARKS,—None.

P. B. SIMPSON, *Captain,*
Commdg. 72nd Highlanders.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
41	D 10—78161	5	The Post Master General, N. W. P., Allahabad.
	„ —78158	5	
42	D 7—88552	100	Sheonundun Lall, Benares.
	„ —88554	100	
43	D 7—96468	100	Har Saran Dass, Allahabad.
	„ —96469	100	
	„ —96470	100	
	„ —93865	100	
	„ —94956	100	
	„ —91912	100	

NOTES PARTIALLY LOST OR DESTROYED.

63	D 11—52771	10	Messrs. Laurie & Slater, Allahabad.
64	D 11—24467	10	Madun Mohun, Allahabad.
23	D 11—29729 wrongly joined. „ —29730	10	Jagjiwan Dass, Jaloun.

ALLAHABAD.—Paper Currency Office; *The 21st September* 1876.

T. H. S. BIDDULPH,
Asst. Acct. Genl., in charge of Paper Currency Office.

Nagpur Circle.

MISMATCHED NOTE.

No. of Notes.	Value. Rs.	Name of Claimant.
F 8—43949	20	Ramchundra Sett, Treasurer, Indore Treasury.
„ —43948		

NOTES PARTIALLY LOST OR DESTROYED.

F 8—51349	20	J. A. D'Silva, Esq., of Wurrora, C. P.
F 7—68390	10	Messrs. Grindlay, Groom & Co., Bombay.
F 8—48043	20	

NAGPUR,—Paper Currency Office; *The 21st September* 1876.

H. G. COWIE,
Deputy Commissioner of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
46	E 7—81370	5	Salig Ram, Sub-Overseer, I. V. S. Railway, Bhawulpore Divn., Chunigate.
	„ —81371	5	
	„ —81372	5	
	„ —81373	5	
	„ —81374	5	
	„ —81375	5	
47	E 4—66325	50	Bishen Sarup, Rohilkund Akhbar, Muradabad.

NOTES PARTIALLY LOST OR DESTROYED.

52	E 7—43762	5	Fakir Mohammad Azeem, Police Sergeant, Thana Rustum, *vid* Peshawur.
59	E 10—45548	10	Dr. A. Clarke, Surgeon Major, R.H.A., Umballa.

LAHORE.—Paper Currency Office; *The 23rd September* 1876.

I. C. BOSE,
Asst. to Acct. Genl., in charge of Currency Office.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
48	B 49—08819	10	S. T. McCarthy, Esq., M.C.S., Chingleput.

NOTES PARTIALLY LOST OR DESTROYED.

138	B 42—19860	20	Venkoba Row, *alias* Venkata Row, Triplicane, Madras.
139	B 41—03171	10	Ponnusawmy Iyer, Chingleput.
140	B 36—03463	5	M. Rungiah Naidu, Madras.
141	B 40—21679	5	M. Bashcarloo Naidu, Bellary.
	B 34—28971	10	
	B 42—41374	20	
142	B 49—95153	10	V. Bima Row, Madras.
	B 35—32587	20	
	B 50—03334	100	
	„ —04352	100	
143	B 36—62273	5	Ibaram Shariff Saib, Madura.
22	B 41—61397 wrongly joined. „ —99157	100	M. Sunjeevee Chetty, Madras.

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.; *The 18th September* 1876.

D. KISSUN SING,
Offg. Asst. Acct. Genl., in charge of Paper Currency Dept.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 29th September 1876.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 30th September 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 1st October 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Arabia*, will be closed at the General Post Office on Sunday, the 1st October 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Gwalior*, will be closed at the General Post Office on Monday, the 2nd October 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 3rd October 1876, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Tuesday, the 3rd October 1876, at 7 P. M.

Mails for Madras, Ceylon, and the intermediate ports, for transmission per Steamer *Ethiopia*, will be closed at the General Post Office on Wednesday, the 4th October 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 6th October 1876.

2. Book post and pattern packets must be posted on the 5th October 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

☛ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Just published.

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st October 1876. *Price, Rs.* 4; *packing and postage,* 8 *annas.*

A Manual of Cinchona Cultivation in India, by Geo. King, M.B., F.L.S., Superintendent of the Royal Botanical Garden, Calcutta, and of Cinchona Cultivation in Bengal. *Price, Rs.* 2; *packing and postage,* 6 *annas.*

No. 9.—Annual Statement of the Trade and Navigation of British India with Foreign countries and of the Coasting Trade between the several Presidencies and Provinces in the year ending 31st March 1875, including a separate review of the accounts of the Trade and Navigation of India for 1874-75 as compared with previous years. By J. E. O'Connor, Assistant Secretary, Department of Revenue, Agriculture and Commerce. *Price, Rs.* 5; *packing and postage, Re.* 1-8.

Selections from the Records of the Government of India, Foreign Department, No. 125. Report on the Administration of the Ajmere and Mhairwarra Districts for 1874-75. By Leslie S. Saunders, Esq., B.C.S. Commissioner. *Price Re.* 1; *packing and postage annas*

Ditto No. 126. Administration Report of the Munipoor Agency for the year ending 30th June 1874-75. *Price* 4 *annas; packing and postage* 2 *annas.*

Ditto No. 127. Rajpootana Dispensary, Vaccination, Jail and Sanitary Report for 1875. *Price* 12 *annas; packing and postage* 4 *annas.*

Just Published.

Memorandum of Practice in the trial of Civil Suits. Issued by the High Court of Judicature at Fort William in Bengal, 1876. *Price,* 4 *annas; postage,* 1 *anna.*

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P. W. D. Classified List, corrected up to 1st April 1876. *Price Rs.* 2; *packing and postage, 4 annas.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 7, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th April 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India,* and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

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TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 2nd October 1876.

No. 22.—Mr. H. F. Stevens, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for one month and twenty-eight days, under Section 21 of the Civil Leave Code, with effect from the afternoon of the 8th September 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 28th September 1876.

No. 107 *of* 1876-77.—With reference to Notification No. 74, dated 18th August 1876, granting two months' privilege leave to Captain R. Bullock, Officiating Deputy Commissioner, 3rd Class, Hyderabad Assigned Districts, the following temporary promotion is made in the Berar Commission, with effect from the 5th instant:—

Mr. A. J. Dunlop, Officiating Assistant Commissioner, 2nd Class, to officiate as Deputy Commissioner, 3rd Class.

The 29th September 1876.

No. 108 *of* 1876-77.—Mr. H. F. Cotgrave, District Superintendent of Police, 3rd Grade, Hyderabad Assigned Districts, has been granted privilege leave for one month, with effect from such date as he may avail himself of it.

Inspector Richardson will hold charge of current duties of the District Superintendent's Office during Mr. Cotgrave's absence on leave.

By Order,

G. H. TREVOR, *Capt.,*
2nd Assistant Resident.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.

Mount Aboo, the 26th September 1876.

No. 2529*S.*—The Officiating Agent, Governor General, and Chief Commissioner, is pleased to grant fifteen days' privilege leave of absence to Mr. James Rollo, temporary Executive Engineer, 4th Grade, attached to the Nusseerabad Division, from 1st October 1876, or from such subsequent date as he may avail himself of the same.

By Order,

A. G. CROMMELIN,
Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 5th October 1876.

No. 1.—Mr. George William Jarbo, Assistant Surveyor, 2nd Grade, passed by the 1st or Lower Standard Vernacular Examination laid down in General Order, Military Department, No. 734, dated 9th September 1864.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATIONS.

Simla, the 22nd September 1876.

Captain R. N. Riddell, R.E., Deputy Superintendent, 3rd Grade (returned from furlough), is granted subsidiary leave from 13th to the 18th September 1876 inclusive, under Chapter V, Section 18*b*, of the Civil Leave Code, to enable him to rejoin his appointment.

The 26th September 1876.

Mr. E. J. Connor, Assistant Surveyor, 1st Grade, Mysore Topographical Survey, is granted furlough in India for one year, under Supplement F, Section 7, of the Civil Leave Code, from the 1st November next.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

3rd Circle.

Meerut, the 3rd October 1876.

No. 42.—With reference to this Office Notification No. 38 of 18th ultimo, Barrack Sergeant S. J. Coleman, of the Meerut Division, Military Works, availed himself of one month's privilege leave on the 6th September 1876.

No. 43.—With reference to Notification No. 95, dated 1st September 1876, by the Inspector General, Military Works, Lance Sergeant R. Logan, Overseer, 1st Grade, and Mr. W. Miller, Overseer, 2nd Grade, are posted to the Meerut Division, Military Works, which they joined on the 20th September 1876.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The following amended forms of clauses 3 & 8 of the Regulations for Honors in Law, having been sanctioned by the Senate, and approved by the Governor General in Council, are published for general information :—

3. Every candidate for Honors shall send his application to the Registrar, at least one month before the date fixed for the commencement of the examination.

8. As soon as possible after the examination, the Syndicate shall publish a list of the candidates who have passed, arranged in order of merit. Candidates shall be bracketed together, unless the Examiners are of opinion that there is clearly a difference in their merits.

The following amended forms of clauses 3, 10, and 11 of the Regulations for the License in Medicine and Surgery, having been sanctioned by the Senate, and approved by the Governor General in Council, are published for general information :—

3. Every candidate for admission to the examination shall send his application, with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

10. Every candidate for admission to the examination shall send his application, with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

11. A fee of twenty-five rupees shall be payable by each candidate. No candidate shall be admitted, unless he shall have paid this fee to the Registrar. A candidate, who fails to pass or present himself for examination, shall not be entitled to claim a refund of the fee. A candidate may be admitted to one or more subsequent examinations on payment of a like fee of twenty-five rupees on each occasion, and, in the case of a candidate who has already failed to pass, on the production of a certificate of having attended a further course of Hospital Practice and Clinical Instruction, subsequently to his last failure, for one academical year.

The following amended forms of clauses 3, 11, and 12 of the Regulations for the Degree of Bachelor in Medicine, having been sanctioned by the Senate, and approved by the Governor General in Council, are published for general information :—

3. Every candidate for admission to the examination shall send his application, with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

11. Every candidate for admission to the examination shall send his application with a certificate in the form entered in Appendix A, to the Registrar at least fourteen days before the date fixed for the commencement of the examination.

12. A fee of thirty rupees shall be payable by each candidate. No candidate shall be admitted, unless he shall have paid this fee to the Registrar. A candidate, who fails to pass or present himself for examination, shall not be entitled to claim a refund of the fee. A candidate may be admitted to one or more subsequent examinations on payment of a like fee of thirty rupees on each occasion, and, in the case of a candidate who has already failed to pass, on the production of a certificate of having attended a further course of Hospital Practice and Clinical Instruction, subsequently to his last failure, for one academical year.

SENATE HOUSE, *The 28th Sept.* 1876. } J. SUTCLIFFE, *Registrar.*

To Contractors.

Tenders are invited for the supply of three lacs of hammer dressed stone for the Indus Bridge.

The stones required are of large size, and in connection with the supply ten lacs of rubble stone and ten lacs of ballast will be taken.

Rates are required for each description of stone. Further particulars can be obtained from undersigned who will receive the tenders for submission to the Engineer-in-Chief, who does not bind himself to accept the lowest or any tender.

W. HUNT,
Executive Engineeer, Ghoteki Division.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 27th September 1876.

No. 151.—The services of Mr. J. C. Rainford, temporary Supervisor, 1st Grade, Tirhoot State Railway, are dispensed with.

No. 152.—Baboo Mehtab Chunder Mullick, Assistant Engineer, 2nd Grade, Rajputana State Railway, passed the Colloquial Examination in Hindustani on the 15th September 1876.

No. 153.—Mr. W. Wiseman, Assistant Engineer, 1st Grade, is appointed to officiate as Executive Engineer of the Mehur Division, Indus Valley State Railway, during the absence on privilege leave of Mr. F. L. Dibblee, or until further orders.

No. 154.—Mr. H. W. Warden, Assistant Engineer, 1st Grade, Tirhoot State Railway, passed the Departmental Standard Examination on the 19th September 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 3rd October 1876.

No. 49.—With reference to the Director of State Railways' Notification No. 143, dated 14th September 1876, Mr. J. O'Callaghan, Traffic Superintendent, Rajputana State Railway, made over charge of his duties, and reported his departure from Agra on the afternoon of the 2nd September 1876.

Mr. P. D. Barclay, Assistant Traffic Superintendent, assumed charge of the duties of Traffic Superintendent, Rajputana State Railway, on the same date.

Mr. C. H. Stephenson, Assistant Traffic Superintendent, Tirhoot State Railway, reported his arrival at Agra on the afternoon of the 20th September 1876.

KELLOW C. PYE, *Captain, R.E.,*
Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 30th September 1876.

No. 108.—Mr. H. T. Geoghegan, Executive Engineer, 1st Grade, Soán Division, is allowed one month's privilege leave, with effect from the forenoon of the 16th September 1876.

No. 109.—Mr. H. T. Geoghegan, Executive Engineer, 1st Grade, made over, and Major H. R. Fäber, R.E., Executive Engineer, 1st Grade, received, charge of the Soán Division on the afternoon of the 15th September 1876.

No. 110.—With reference to Public Works Department Notification No. 375, dated 30th August 1876, accepting the resignation of Mr. G. S. Henry, Overseer, 2nd Grade, this subordinate ceased to belong to this Railway from the forenoon of the 19th July 1876.

No. 111.—Mr. G. Rees, Overseer, 1st Grade, Ravi Division, is allowed two months' sick leave, with effect from the afternoon of 5th September 1876.

No. 112.—Mirza Tahir Hoossain, Overseer, 1st Grade, Ravi Division, is allowed two months' privilege leave, with effect from the forenoon of 11th September 1876.

No. 113.—Mr. T. Brady, Supervisor, 1st Grade, Jhelum Division, is allowed one month's privilege leave, with effect from the forenoon of the 10th September 1876.

No. 114.—Mr. F. M. Avern, Executive Engineer, 2nd Grade, Jhelum Division, is allowed two months' privilege leave, with effect from the forenoon of the 11th September 1876.

No. 115.—Mr. F. M. Avern, Executive Engineer, 2nd Grade, made over, and Mr. C. A. Bull, Executive Engineer, 3rd Grade, Bakrála Division, received, charge of the Jhelum Division on the afternoon of the 9th September 1876.

No. 116.—Mr. H. Luckstedt, Assistant Engineer, 2nd Grade, Bakrála Division, is allowed three months' leave to study the native languages, with effect from the forenoon of the 4th September 1876.

No. 117.—Mr. W. Mellor, Chief Store-keeper, on return from leave on medical certificate, resumed charge of the Office of Chief Store-keeper of this Railway from Mr. J. H. L. Patterson, Store-keeper, 2nd Grade, on the afternoon of 21st September 1876.

No. 118.—Mr. F. J. E. Spring, Assistant Engineer, 1st Grade, is transferred from the Soán Division to the Office of Engineer-in-Chief, with effect from the forenoon of 11th September 1876.

No. 119.—Mr. J. A. S. Ellis, Accountant, 3rd Grade, Ravi Division, is allowed three months' privilege leave, with effect from the forenoon of the 18th September 1876.

No. 120.—Lieutenant J. Roberts, Assistant Engineer, 2nd Grade, is transferred from the Ravi Division to Chenab Division, which division he joined on the afternoon of the 21st September 1876.

No. 121.—In the Notification, No. 103, dated 2nd September 1876, granting sixty-one days' privilege leave to Mr. H. F. Storey, Executive Engineer, Chenab Division, *for* "with effect from the *forenoon* of the 16th August 1876," *read* "with effect from the *afternoon* of 16th August 1876."

No. 122.—Mr. P. T. Large, Assistant Engineer, 1st Grade, Ravi Division, returned to duty from the two months' privilege leave on the forenoon of the 24th September 1876.

ALEX. GRANT,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 29th September 1876.

No. 218.—Mr. S. Finney, Assistant Engineer, Northern Division, is temporarily attached to the Office of the Engineer-in-Chief from 29th September 1876, the date of the expiration of the leave granted him in Notification No. 187 of 16th June 1876.

No. 219.—*Erratum.*—In Notification No. 215 of 19th September 1876, *for* Mr. A. Thuey, Assistant Engineer, 1st Grade, *read* Mr. A. Thuey, Assistant Engineer, 2nd Grade.

The 2nd October 1876.

No. 220.—Mr. J. R. Scott, Assistant Engineer, 1st Grade, reported his return from the leave granted him in Notification No. 203 of 10th August 1876, on the afternoon of 23rd September 1876.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 2nd October 1876.

No. 25.—Mr. J. C. Porter, Sub-Engineer, 3rd Grade, reported his return to duty from the sick leave granted to him in this Office Notification No. 12 of 12th April 1876, on the 30th ultimo.

HORACE BELL,
Offg. Engineer-in-Chief.

Statement of the Affairs of the Bank of Bengal for the week ending 3rd October 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,73,532	7	9
Public Deposits at Head Office ... 1,51,74,150 2 3			
Public Deposits at Branches ... 1,42,35,781 7 0	2,94,09,931	9	3
Other Deposits at Head Office and Branches	1,56,70,609	12	1
Bank Post Bills, &c.	3,41,556	13	11
Sundries	6,07,536	3	9
TOTAL ...	6,77,03,166	14	9

ASSETS.	Rs.	A.	P.
Government Securities	1,41,98,225	14	6
Loans on Government Securities, &c., at Head Office and Branches ...	56,11,194	6	11
Accounts of Credit on Government Securities, &c., at Head Office and Branches	46,84,389	2	5
Bills discounted and purchased at Head Office and Branches	1,66,49,559	4	0
Balances with other Banks ...	11,35,402	15	10
Bullion	14,796	7	0
Dead Stock	10,45,782	7	6
Stamps	9,923	15	10
Sundries	1,38,005	5	0
	4,34,87,279	15	0
Cash and Currency Notes at Head Office ... 71,26,467 6 9			
Cash and Currency Notes at Branches ... 1,70,89,419 9 0	2,42,15,886	15	9
TOTAL ...	6,77,03,166	14	9

By order of the Directors,

BANK OF BENGAL;
Calcutta, 4th October 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Statement of Transactions of District Savings Banks for the quarter ending 30th September 1876.

PROVINCE.	Number of Banks open.	DEPOSITS. No.	DEPOSITS. Amount.	WITHDRAWALS. No.	WITHDRAWALS. Amount, Principal.	WITHDRAWALS. Amount, Interest.	BALANCE.
			Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.
Bengal	45	1,653	1,46,563 5 9	725	99,930 15 5	431 15 4	8,90,676 0 2
Assam	9	174	14,244 3 6	71	14,780 9 4	54 10 8	84,522 14 6
N.-W. Provinces	35	1,263	62,990 8 8	251	53,348 14 3	230 8 10	3,86,617 13 8
Punjab	23	410	40,269 9 7	132	21,611 5 9	83 3 2	2,86,754 9 0
Oude	12	259	22,439 12 6	73	15,188 3 3	59 0 4	1,89,702 14 4
Central Provinces... ...	18	263	35,543 15 2	65	16,068 9 11	92 15 5	1,85,623 3 1
British Burmah	13	272	21,350 7 3	70	9,862 13 2	60 5 9	1,17,291 12 2
Berar	2	126	6,553 12 3	15	1,880 8 2	0 2 0	57,907 3 1
India	5	388	22,111 15 0	73	10,361 9 11	36 7 10	1,11,071 5 7
Total interest for the year 1875-76	...	...	61,689 5 1	...	...	...	61,689 5 1
TOTAL ...	162	4,808	4,33,756 14 9	1,475	2,43,033 9 2	1,049 5 4	23,71,857 0 8

CALCUTTA,
The 5th October 1876.

R. TAYLOR,
Offg. Comptroller General.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
144	B 49—63522	10	G. Narayana Aiyer, Madras.
145	B 49—75975	10	C. S. Bonifacio, Esq., Bangalore.
	„ —75976	10	
146	B 49—99103	10	Mrs. G. Rose, Madras.
	„ —99104	10	
	B 52—00311	10	
	„ —00312	10	
	„ —00313	10	
	„ —00314	10	
	„ —00315	10	
147	B 43—33496	50	Chetty Theerunmah, of Chittledroog.
148	B 49—88170	10	A. Narayana Row, Salem.
	B 42—44641	20	
149	B 39—08420	5	M. Bashcarloo Naidu, Bellary.
23	B 35—82547 wrongly joined. I 5—16477 wrongly joined.	20	A. Kristnappa Chetty, Madras.
24	B 35—98437 ditto „ —98438 ditto	20	T. Ruthnavelu Chetty & Co., Madras.

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.;
The 25th September 1876.

D. KISSUN SING,
Offg. Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
G 13—21020	5	Mr. Wassiamul Panjumal, Clerk, I. V. S. Railway, Saun Division.

KURRACHEE,—Paper Currency Dept.;
The 22nd September 1876.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
55	E 5—89066	20	Mr. W. Browne, P. W. Department, Peshawar.
58	E 3—97[illegible]	100	Lala Ruttan Chand, Pleader, High Court, N. W. Provinces, Moradabad.

LAHORE.—Paper Currency Office;
The 29th September 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
218	... L 48—52925	... 20	... Babu Ajuddhia Pershad.
219	... L 75—76517	... 10	... Babu Brojo Gopaul Sanyal.
220	... L 75—32906	... 10	... Babu Purmeshwar Ram.
	L 76—41092	... 10	...
222	L 82—35072	... 100	... Mr. N. E. Jennings.
	„ —59704	... 100	...
223	... L 38—24294	... 100	... Babu Koilas Chunder Laha.
224	... L 82—72302	... 100	... Babu Nund Kissore.
	L 66—37803	... 50	...
	„ —37050	... 50	...
225	... L 78—28278	... 20	... Mr. S. Soone.
	L 73—80173	... 10	...
	L 43—99338	... 10	...
226	... L 61—18078	... 10	... The Post Master General, N.-W. Provinces.
228	... L 69—15802	... 100	... The Officiating Deputy Commissioner, Goalpara.
	„ —72484	... 100	...
	„ —72880	... 100	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
276	... L 42—33349	... 10	... Babu Manick Chunder Choudhury.
	A 96—52542	... 10	...
	L 40—81269	... 10	...
	L 60—15972	... 10	...
	„ —15949	... 10	...
	L 10—98417	... 5	...
	„ —98416	... 5	...
277	... L 60—19401	... 10	... Mr. E. C. Lamb.
278	... L 82—17065	... 100	... Babu Golak Chundra Sarma.
279	... L 79—16128	... 20	... Agual Huq.
	L 74—27299	... 10	...
	„ —02987	... 10	...
	L 24—88714	... 5	...
280	... L 79—20105	... 20	... Captain J. W. E. Young.
168	... L 15—57096	... 5	... Dabirooddeen Ahmud.
	„ —56700	... 5	...

CALCUTTA,—Paper Currency Office; *The 6th October* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
18	... M 16—58511 ...	10	... Mr. Louis DeSa, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
109	... C 86—88812	...	100	... R. D. Spedding, Esq., C.S., Gorakhpur.
115	... M 18—27360	...	10	... Panlo Antonio Lobato, Burhanpur.
116	... M 23—09391	...	50	... Mr. Rustomje Hormusje Nanavati, Broach.
117	... C 96—81537	...	10	... Narayen Mahadew Baput, Chandore, Nassick.
140	... C 92—99951	...	10	... Allybhoy Noorbhoy, Bombay.
141	... M 22—06774	...	20	... Mr. Umbaram Atmaram.
37	... C 84—08689 wrongly joined.	...	20	... Mr. D. C. Gordon, Lahore.
	„ —08687 wrongly joined.			
43	... C 89—46219 ditto	...	10	... Mugunlal Kursondas, Bombay.
	C 82—75589 ditto			
44	... C 84—82294 ditto	...	20	... Dewchund Ghellabhoy, Bombay.
	K 2—17029 ditto			
45	... C 99—21329 ditto	...	20	... Mr. Pandurang Balibhadra, Bombay.
	„ —21331 ditto			
46	... M 17—93810 ditto	...	10	... Mr. Nana Moralia, I. P., Bombay.
	„ —93808 ditto			
49	... C 84—29826 ditto	...	20	... B. I. de Sa, Sholapur Spinning and Weaving Company.
	„ —29827 ditto			
	C 82—17405 ditto	...	10	...
	„ —17407 ditto			
47	... C 84—80260 ditto	...	20	... Sonabai, widow of Fazul Hubibhoy, Bombay.
	„ —80261 ditto			

BOMBAY,—Paper Currency Dept.; *The 27th September* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Nagpur Circle.

MISMATCHED NOTE.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
F 8—39630 ...	20	... Dewji Purshotum, General Dalall, Town Customs House, Bombay,
„ —39639 ...		

NAGPUR,—Paper Currency Office; *The 26th September* 1876.

H. G. COWIE,
Deputy Commissioner of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 6th October 1876.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 8th October 1876, at 7 P. M.

Mails for Rangoon, Moulmein, Straits, Port Blair and Camorta, for transmission per Steamer *Baghdad*, will be closed at the General Post Office on Sunday, the 8th October 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 10th October 1876, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 11th October 1876, at 7 P. M.

Mails for Madras, Ceylon, and the intermediate ports, for transmission per Steamer *Socotra*, will be closed at the General Post Office on Wednesday, the 11th October 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 13th October 1876.

2. Book post and pattern packets must be posted on the 12th October 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 6th October 1876.

Aburrow, A. H.
Alexander, A.
Andrew, Walter.
Armstrong, Mrs. M. J.
Baker, John.
Baptist, E. M.
Baptist, W.
Bray, Lady.
Brennan, Mrs.
Burroughs, Mrs. J.
Campbell, J. P.
Carbery, P.
Cardozo, Miss. J.
Chambers, Mrs.
Cleghorn, Jas.
Davies, C. L.
Douglas, Capt.
Ellis, J. E. S.
French, H. R.
Garrett, T.
Gitson, H.
Haslam, J.
Hecquet, Monsieur T.
Herklots, D.
Hudson, F. A.
Joakim, J.
Landale, Mrs. W.
LeFevure, Revd. F. D.
LeFevore, John.
Leuvy, Prequo.
Leeson, Mrs. S.
Lee, Thos. S.
Livesay, G. H. P.
Lloyd, Mrs. A.
Madge, C. R.
Minto, Mrs.
Morgan, Miss. L.
Nicol, Mrs.
Palmer, Mrs. F.
Pell, S.
Pereira, H.
Pogson, R.
Rodway, W.
Rudd & Co., Messrs.
Shaw, W. R. C.
Shean, Mrs.
Smith, James.
Sophia, Miss.
Sparling, F.
Steward, J. H.
Thomas, Miss M.
Vink, John.
Winter, Mrs.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Bates, W.
Battye, Major H. D.
Beadle, H.
Birks, A. B.
Borthwick, Miss
Boulter, R. F.
Browne, D.
Bullers, T.
Burn, Mrs. J.
Carey or Kelly, Engineer.
Chichester, R. E.
Cohen, M. B.
Court, John
Downes, A.
E. F. W.
Fleming, Mrs. L. H.
Friedwald, Fanny.
Gaff, E.
Graham, C.
Hindmarsh, William,
Holland, Capt. J.
Hollingsworth, J. B.
Holywood, F.
Howey, E. W.
Isaac, M.
Jepson, John.
Kaye, E. St. Geo.
Kelly, W. P.
Le Comte A. de Monale.
Lewis, Chas.
MacIntyre, A.
Mackintosh, Mrs. W.
Mandsley, E. R.
Mendes, V. E.
Micheli Aristodenio, Signr.
Mitchell, J. W.
O'Brien, Capt. T. E.
Olpherts, W. G.
Orton, B.
Palmer, Henry.
Pearce, G. S.
Phelan, T. W.
Phunk, Major-Genl.
Price, J.
Raban, Jas.
Rabontean, Mr.
Reed, J.
Rowcliffe, R. H.
Ryall, Capt.
Slaweeki, T., Monsieur.
Smythe, John.
Stroesko, Michel.
Sykes, B.
T. B., Mrs.
Walker, G.
Walker, J. H.
Webb, A.
Wilson, L. W. J.
Wilson, W.
Winkla, Patrick Waller & Co.

Papers.

Croghan, W. J.
Down, A. M.
Holland, H. O. H., Capt.
Maudslay, E.
Monro, Major C. A.
Olpherts, W. G.
St. George, F.

Registered Letters.

Andrews, Mrs.
Benjamin, Abdoola E.
Boulter, R. F.
Gastelle, Emile, Monsr.
Maudsley, E. R.

W. ALPIN,
Offg. Post Master of Calcutta.

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

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Just published.

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st October 1876. *Price, Rs. 4; packing and postage, 8 annas.*

A Manual of Cinchona Cultivation in India, by Geo. King, M.B., F.L.S., Superintendent of the Royal Botanical Garden, Calcutta, and of Cinchona Cultivation in Bengal. *Price, Rs. 2; packing and postage, 6 annas.*

Now ready.

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The Unrepealed General Acts of the Governor General in Council from 1834 to June 1876, with chronological table; edited by Whitley Stokes, Secretary to the Government of India in the Legislative Department. *Price Rs. 8 per volume; packing and postage Re. 1-8 per volume extra.*

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Publications for sale at the Bengal Secretariat Press.

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India:

Vol. I. 24-Pergunnahs and Sundarbans.
Vol. II. Nadiya and Jessor.
Vol. III. Midnapur, Hughli, and Howrah.
Vol. IV. Bardwan, Bankura, and Birbhum.
Vol. V. Dacca, Bakarganj, Faridpur, and Maiminsing.

Price, per volume, Rs. 2-8; postage, 10 annas.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

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Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs. 10; postage, Re. 1-2.*

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price, 8 annas per copy, or including postage, 10 annas.*

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A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 6 annas.*

Further Notes on the Rungpore Records. Vol. II. By E. G. GLAZIER, ESQ., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 3 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 8 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 12 annas.*

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Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1876. *Price, Rs. 3; postage, 8 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 5 annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

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West India Pilot. Vol. I ...	... „	3 0 0
West India Pilot. Vol. II ...	... „	6 0 0

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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NOW READY,

Published by the Government of Bengal,

THE STATISTICAL REPORTER,

Vol. II, No. 5, for October 1876.

The Trade Centres of Bengal (No. VII.—Patna)—Sea-borne Trade of Calcutta, August 1876.—Statistics of Physical, Political, and Fiscal Geography of the District of Cuttack, 1875-76.—Meteorological Statistics of Bengal, 1875.—Gunja.—Agricultural Statistics of Rampore Haut Sub-division in Moorshedabad.—Educational Census in the Rampore Haut Sub-division of the Moorshedabad District.—The Census of Calcutta, 1876—(by Mr. Beverley, C.S.) No. II.—Results of the Census.—Geographical Report on the Rivers and Embankments of the Midnapore District.—Agricultural Returns of the United Kingdom and various other Countries.—Jail Mortality, July 1876.—Vital Statistics, Bengal, during the month of July 1876.—Vital Statistics of the Town of Calcutta, August 1876.—Vital Statistics of the Suburbs of Calcutta, August 1876.—Statements of River Traffic in Bengal, district by district, during July 1876.—Statements of Bengal Railway Traffic during July 1876.

SUPPLEMENT:—Memorandum on Recent Fiscal Legislation in India; being an annexure to the Statement regarding the Moral and Manual Progress and Condition of India during the year 1873-74, and presented pursuant to Act of Parliament.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 14, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Simla, the 5th October 1876.

Offices opened and closed during the month of September 1876.

Name of Station.	Where situated.	Date.	Remarks.
Dehra Dún ...	N.-W. Provinces	29th	Re-opened.
Rajpore ...	Dehra Dún District, N.-W. Provinces ...	28th	Closed.

Calcutta, the 13th October 1876.

No. 23.—Mr. G. O'Donnell, a Superintendent of the 1st Grade, is allowed furlough on medical certificate for one year from 1st October 1876, under Section 10 (*a*), and subsidiary leave for 20 days, under Section 18 (*a*) of the Civil Leave Code, from 11th September 1876.

ALBERT CAPPEL,

Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 12th October 1876.

No. 51.—Mr. Ernest A. Floyer, 3rd Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, leave on private affairs for six months, under Section 5, and subsidiary leave not exceeding thirty days, under Section 10, of Supplement F of the Civil Leave Code, with effect from 11th October 1876, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

W. PALMER,

Examiner of Telegraph Accounts.

BANK OF BENGAL.

Calcutta, the 7th October 1876.

Notice is hereby given that the Bank of Bengal, General Treasury, and Public Debt Office, will be closed on Monday, the 16th, and Tuesday, the 17th instant, on account of the Hindoo Festival "Kalee Poojah," in conformity with Government Notification No. 3464 of 29th October 1867.

By order of the Directors,

R. HARDIE,

Secretary & Treasurer.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 2nd October 1876.

No. 110.—The privilege leave for three months granted in Notification in R. O. No. 91, dated 18th instant, to Major J. T. Bushby, Deputy Commissioner, Hyderabad Assigned Districts, is cancelled at his own request.

By Order,

G. H. TREVOR, *Capt.,*

2nd Assistant Resident.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.

Mount Aboo, the 29th September 1876.

No. 2565*S.*—Mr. D. Joscelyne, temporary Executive Engineer, 3rd Grade, attached to the Mhairwarra Division, returned on the morning of

the 19th September 1876, from the three months' privilege leave granted him in Notification No. 1563S., dated 21st June 1876.

By Order,
A. G. CROMMELIN,
Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 5th October 1876.

Privilege leave for one month is granted to Lieutenant-Colonel G. C. Depree, in charge No. 4 North-Eastern Division, Central Provinces Topographical Survey, under Chapter VI, Section 22, of the Civil Leave Code, from 6th November next.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 2nd October 1876.

No. 103.—The under-mentioned Upper Subordinates are transferred from the 1st to the 2nd Circle, Military Works:—

Sergeant T. J. Hicks, R. E., Overseer, 1st Grade.
Baboo Brindabun Paul, Overseer, 2nd Grade.

The 5th October 1876.

No. 104.—The following Barrack Masters are temporarily transferred to the 3rd Circle, Military Works:—

Conductor B. Revell,—from the 4th Circle, Military Works.
Conductor G. Blake,—from the 5th Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 5th October 1876.

No. 43.—With reference to this Office Notification No. A, dated the 11th August 1876, Captain G. T. Maitland made over, and Captain Clive received, charge of the 1st Allahabad Division on the 11th September 1876, in addition to his other duties.

No. 44.—With reference to Inspector General's Notification No. 100, dated the 11th ultimo, Lieutenant J. A. Ferrier, R. E., Assistant Engineer, reported his arrival on the forenoon of the 20th idem, and has been posted to the Lucknow Division, which he joined on the same date.

No. 45.—With reference to Inspector General's Notification No. 90, dated the 16th August 1876, Sergeant S. Fraser, Supervisor, 2nd Grade, is posted to the Lucknow Division, which he joined on the forenoon of the 11th ultimo.

The 6th October 1876.

No. 46.—Barrack Sergeant R. Fergusson, attached to the Lucknow Division, Military Works, was relieved of his duties on the afternoon of the 11th September 1876, consequent on his remand to regimental duty.

The 11th October 1876.

No. 47.—With reference to Inspector General Military Works' Notification No. 93 of 1876, transferring Captain J. Copeland, Assistant Engineer, to the 1st Circle, Military Works, that Officer reported his departure on the 29th September 1876.

No. 48.—With reference to this Office Notification No. 3A, dated the 28th August, Captain H. S. Clive made over, and Captain G. T. Maitland received, charge of Allahabad Special Division, Military Works, on the forenoon of the 2nd instant, in addition to his other duties. The former Officer availed himself of the privilege leave granted him in the above quoted Notification on the forenoon of that date.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 9th October 1876.

No. 44.—With reference to Notification No. 79 of 21st July 1876, by the Inspector General of Military Works, Sergeant J. Hearlihy, Overseer, 1st Grade, is posted to the Morar Division, Military Works, which he joined on the 9th September 1876.

The 10th October 1876.

No. 45.—With reference to this Office Notification No. 42 of 3rd October 1876, Barrack Sergeant S. J. Coleman, of the Meerut Division, Military Works, returned from one month's privilege leave on the 1st October 1876.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

The 6th October 1876.

No. 29.—With reference to this Office Notification No. 26, dated 23rd September 1876, Mr. A. Grant, Assistant Engineer, 2nd Grade, joined the Umballa Division, Military Works, on the forenoon of the 2nd October 1876.

No. 30.—With reference to this Office Notification No. 27, dated 23rd September 1876, Lieutenant G. H. Sim, R. E., Assistant Engineer, 2nd Grade, joined the Umballa Division, Military Works, on the forenoon of the 1st October 1876.

The 9th October 1876.

No. 31.—Mr. J. D. Davies, Assistant Engineer, 2nd Grade, who is temporarily transferred to Firozepore, made over charge of the Mooltan Sub-Division on the forenoon of 28th September 1876, and reported his arrival at Firozepore on the forenoon of 2nd October 1876.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

7th Circle.

The 18th September 1876.

No. 2075.—Mr. J. F. Chew, Accountant, 4th Grade, transferred to the Umballa Division, Military Works, was relieved of his duties in the 2nd Chakrata Division, on the 4th instant.

J. BIRNEY, *Major, R. E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

8th Circle.

Rawal Pindi, the 3rd October 1876.

No. 1512.—Lieutenant F. B. E. D'Aguilar, Assistant Engineer, 1st Grade (temporary), is re-transferred from the 2nd Rawal Pindi to the Dalhousie Division, Military Works. He reported his departure from the former on the 22nd ultimo, afternoon, and his arrival in the latter on the 25th idem, afternoon.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 5th October 1876.

No. 155.—Mr. W. Mellor, Chief Store-keeper, Punjab Northern State Railway, reported his return from sick leave on the 14th September 1876, and is granted eight days' subsidiary leave.

The 9th October 1876.

No. 156.—Mr. W. Nethersole, Superintending Engineer, 2nd Grade, Punjab Northern State Railway, has been granted by the Secretary of State two months' leave on medical certificate in extension of the leave granted him in Director's Notification No. 181 of the 25th October 1875.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 4th October 1876.

No. 50.—Mr. J. Cameron, temporary Accountant, 3rd Grade, is transferred from the Workshop Division to the Central Office, Rajputana State Railway, and joined the latter on the 25th ultimo.

KELLOW C. PYE,
Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 5th October 1876.

No. 111.—With reference to Director of State Railways' Notification No. 144, dated 15th September 1876, Lieutenant C. R. Hoskyn, R. E., Assistant Engineer, 2nd Grade, reported his arrival at Mooltan on the forenoon of the 29th ultimo, and is posted to the Upper Sind District.

No. 112.—With reference to Director of State Railways' Notification No. 144, dated 15th September 1876, Lieutenant H. Finnis, R. E., Assistant Engineer, 2nd Grade, reported his arrival at Mooltan on the forenoon of the 2nd instant, and is posted to the Upper Sind District.

M. RAYNE,
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 2nd October 1876.

No. 1111.—Lieutenant W. V. Constable, R.E., Assistant Engineer, 2nd Grade, posted to this line in the Director of State Railways' Notification No. 144, dated 15th September 1876, reported his arrival at Ajmere on the afternoon of 30th September 1876.

JAMES COLLET,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 2nd October 1876.

No. 63.—Mr. P. W. Dangerfield, Assistant Engineer, 1st Grade, Extension Survey Division, Neemuch State Railway, is granted privilege leave for one and a half months, from 6th October 1876.

No. 64.—With reference to Notification No. 60 of 13th September 1876, Gunput Crishnajee, Overseer, 1st Grade, availed himself of the leave therein granted on the 22nd September 1876.

No. 65.—With reference to Notification No. 61 of 22nd September 1876, Mr. B. W. Cantopher, Assistant Engineer, 2nd Grade, availed himself of the leave therein granted on the 30th September 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 5th October 1876.

No. 56.—With reference to Director of State Railways' Notification No. 131 of 16th August 1876, Mr. G. J. Sherman, Store-keeper, 2nd Grade, returned to duty from the leave granted to him therein on the forenoon of the 18th September 1876.

No. 57.—Baboo Thakoor Dass, Overseer, 2nd Grade, Kosee Extension Surveys, No. 2 Division, availed himself of the two months' privilege leave granted to him in this Office Notification No. 52 of 25th August 1876, on the afternoon of the 23rd September 1876.

No. 58.—Mr. J. O'Callaghan, Traffic Superintendent, transferred temporarily to the Tirhoot State Railway, in Director of State Railways' Notification No. 143 of 14th September 1876, reported his arrival at Dinapore on 5th September 1876, and assumed charge of the Traffic Department on the afternoon of the 9th idem.

No. 59.—With reference to Director of State Railways' Notification No. 143 of 14th September 1876, Mr. C. Stephenson, Assistant Traffic Superintendent, reported his departure for Agra on the 14th September.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

ACCOUNTANT GENERAL'S OFFICE.
PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 409.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 30th September* 1876.

Public Works (Buildings and Roads Branch and Military Works Branch) and Telegraph.				Irrigation.				State Railways (Capital).			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received	Date of receipt.
1	Port Blair ...	July 1876	Sep. 11, 1876	1	Rajpootana ...	July 1876	Sep. 15, 1876	1	Rangoon and Sittang Valley.	Aug. 1876	Sep. 16, 1876.
2	Assam ...	Ditto ...	Do. 18 „	2	Bengal ...	Ditto ...	Do. 25 „	2	Calcutta and South-Eastern.	Ditto ...	Do. 25 „
3	Central Provinces ...	Ditto ...	Do. 21 „	3	Mysore ...	Ditto ...	Do. 28 „	3	Western Rajpootana	Ditto ...	Do. 26 „
4	Indo-European Telegraph.	Ditto ...	Do. 22 „	4	Bombay ...	June 1876	Do. 7 „	4	Wurdah Valley ...	Ditto ...	Do. 27 „
5	Coorg ... / Rajpootana ...	Ditto ...	Do. 23 „	5	Madras ...	Ditto ...	Do. 8 „	5	Store-keeper, Calcutta.	July 1876	Do. 9 „
7	Bengal ... / Punjab ... / Oudh ...	Ditto ...	Do. 26 „	6	North-Western Provinces / Punjab / British Burmah	Ditto ...	Do. 25 „	6	Nulhati ...	Ditto ...	Do. 20 „
10	Indian Telegraph ...	Ditto ...	Do. 27 „					7	Sindia ...	Ditto ...	Do. 23 „
11	Hyderabad ... / Mysore ... / Hyderabad Assigned Districts.	Ditto ...	Do. 28 „		Guaranteed Railways.			8	Rangoon and Irrawaddy Valley. / Nizam's	Ditto ...	Do. 25 „
14	Central India ... / Grand Trunk Road Lahore to Jhelum.	June 1876	Do. 4 „	1	Bengal ...	July 1876	Do. 19, 1876	10	Punjab Northern ...	Ditto ...	Do. 26 „
16	Madras ...	Ditto ...	Do. 8 „	2	Oudh ...	Ditto ...	Do. 25 „	11	Northern Bengal / Assam Extension	Ditto ...	Do. 27 „
17	Bombay ...	Ditto ...	Do. 11 „	3	Punjab ...	Ditto ...	Do. 26 „	13	Indus Valley ...	June 1876	Aug. 23 „
18	Military Works ...	Ditto ...	Do. 22 „	4	Madras ...	June 1876	Do. 8 „	14	Rajpootana ...	Ditto ...	Do. 28 „
19	North-Western Provinces.	Ditto ...	Do. 27 „	5	Bombay ...	Ditto ...	Do. 11 „	15	Neemuch ...	Ditto ...	Sep. 6 „
20	British Burmah ...	May 1876	Aug. 12, 1876					16	Holkar ...	Ditto ...	Do. 7 „
								17	Tirhoot Surveys ...	Ditto ...	Do. 8 „
								18	Tirhoot ...	May 1876	Do. 2 „
									State Railways (Revenue).		
								1	Calcutta and South-Eastern.	Aug. 1876	Sep. 25, 1876.
								2	Oomraotee ... / Khamgaum ...	July 1876	Do. 12 „
								4	Nulhati ...	Ditto ...	Do. 20 „
								5	Wurdah Valley / Nizam's	Ditto ...	Do. 25 „
								7	Punjab Northern ...	Ditto ...	Do. 26 „
								8	Rajpootana ...	June 1876	Do. 4 „
								9	Holkar ...	Ditto ...	Do. 18 „
								10	Tirhoot ...	May 1876	Do. 2 „

Simla, the 3rd October 1876.

J. J. McLEOD INNES, *Lieut.-Colonel,*
Accountant-General, P. W. Dept.

Statement of the Affairs of the Bank of Bengal for the week ending 10th October 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,73,532	7	9
Public Deposits at Head Office ... Rs. 1,27,57,286 11 10 / Public Deposits at Branches ... 1,52,40,744 9 6	2,79,98,031	5	4
Other Deposits at Head Office and Branches	1,80,93,404	1	11
Bank Post Bills, &c.	2,61,525	10	7
Sundries	6,23,170	12	4
Total ...	6,86,49,664	5	11

ASSETS.	Rs.	A.	P.
Government Securities	1,42,21,184	15	6
Loans on Government Securities, &c., at Head Office and Branches ...	64,80,994	7	2
Accounts of Credit on Government Securities, &c., at Head Office and Branches	44,96,107	12	7
Bills discounted and purchased at Head Office and Branches	1,72,86,881	0	6
Balances with other Banks ...	8,79,081	2	10
Bullion	14,796	7	0
Dead Stock	10,44,384	15	9
Stamps	10,551	10	10
Sundries	1,38,010	14	10
	4,45,71,993	7	0
Cash and Currency Notes at Head Office ... Rs. 1,05,17,648 6 8 / Cash and Currency Notes at Branches ... 1,35,60,022 8 3	2,40,77,670	14	11
Total ...	6,86,49,664	5	11

By order of the Directors,

BANK OF BENGAL;
Calcutta, 12th October 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, and outstanding in the Books of the Bank of Bengal on the 30th September 1876.

PARTICULARS.	3½ per cent. Loans of 1853-54.	4 per cent. Loans of 1824-25.	4 per cent. Loans of 1828-29.	4 per cent. Loans of 1832-33.	4 per cent. Loans of 1836-36.	4½ per cent. Loans of 1842-43.	4½ per cent. Loans of 1854-55.	Transfer of 1865.	4½ per cent. Loans of 1870.	4½ per cent. Loans of 1871.	4½ per cent. Loans of 1872.	5 per cent. Loan of 1856-57.	5½ per cent Loan of 1858-60.	5 per cent. Debentures for 10 years.	5 per cent. Debentures for 15 years.	TOTAL AMOUNT.
														Repayable, June 1877.	Repayable, June 1882.	
Balance of 18th September 1876	55,600	33,173	2,346	14,65,493	31,57,700	1,51,01,700	1,09,06,500	1,63,54,600	34,89,200	2,57,000	2,92,38,800	82,800	4,19,14,700	28,94,000	33,13,000	12,52,66,112
Add—																
Amount enfaced at Madras between 16th and 30th September 1876	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Amount enfaced at Bombay between 16th and 30th September 1876	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Amount enfaced at Calcutta between 16th and 30th September 1876	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	55,600	33,173	2,346	14,65,493	31,57,700	1,51,01,700	1,09,06,500	1,63,54,600	34,89,200	2,57,000	2,92,38,800	82,800	4,19,14,700	28,94,000	33,13,000	12,52,66,112
Deduct—																
Amount written off in the London Registers	...	...	...	...	1,000	...	16,600	15,000	...	...	73,000	...	1,10,500	...	...	2,16,700
Balance on 30th September 1876	55,600	33,173	2,346	14,65,493	31,56,700	1,51,01,700	1,08,89,900	1,63,39,600	34,89,200	2,57,000	2,91,65,800	82,800	4,18,04,200	28,94,000	33,13,000	12,50,49,412

NOTE.—From 9th June 1867 to 31st July 1876, enfaced from India, 2,337 lakhs; re-transferred from London, 2,361 lakhs.

1st Aug. 1876 to 15th Aug.	5	„	„
16th „ to 31st „	5	„	„
1st Sep. „ to 15th Sep.	5	„	„
16th „ to 30th „	1	„	„
	2,353		

		15	„
		10	„
		12	„
		2	„
	2,406 lakhs.		
	2,353 „		
Balance against London ...	53 lakhs.		

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 7th October 1876.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
50	... B 43—31897	... 50	... Post Master General, North-Western Provinces, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
150	... B 43—55490	... 50	... Dava Karna Bachur, Madras.
	B 44—69024	... 100	...
151	... B 34—25954	... 10	... Mrs. E. Howell, Trimulgherry.
152	... B 50—07076	... 100	... B. Janarthanum Pillay, Bellary.
26	... B 35—99465 wrongly joined.	20	... C. Ismail Khan, Madras.
	„ —99463		

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.; *The 2nd October* 1876.

D. KISSUN SING,
Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
34	... L 49—87951	... 50	... The Post Master, Cawnpur.
44	... D 4—62567	... 50	... Padma Coomar Chowdry, Chakrata.
	„ —62591	... 50	...
	„ —62592	... 50	...
	„ —62593	... 50	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
65	... L 49—90342	... 50	... Messrs. W. J. Essai, Bombay.
66	... D 5—84897	... 20	... Imam Deen, Rawulpindee.
67	... D 10—83019	... 5	... Bhola Nath Mitter, Benares.

ALLAHABAD.—Paper Currency Office; *The 5th October* 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
F 8—45732	... 20	... Lieutenant-Colonel A. A. Bruce, 37th Regiment, Native Infantry, Bareilly.

NAGPUR.—Paper Currency Office; *The 5th October* 1876.

H. KEENE,
Asstt. to Acctt. Genl., C. P., in charge of Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 5—63406	... 20	... Koyaparambath Valiagatha Mammod, of Calicut.
J 4—61844 wrongly joined. —57806	50	... R. M. V. E. Narraina Iyengar, of Madras.
J 6—68764 ditto —68688	... 10	... Mr. R. D. Shortt, Inspector of Police, Ootacamund.
J 7—52867	... 5	... P. Sooboo Aunasawmy Moodeliar, of Pothanore.
J 6—77017	... 10	...
—82556	... 10	...
J 5—62142	... 20	... Chamah Vemmah, of Secunderabad.
J 7—38536	... 5	... C. Narayana Ayar, of Madras.
„ —60497	... 5	...

CALICUT.—Paper Currency Office: *The 29th September* 1876.

P. A. COLE.
Dy. Collector, in charge of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
229	... L 82—64443 to „ —64450	... 100 each ...	Ram Prosad Luchminarain.
	L 81—05499	... 50 ...	
230	... L 67—04877	... 50 ...	Babu Koosh Chunder Banerjee.
	„ —04878	... 50 ...	
	„ —04879	... 50 ...	
	„ —04880	... 50 ...	
	„ —04882	... 50 ...	
	„ —04814	... 50 ...	
	„ —04815	... 50 ...	
	„ —04808	... 50 ...	
	„ —04817	... 50 ...	
	„ —04818	... 50 ...	
	L 68—79673 to „ —79677	... 100 each ...	
	„ —79665	... 100 ...	
	„ —79666	... 100 ...	
231	... L 46—10216	... 20 ...	Babu Shama Charan Mozoomdar.
232	... L 80—22281	... 20 ...	Babu Juddoonath Mookerjee.
234	... L 79—92114 „ —92113	20 each ...	Rossun Alli.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
281	... L 64—07696	... 20 ...	Mr. J. Ditmas.
	„ —07695	... 20 ...	
282	... L 24—65795	... 5 ...	Mr. J. H. Raindle.
	„ —65793	... 5 ...	
283	... L 17—37338	... 5 ...	Mrs. Tarinichurn Bhaduri.
284	... A 89—50857	... 500 ...	Lt. H. J. Harman, R. E.
285	... L 23—55175	... 5 ...	Mrs. C. E. Glass.
286	... L 23—78205	... 5 ...	Mr. G. B. Martin.
287	... L 64—19940	... 20 ...	Mr. R. Crowdy.
	L 65—66155	... 20 ...	
288	... L 39—92736	... 10 ...	Babu Tacoor Das Mukerjee.
	L 43—38742	... 10 ...	
289	... L 62—50641	... 10 ...	Babu Gobindo Chunder Mukerjee.
	L 59—30516	... 10 ...	
	L 73—51296	... 10 ...	
290	... L 63—93313	... 20 ...	Babu Chunder Mohun Ghose.
191	... L 67—45990 „ —45995	... 50 ...	Babu Ashutosh Mukerjee.
192	... L 48—86114 „ —86120	... 20 ...	Babu Raj Coomar Sircar.
193	... L 10—77797 „ —77799	... 5 ...	The Chief Paymaster, E. I. Railway, Calcutta.
194	... L 24—45085 „ —45089	... 5 ...	Mr. J. H. Gorman.
196	L 5—90935 „ —90936	... 10 ...	Narain Sing.
197	... L 22—42694 „ —42695	... 5 ...	Shaik Shamsuddeen.

CALCUTTA.—Paper Currency Office; *The 13th October* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
48	... E 4—91189	... 50 ...	The Deputy Commissioner, Lahore.
	„ —94953	... 50 ...	
	„ —91713	... 50 ...	
	„ —87408	... 50 ...	
	„ —90976	... 50 ...	
	„ —90805	... 50 ...	
	„ —34835	... 50 ...	
	„ —66822	... 50 ...	
	„ —84560	... 50 ...	
	„ —84538	... 50 ...	
	„ —84097	... 50 ...	
	„ —93660	... 50 ...	
	„ —95654	... 50 ...	
	„ —80752	... 50 ...	
	„ —76663	... 50 ...	
	„ —91268	... 50 ...	
	E 1—32242	... 1,000 ...	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
56	... E 7—67824	... 5 ...	Buxis Hoosain, Karinda, Nunda Deo, Purgna Palani, Zilla Banda.
	E 5—24508	... 20 ...	
	E 12—13183	... 20 ...	
61	... E 5—81821	... 20 ...	R. Maconachie, Esq., C. S., Shahpore.
63	... E 1—30189	... 1,000 ...	Lieutenant-Colonel C. C. Minchin, Political Agent, Bahawulpore.

LAHORE.—Paper Currency Office; *The 7th October* 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION	
			Under Assay.	Assayed.
	Rs.	Rs.	Rs.	Rs.
Sept. 18th, 1876	...	...	10,178	76,61,083
„ 19th „	...	...	10,178	75,63,994
„ 20th „	...	...	10,178	74,63,986
„ 21st „	...	10,133	34	74,72,881
Oct. 4th „	...	...	...	74,72,881
„ 5th „	22,16,883	...	22,16,917	74,72,881
„ 6th „	...	...	22,16,917	74,89,904
„ 7th „	...	...	22,16,917	74,86,904

CALCUTTA MINT, *The 9th Oct.* 1876. } C. H. LUARD, *Offg. Mint Master.*

Report of a Deserter from the 2-7th Regiment of Royal Fusiliers, dated at Belgaum, this 6th day of October 1876.

Number, Rank and Name.—49 Bde. No. 943 Private Richard Brighouse.
Age.—26 years and 4 months.
Size.—5 feet 7 inches.
Color of—
Complexion, fresh; Hair, brown; Eyes, hazel.
Date of Desertion.—Tattoo, 3rd October 1876.
Place of Desertion.—Fort Belgaum.
Date of enlistment.—8th June 1868.
At what Place enlisted.—Sheffield, Yorkshire.
Parish and County in which born.—Beckerstaff, Lancashire.
Marks.—None.
Trade.—Labourer.
Coat or Jacket, Waistcoat, Breeches or Trowsers. } Regimentals.
REMARKS.—Supposed to be making his way towards Madras where he was formerly stationed in 76th Regiment.
Under 9 years' service.

G. F. HERBERT, *Lieut.-Colonel, Comdg. 2-7th Royal Fusiliers.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 10th October 1876.

No. $\frac{C}{23}$.—Appointments in the Post Office Department made by the Director General.

POSTAL CIRCLE OF THE PUNJAB.

Name or Designation of Office.	Name of Substantive Incumbent.	Name of Acting Incumbent.
Inspector and Superintendent, Punjab Military Horse Van and Bullock Train, Rawalpindi Division.	Mr. A. G. Faichnie.	
Post Master, Lahore ...	Mr. S. S. Sullen.	
Supernumerary Inspector of Post Office attached to the Post Master General's Office.	Mr. M. LeBreton ...	Deputed to Bengal.
Inspector of Post Office, Gurdaspur Division	Mr. J. W. Pilkington.	
Ditto Simla Division ...	Mr. J. W. Buckner.	
Post Master, Simla ...	Mr. T. F. Higgins.	
Ditto, Delhi ...	Mr. E. Hodgkinson.	
Inspector of Post Office, Mooltan Division	Mr. C. J. Carty.	
Post Master, Peshawur ...	Mr. W. Hine.	
Ditto, Umballa ...	Mr. D. J. Byrne.	
Ditto, Amritsar ...	Mr. J. Considine.	
Inspector of Post Office, Derajat Division	Mr. N. Faichnie (on leave) ...	Mr. C. J. Carty.
Post Master, Rawalpindi ...	Mr. J. W. Gill.	
Superintendent, Dead Letter Office, Lahore	Babu Sazawar.	
Inspector of Post Office, Lahore Division...	Mr. J. L. Fendall.	
Ditto Hissar do. ...	Mr. W. S. Hickie (on leave) ...	Mr. W. S. Hawthorne.
Ditto Delhi do. ...	Mr. W. S. Hawthorne.	
Superintendent, Ludhiana Division ...	Mr. H. Wooster.	
Assistant Superintendent, Punjab Military Horse Van.	Mr. F. P. Williams ...	Mr. Cecil H. Wood.

JOHN DILLON,
for *Director General of the Post Office of India.*

Calcutta, the 13th October 1876.

Mails for Ceylon, Straits, Hong-Kong, and the United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 14th October 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 15th October 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Busheer*, will be closed at the General Post Office on Sunday, the 15th October 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 17th October 1876, at 7 P. M.

Mails for the Straits and Hong-Kong, for transmission per Steamers *A. Apcar* and *Penguin*, will

be closed at the General Post Office on Wednesday, the 18th October 1876, at 7 P. M.

Mails for Madras, Ceylon, and the intermediate ports, for transmission per Steamer *Khandalla*, will be closed at the General Post Office on Wednesday, the 18th October 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Nizam*, will be closed at the General Post Office on Wednesday, the 18th October 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 20th October 1876, by which mails for Mauritius, St. Denis, Reunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands, and Madagascar can be forwarded.

2. Book post and pattern packets must be posted on the 19th October 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 13th October 1876.

Alexander, A.
Andrew, Walter.
Andrews, Mrs. R.
Armstrong, J. P.
Armstrong, Mrs. M. J.
Augier, R.
Baker, John.
Blaky, W. D.
Blune, Mrs. L.
Carbery, P.
Chambers, Mrs.
Clarke, Mrs.
Cleghorn, Jas.
Cornelius, H. G.
Corfia, J. C.
Crowed, C., Mrs.
Douglas, Capt.
Dossiro, Miss A. A. C.
Ellis, J. E. S.
Garrett, T.
Gitson, H.
Gomes, L. M., Mrs.
Graham, T.
Haslam, J.
Hecquet, Monsieur T.
Hollis, Mrs.
Howis, J. Messrs. and Co.
Hudson, F. A.
Jones, C. W.
Landale, Mrs. W.
LeFevure, Revd. F. D.
Lee, Thos. S.
Livesay, G. H. P.
Marshall, Ben.
Menezies, E. F.
McMullin, I.
Murch, Miss. E.
Palmer, Mrs. F.
Park, Edward.
Payne, Mrs.
Pell, S.
Pereira, Mrs. J. A.
Pogson, R.
Reading, B.
Rodway, W.
Ross, Mrs. M.
Shean, Mrs.
Smith, W. B.
Soone, S.
Sophia, Miss.
Sparling, F.
Wakenell, J.
Walker, A.
Webb, J.
Weiber, L.
Wrighton, W.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Anderson, John.
Bates, W.
Battye, Major H. D.
Beadle, H.
Beagley, Mary Ann.
Birks, A. R.
Borthwick, Mrs.
Boulter, R. F.
Browne, D.
Browne, Nelson,
Bruse, Mr.
Burn, Mrs. J.
Carey or Kelly, Engineer.
Chichester, R. E.
Cohen, M. B.
Cooper, H. J.
Court, John.
Downes, A.
E. F. W.
E. R. M.
Findlay, Alfred.
Fleming, Mrs. L. H.
Friedwald, Fanny.
Graham, C.
Holdsworth, Col.
Hall, W.
Hindmarsh, William.
Holland, Capt. J.
Hollingsworth, J. B.
Holywood, F.
Howey, E. W.
Isaac, M.
Jacovowiz, F.
Kelly, W. P.
Le Comte A. de Monale.
Lewis, Chas.
MacIntyre, A.
Mandsley, E. R.
Micheli Aristodenio, Singr.
Mitchell, J. W.
O'Brien, Capt. T. E.
Orton, B.
Palmer, Henry.
Phunk, Major-Genl.
Price, J.
Raban, Jas.
Rabontean, Mr.
Reed, J.
Roberts, A.
Rowcliffe, R. H.
Ryall, Capt.
Slaweeki, T., Monsieur.
Smythe, John.
Standly, J. E.
Stroesko, Michel.
Sykes, B.
T. B. Mrs.
Theobald, H.
Walker, G.
Webb, A.
Wilson, L. W. J.
Winkla, Patrick Waller & Co
White, Mr.

Papers.

Anderson, John.
Down, A. M.
Holland, H. O. H., Capt.
Jacobowiez, F.
Maudslay, E.
Munro, Major C. A.
McNicol, John.
Roberts, A.
St. George, F.

Registered Letters.

Andrews, Mrs.
Boulter, R. F.
Maudsley, E. R.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

Publications for sale at the Bengal Secretariat Press.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs.* 2; *with map, Rs.* 3-4.

The Bengal Administration Report for 1874-75. *Price, Rs.* 4-8; *postage,* 14 *annas.*

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Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs.* 10; *postage, Re.* 1-2.

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Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs.* 3-8; *postage,* 11 *annas.*

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Vol. II, No. 5, *for October* 1876.

The Trade Centres of Bengal (No. VII.—Patna)—Sea-borne Trade of Calcutta, August 1876.—Statistics of Physical, Political, and Fiscal Geography of the District of Cuttack, 1875-76.—Meteorological Statistics of Bengal, 1875.—Gunja.—Agricultural Statistics of Rampore Haut Sub-division in Moorshedabad.—Educational Census in the Rampore Haut Sub-division of the Moorshedabad District.—The Census of Calcutta, 1876—(by Mr. Beverley, C.S.) No. II.—Results of the Census.—Geographical Report on the Rivers and Embankments of the Midnapore District.—Agricultural Returns of the United Kingdom and various other Countries.—Jail Mortality, July 1876.—Vital Statistics, Bengal, during the month of July 1876.—Vital Statistics of the Town of Calcutta, August 1876.—Vital Statistics of the Suburbs of Calcutta, August 1876.—Statements of River Traffic in Bengal, district by district, during July 1876.—Statements of Bengal Railway Traffic during July 1876.

SUPPLEMENT:—Memorandum on Recent Fiscal Legislation in India; being an annexure to the Statement regarding the Moral and Manual Progress and Condition of India during the year 1873-74, and presented pursuant to Act of Parliament.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 21, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15*th April* 1876.

From the 29th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 22nd instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 20*th October* 1876.

No. 24.—Mr. C. P. Landon, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for three months, under Section 21 of the Civil Leave Code, with effect from the forenoon of the 7th October 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 19*th October* 1876.

No. 52.—Mr. James T. Bedborough, 3rd Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, leave on private affairs for six months without pay, under Section 9 of Supplement F of the Civil Leave Code, with effect from 20th October 1876, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

W. PALMER,
Examiner of Telegraph Accounts.

BANK OF BENGAL.

Calcutta, the 18*th October* 1876.

Notice is hereby given that the Bank of Bengal, General Treasury, and Public Debt Office will be closed on Thursday, the 26th, and Friday, the 27th instant, on account of the Hindoo festival, Juggodhatree Poojah, in conformity with Government Notification No. 3464 of 29th October 1867.

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 20th October 1876.

No. 983.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 8¼*d.* per rupee. Schedule 16 of the Tariff Table is therefore in force until further notice.

R. TAYLOR,
Offg. Comptroller General.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 16th October 1876.

No. 36.—Mr. J. W. Mitchell, Surveyor, 4th Grade, having returned to duty on the forenoon of the 2nd instant, the unexpired portion of the privilege leave granted to him in Notification No. 32, dated the 4th ultimo, is cancelled.

H. R. THUILLIER, *Capt., R.E.,*
Offg. Superintendent, G. T. Survey of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 10th October 1876.

No. 105.—Mr. W. Conlan, Accountant, 3rd Grade, Office of Examiner of Accounts, Military Works, is granted four months' sick leave, from 1st October 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

1st Circle.

Calcutta, the 12th October 1876.

No. 2875.—Honorary Captain J. Copeland, Assistant Engineer, 3rd Grade, joined the Fort William Division on the forenoon of 1st instant.

The 14th October 1876.

No. 2918.—First Grade Assistant Engineer Baboo Ramessur Nauth took over charge of the Dinapore Division, Military Works, from Major D. C. Walker, R.E., on the afternoon of 25th September 1876.

The 18th October 1876.

No. 2934.—Second Grade Overseer, Baboo Shumbhoo Chunder Paul, attached to the Darjeeling Division, Military Works, availed himself of two months' privilege leave granted in this Office Notification No. 2769 of 20th September 1876, from the forenoon of 11th instant.

F. J. DAVIES, *Colonel,*
Offg. Supdg. Engr., 1st Circle, Mily. Works.

2nd Circle.

Lucknow, the 12th October 1876.

No. 49.—Captain G. T. Maitland, Executive Engineer of the 1st Allahabad Division, returned from the twenty-four days' privilege leave granted him in this Office Notification No. A, dated the 11th August 1876, on the 30th ultimo.

The 13th October 1876.

No. 50.—Consequent on the remand of Sergeant R. Sullyan, Supervisor, to regimental duty, Mr. J. McCarthy, Supervisor, attached to the 1st Allahabad Division, Military Works, is transferred to the Allahabad Special Division, Military Works.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 12th October 1876.

No. 46.—With reference to this Office Notification No. 36 of 5th September last, Lieutenant S. C. Turner, R.E., Temporary Executive Engineer, 3rd Grade, Agra Division, Military Works, returned from one month's privilege leave on the forenoon of 28th September 1876.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

The 14th October 1876.

No. 32.—With reference to Inspector General's Notification No. 89 of the 16th August 1876, Mr. Southan, Sub-Engineer, is posted to the Kasauli Division, Military Works, which he joined on the 2nd current.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

8th Circle.

Rawal Pindi, the 8th October 1876.

No. 1568.—Privilege leave of absence for two months and twelve days is granted to Mr. J. Harrington Trott, Accountant, 2nd Peshawur Division, from the 20th ultimo. Mr. Trott availed himself of the above on that date.

No. 1571.—Lieutenant E. H. Cameron, R.E., Assistant Engineer, 2nd Rawal Pindi Division, Military Works, returned from the privilege leave granted him per Notification No. 1118 of the 3rd July last, on the 1st instant.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 10th October 1876.

No. 157.—Sergeant C. Wickens, Supervisor, 2nd Grade, Northern Bengal State Railway, is granted three months' leave on medical certificate.

The 11th October 1876.

No. 158.—Mr. J. W. Parry, Assistant Engineer, 2nd Grade, Tirhoot State Railway, is transferred to the Northern Bengal State Railway.

No. 159.—The under-mentioned Assistant Engineers, 2nd Grade, Tirhoot State Railway, passed the colloquial examination in Hindustani on the 20th September 1876:—

Lieutenant G. F. Wilson, R.E.
Mr. C. W. Hodson.

The 12th October 1876.

No. 160.—With reference to Director's Notification No. 141 of the 11th September 1876, Mr. J. Collet, Engineer-in-Chief, Western Rajputana State Railway, resumed charge of his duties on the afternoon of the 5th October 1876.

The 13th October 1876.

No. 161.—Mr. J. W. Buyers, Executive Engineer, 2nd Grade, Rajputana State Railway, is transferred to the Holkar and Neemuch State Railways.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 9th October 1876.

No. 113.—Mr. J. Ramsay, Executive Engineer, 3rd Grade, is transferred from the Upper Scinde to the Mooltan District, and posted to the Bahawalpur Division.

The 10th October 1876.

No. 114.—Govind Krishna Vazai, Overseer, 3rd Grade, Sehwan Division, is granted two months' privilege leave from the 7th November 1876, or such subsequent date as he may be permitted to avail himself of it.

The 11th October 1876.

No. 115.—The privilege leave granted to Mr. W. Vardon, Store-keeper, in this Office Notification No. 107, dated 18th September 1876, is cancelled at that officer's request.

The 13th October 1876.

No. 116.—The following transfers have been made by Superintending Engineers:—

Mr. R. E. Wilson, Sub-Engineer, 3rd Grade, from the Sutlej Bridge to the Bahawalpur Division.
Mr. H. A. Olliver, Supervisor, 1st Grade, from the Reti to the Ghotki Division.
Mr. P. Kearns, Supervisor, 2nd Grade, from the Kotri to the Mehur Division.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 14th October 1876.

No. 123.—Mr. W. Holloway, Supervisor, 2nd Grade, Jhelum Division, is allowed three months' privilege leave, with effect from the forenoon of the 27th September 1876.

No. 124.—Mr. A. W. Spratt, Overseer, 1st Grade, Jhelum Division, returned to duty from one month's privilege leave granted to him by Notification No. 105, dated 9th September 1876, on the forenoon of 30th September 1876.

No. 125.—Lalla Ram Ditt, Accountant, 4th Grade, Office of Chief Store-keeper, Punjab Northern State Railway, is allowed two months' privilege leave, with effect from the forenoon of 29th September 1876.

No. 126.—Baboo Ishan Chunder Chatterjee, Overseer, 2nd Grade, is allowed sick leave on medical certificate for eighty-two days, with effect from the 18th May 1876.

No. 127.—Mr. C. Sexton, Overseer, 1st Grade, is temporarily transferred from the Chenab Division to the Office of the Engineer-in-Chief, with effect from the afternoon of the 27th September 1876.

ALEX. GRANT,
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Ajmere, the 9th October 1876.

No. 1145.—Lieutenant F. T. Maxwell, R.E., Assistant Engineer, 2nd Grade, posted to this line in the Director of State Railways' Notification No. 146, dated 18th September 1876, reported his arrival at Ajmere on the afternoon of 7th October 1876.

JAMES COLLET,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 16th October 1876.

No. 221.—Mr. W. deW. Peel, Assistant Engineer, 2nd Grade, is transferred from the Northern Division to the Assam Extension Survey Party.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 17th October 1876.

No. 60.—Baboo Byj Nath Chatterjee, Officiating Accountant, 4th Grade, Durbhanga Division, availed himself of the two months' privilege leave granted to him in this Office Notification No. 49 of 19th August 1876, on the forenoon of the 5th instant.

No. 61.—Mr. G. Humfress, Assistant Engineer, 2nd Grade, reported his return from the leave granted to him in this Office Notification No. 47 of 10th July 1876, on the afternoon of the 7th instant.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 13th October 1876.

No. 51.—Sergeant A. Beaty, Overseer, 1st Grade, attached to the Delhi Division, has been transferred to the Ajmere Division of this Railway, which he joined on the afternoon of the 9th instant.

KELLOW C. PYE,
Manager.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 13th October 1876.

No. 66.—Babu Baboo Mull, Assistant Engineer, 3rd Grade, attached to Fatehabad Division, Neemuch State Railway, is granted privilege leave for two months, from 1st November 1876.

No. 67.—Mr. G. W. Tarleton, Apprentice Accountant, attached to Examiner's Office, Holkar and Neemuch State Railways, is granted privilege leave for two months, from 5th September 1876.

No. 68.—Mr. Bhicajee Cowasjee, Accountant, 4th Grade, attached to Examiner's Office, Holkar and Neemuch State Railways, is granted privilege leave for one month, from 26th October 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 14th October 1876.

No. 26.—With the assent of the Director of State Railways, the Agra Division of the Sindia State Railway will be abolished from the 1st proximo, and the line divided into the 1st and 2nd Divisions. The 1st division will consist of the line from Agra to and including the Chumbul bridge. The 2nd division from the Chumbul bridge to Gwalior. The Officers in the 1st Division will be—

Mr. H. D. LaTouche, Executive Engineer, 1st Grade, in charge.
Mr. W. C. Rennie, Executive Engineer, 3rd Grade.
Lieutenant C. C. C. Barlow, R.E., Assistant Engineer, 1st Grade.
Mr. D. A. Duns, Temporary Assistant Engineer, 1st Grade.

The 16th October 1876.

No. 27.—Babu Gopee Mohan Banerjee, Accountant, 4th Grade, Chumbul Division, returned to duty from the privilege leave granted him in this Railway Notification No. 24, dated 15th ultimo, on the forenoon of the 12th instant.

HORACE BELL,
Offg. Engineer-in-Chief.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 9th, 1876 ...	...	...	22,16,917	74,87,225	...
„ 10th „ ...	4,60,819	...	26,77,736	73,87,104	...
„ 11th „ ...	...	...	26,77,736	72,87,504	...
„ 12th „ ...	...	1,11,785	25,72,855	72,94,064	...
„ 13th „ ...	...	2,17,277	23,68,862	74,11,898	...
„ 14th „ ...	...	2,18,742	21,63,080	75,18,369	...

CALCUTTA MINT, *The 18th Oct.* 1876. }

C. H. LUARD,
Offg. Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 17th October 1876.

LIABILITIES.			Rs.	A.	P.
Capital paid up			2,00,00,000	0	0
Reserve Fund			16,73,232	7	9
	Rs.	A. P.			
Public Deposits at Head Office ...	1,35,55,165	11 7	2,79,71,060	4	10
Public Deposits at Branches ...	1,44,15,894	9 3			
Other Deposits at Head Office and Branches			1,77,37,874	2	6
Bank Post Bills, &c.			3,64,448	6	3
Sundries			6,25,063	14	8
TOTAL ...			6,83,71,679	4	0

ASSETS.			Rs.	A.	P.
Government Securities			1,38,15,014	5	6
Loans on Government Securities, &c., at Head Office and Branches ...			65,45,194	7	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches			49,22,148	6	4
Bills discounted and purchased at Head Office and Branches			1,65,63,179	13	0
Balances with other Banks ...			7,44,442	2	0
Bullion			10,082	0	9
Dead Stock			10,43,438	9	4
Stamps			10,207	3	8
Sundries			1,38,019	14	10
			4,37,91,727	4	8
	Rs.	A. P.			
Cash and Currency Notes at Head Office ...	1,08,59,294	13 10	2,45,79,951	15	4
Cash and Currency Notes at Branches ...	1,37,20,657	1 6			
TOTAL ...			6,83,71,679	4	0

BANK OF BENGAL; *Calcutta, 19th October* 1876. }

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th October 1876.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS				4½ PER CENT. LOANS			5 PER CENT. DEBENTURES FOR		6 PER CENT. LOAN OF 1856-57.	6½ PER CENT. LOAN OF 1859-60.		TOTAL AMOUNT.
		of 1824-25.	of 1829-29.	of 1832-33.	of 1836-36.	of 1842-43.	of 1854-55.	Transfer of 1866.	of 1871.	of 1872.		10 years.	15 years.	
												Repayable, June 1877.	Repayable, June 1882.	
Balance of 30th September 1876	55,600	33,173	2,346	14,65,493	31,51,700	1,50,87,100	1,09,06,900	1,63,42,100	2,57,000	2,91,89,800	82,800	4,18,90,300	33,13,000	12,81,65,512
Add—														
Amount enfaced at Madras between 1st and 15th October 1876 ...	...	...	...	...	...	3,000	2,500	2,000	...	...	...	...	...	7,500
Amount enfaced at Bombay between 1st and 15th October 1876 ...	...	...	...	...	5,600	11,500	2,000	16,000	...	5,000	...	3,000	...	42,500
Amount enfaced at Calcutta between 1st and 15th October 1876 ...	...	...	...	...	...	5,000	...	2,00	...	1,800	...	6,400	...	69,000
	55,600	33,173	2,346	14,65,493	31,51,700	1,51,60,600	1,09,11,400	1,63,62,100	2,57,000	2,91,96,400	82,800	4,18,99,700	33,13,000	12,82,94,512
Deduct—														
Amount written off in the London Registers	...	...	...	...	2,200	66,400	13,700	16,000	...	64,900	...	44,500	...	2,07,700
Balance on 15th October 1876	55,600	33,173	2,346	14,65,493	31,49,500	1,50,94,200	1,08,97,700	1,63,46,100	2,57,000	2,91,30,500	82,800	4,18,55,200	33,13,000	12,80,76,812

NOTE.—From 9th June 1867 to 15th August 1876, enfaced from India, 2,342 lakhs; re-transferred from London, 2,376 lakhs.

From	16th Aug. 1876 to 31st		16 „
„	1st Sep. „ to 15th Sep.		12 „
„	16th „ „ to 30th „		2 „
„	1st Oct. „ to 15th Oct.		2 „
			2,408 lakhs.
			2,364 „
	Balance against London	...	44 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 19th October 1876. }

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
51	B 49—49707		10	Mr. T. Simeon, Palamcottah.
52	B 40—40092		5	Mr. J. S. Richardson, Madras.
	„ —40093		5	
	„ —40095		5	
	„ —40096		5	
	B 52—05630		10	
	„ —05631		10	
	„ —05632		10	
	„ —05633		10	
	B 42—54026		20	
	„ —54027		20	
	B 50—32131		100	
	„ —32132		100	
	„ —32133		100	
53	B 44—78677		100	D. Saithoo Row, Bangalore.
54	B 49—35149		10	Theroovangadum Pillay, Madras.
56	B 39—16633		5	Private H. Musgrove, 43rd Regiment, Ramandroog.
57	B 43—55597		50	Rev. D. Fenn, Secretary, Church Missionary Society, Madras.
	„ —55793		50	
	„ —56938		50	

NOTES PARTIALLY LOST OR DESTROYED.

153	B 39—16581		5	P. Ramalingum Pillay, Pennacondah.
	„ —99417		5	
154	B 35—88386		20	Manglegherry Pariah Shetty, Bangalore.
	B 42—39527		20	
	B 44—22176		100	
	„ —26975		100	
	„ —64251		100	
	B 50—14029		100	
155	B 43—61102		50	Perozshaw Pestonjee, Coonoor.
156	B 42—41712		20	P. S. Terumalasawmy, Madras.
27	B 36—51942	wrongly joined.	5	Ramalinga Chetty, Madras.
	J 7—53316			
28	B 44—92859	ditto	100	B. Baboo Sa, Madras.
	„ —92856			
29	B 49—07562	ditto	10	Messrs. Nicholas & Co., Madras.
	„ —07563			
157	B 39—56588		5	Abdul Wahab, Bangalore.
158	B 50—16617		100	Angara Therumala Row, Madras.
	B 28—83369		500	

FORT ST. GEORGE,
Acott. Genl.'s Office, Paper Currency Dept.;
The 14th October 1876.

D. KISSEN SING,
Asstt. to the Acott. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
46	M 5—78510		50	Mr. Florenco Louis daSilva, Bombay.
47	M 24—60946		100	Jadowjee Taluckshy, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

121	M 5—98473		50	Mr. W. C. Lester, Bheel Agent, Sirdarpore.
130	M 21—27222		10	Mr. Siddooje Ethooje, Stn. Master, G. I. P. Railway, Nimbora.
132	M 20—70646		10	Messrs. Jaffer Sulliman & Co., Bombay.
	„ —70650		10	
148	M 5—15455		50	Mr. Dhunjibhoy Dadabhoy Dady, Bombay.
150	M 19—62398		10	Cosmo Mascarenhas, Bombay.
49	C 84—29827	wrongly joined.	20	Mrs. B. J. de Sa, Bombay.
	„ —29826			
	C 82—17407	ditto	10	
	„ —17405			
50	M 5—97915	ditto	50	Sribhawandas Jadowje, Bombay.
	„ —97916			

BOMBAY,—Paper Currency Dept.;
The 11th October 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
235	L 69—61753		100	Moung Meah.
236	L 74—20624		10	Babu Ram Das.
237	L 81—03657		50	Babu Doorga Prosonno Bose.
238	L 52—59379		500	The Collector, Cawnpore.
239	L 70—50849		1,000	Mr. G. S. Freeman.
240	L 82—67792 to „ —67800		100 each	Gopal Kristo and Hurra Kristo Poddar.
	„ —67789		100	
	„ —67901		100	
242	L 69—62761		100	Messrs. Buldeo Das Surruff.
243	L 81—02664		50	Hajee Alli Mahomed Serowjee.
244	L 67—96374		50	Babu Sreemohun Mukerjee.

NOTES PARTIALLY LOST OR DESTROYED.

199	A 50—26356 A 48—92681		10	Johor Lal Jemadar.
200	L 10—77350		5	Messrs. Madhubjee Dhurrumsee.
	„ —77351			
	L 15—65159		5	
	„ —65156			
201	L 22—49890 „ —49889		5	Babu Mohavarut Dey.
202	L 57—39677 „ —39667		10	Babu Koilas Chunder Mukerjee.
203	L 43—69056 „ —68922		10	Babu Denonath Dey.
291	L 82—14729		100	H. Gillon, Esq., C. S.
292	L 69—71873		100	C. C. Quinn, Esq., B. C. S.
	„ —71876		100	
293	L 74—39303		10	Babu Amore Nauth Bose.
294	L 59—55503		10	Babu Balmukund Sahai.
295	L 72—27009		10	Mrs. Thompson.
296	L 79—83802		20	Roop Ram.
297	L 72—43091		10	Mrs. E. Cecil.
298	L 42—82067		10	Mr. H. E. Crowdy.
	L 76—64292		10	
299	L 60—03116		10	Mr. W. T. Rynes.

CALCUTTA,—Paper Currency Office;
The 20th October 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
40	L 47—24385 to „ —24399		20 each	The Cantonment Magistrate, Ranikhet.
45	D 9—53827		1,000	Mr. M. Chater, Calcutta.

ALLAHABAD,—Paper Currency Office;
The 12th October 1876.

T. H. S. BIDDULPH,
Asstt. Acott. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
65	E 5—73296		20	Imam Deen, Pay Havildar, 21st Regiment, Rawal Pindi.
66	E 6—90217		10	Sheikh Walli Bux, Teacher, District School, Amritsar.
69	E 5—76517		20	Bhugwan Singh, Wine Merchant, Gurdaspore.
	„ —99066		20	

LAHORE,—Paper Currency Office;
The 14th October 1876.

I. C. BOSE,
Asstt. to Acott. Genl., in charge of Currency Office.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 20th October 1876.

Mails for Chittagong, Akyab and Kyouk Phyoo, for transmission per Steamer *Moulmein*, will be closed at the General Post Office on Sunday, the 22nd October 1876, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Himalaya*, will be closed at the General Post Office on Sunday, the 22nd October 1876, at 7 P. M.

Mails for Madras, Ceylon, the intermediate ports, Mauritius, Singapore, Batavia and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Monday, the 23rd October 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 24th October 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Malda*, will be closed at the General Post Office on Wednesday, the 25th October 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 27th October 1876, by which mails for Mauritius, St. Denis, Réunion, and Zanzibar can be forwarded.

2. Book post and pattern packets must be posted on the 26th October 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 20th October 1876.

Andrew, Walter.
Andrews, Mrs. R.
Armstrong, J. P.
Augier, R.
Atkinson, J.
Baptist, J.
Barton, E. J.
Biale, Madame.
Blaky, W. D.
Blune, Mrs. L.
Borssaye, Monsieur.
Brown, Henry.
Burnett, Mrs. Eliza.
Caddy, Miss.
Carles, F.
Clarke, Mrs.
Clerity, G. M.
Cornelius, H. G.
Corfia, J. C.
Connolly, W. G.
Conyveare, H. C. A.
Crowed, C., Mrs.
D'Anselner, Mrs. A.
Dozairo, Miss A. A. C.
Ducat, Mrs. V.
Ellis, J. E. S.
Fernandez, G.
Fergus, Mrs.
Garrett, T.
Gastrell, H. E.
Graham, W. A. F.
Haslam, J.
Howis, J. Messrs. and Co.
Hudson, F. A.
Hurvas, S. E.
Johnston, J.
Loch, F. P.
Mahomed, Abdulla.
Marshall, Ben.
Marrian, S.
McKenzie, Mrs.
Menezies, E. F.
McMullin, I.
O'Brian, Mr.
Oliver, Henry.
Park, Edward.
Payne, Mrs.
Philiepe, J.
Richard and Miller, Messrs.
Roger and Co., Messrs.
Robinson, Mrs.
Roe, Mrs.
Secy., Canting Institute.
Smith, W. B.
Soone, S.
Sparling, F.
Thomas, Mrs. E.
Wakenell, J.
Walker, A.
Webb, J.
Whatkinson, Mrs.
Wrighton, W.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Anderson, John.
Bates, W.
Battye, Major H. D.
Birks, A. R.
Borthwick, Mrs.
Boulter, R. F.
Browne, D.
Browne, Nelson.
Bruse, Mr.
Carey or Kelly, Engineer.
Chichester, R. E.
Cohen, M. B.
Cooper, H. J.
Court, John.
E. F. W.
E. R. M.
Edmund, Mr.
Edward, A.
Findlay, Alfred.
Fleming, Mrs. L. H.
Friedwald, Fanny.
Graham, C.
Holdsworth, Col.
Hall, W.
Hindmarsh, William.
Holland, Capt. J.
Holywood, F.
Howey, E. W.
Isaac, M.
Ivey, W.
Jackson, E. J., Mrs.
Johnson, Henry.
Kelly, W. P.
Le Comte A. de Monale.
Lewis, Chas.
Littlewood, J. H.
MacIntyre, A.
Meid, James.
Micheli Aristodenio, Signr.
Mitchell, J. W.
Munro, C. A., Major.
O'Brien, Capt. T. E.
O'Brien, T. H.
Orton, B.
Oxenham, T. H.
Palmer, Henry.
Price, J.
Raban, Jas.
Rabontean, Mr.
Reed, J.
Roberts, A.
Ryall, Capt.
Scott, Walter.
Slaweeki, T., Monsieur.
Sinclair, A.
Smythe, John.
Stephens, Dr.
Stroesko, Michel.
Sykes, B.
Theobald, H.
Walker, G.
Webb, A.
Wilson, L. W. J.
Winkla, Patrick Waller & Co.
White, Mr.

Papers.

Anderson, John.
Holland, H. O. H., Capt.
Munro, Major C. A.
Roberts, A.

Registered Letters.

Boulter, R. F.
Corke, Charles.
Gastrele, H. E.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

List of Books for sale at the Library of the Asiatic Society of Bengal,

No. 57, PARK STREET, CALCUTTA,

AND OBTAINABLE FROM THE SOCIETY'S LONDON AGENTS, MESSRS. TRÜBNER & CO., 57 AND 59, LUDGATE HILL, LONDON, E. C.

BIBLIOTHECA INDICA.

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Nrisiñha Tápaní, 3 fasci.	1	14
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Gobhilíya Grihya Sútra, 5 fasci.	3	2
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 28, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 21st October 1876.

No. 25.—Mr. M. Fleischer, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for three months, under Section 21 of the Civil Leave Code, with effect from the forenoon of the 17th August 1876.

The 25th October 1876.

No. 26.—Mr. R. DeG. Naylor, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for one month, under Section 21 of the Civil Leave Code, with effect from the forenoon of the 3rd October 1876.

ALBERT CAPPEL,

Offg. Director General of Telegraphs in India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 23rd October 1876.

No. 2.—LEAVE OF ABSENCE.—Mr. Alfred Collimore Wilson Lemarchand, Assistant Surveyor, 3rd Grade, for twenty days, from the 26th October to the 14th November 1876, inclusive, under Supplement F, Section 12 of the Civil Leave Code.

The 24th October 1876.

No. 3.—Mr. Thomas Anderson, Probationary Assistant Surveyor, 4th Grade, passed by the 1st or Lower Standard Vernacular Examination laid down in G. O., Military Department, No. 734, dated 9th September 1864.

D. C. VANRENEN, *Colonel, R. A.,*

Superintendent of Revenue Surveys.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 19th October 1876.

No. 37.—Mr. J. B. N. Hennessey, M.A., F.R.S., Deputy Superintendent, 1st Grade, is granted subsidiary leave for ten days on return from furlough to enable him to join his appointment.

H. R. THUILLIER, *Capt., R.E.,*

Offg. Superintendent, G. T. Survey of India.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 16th October 1876.

No. 116.—Captain R. Bullock, Officiating Deputy Commissioner, Hyderabad Assigned Districts, has been granted eleven days' privilege leave in extension of the leave for two months sanctioned in Notification in Residency Orders No. 74, dated 18th August 1876.

By Order,

G. H. TREVOR, *Capt.,*

2nd Assistant Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 21st October 1876.

No. 106.—The following Barrack Sergeants are temporarily transferred to the 3rd Circle, Military Works:—

Sergeants T. Axe and H. Cahill, from 5th Circle, Military Works.

Sergeants W. Warren and C. Ingram, from 2nd Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

1st Circle.

Calcutta, the 25th October 1876.

No. 3009.—Privilege leave for forty days is granted to Major D. C. Walker, R. E., Executive Engineer, Dinapore Division, Military Works, from 25th September to 3rd November 1876, in lieu of leave for one month granted in this Office Notification No. 2737 of 18th September 1876.

F. J. DAVIES, *Colonel,*
Offg. Supdg. Engr., 1st Circle, Mily. Works.

2nd Circle.

Lucknow, the 20th October 1876.

No. 51.—With reference to Inspector General's Notification No. 89, dated the 16th August 1876, Mr. J. Southon, Sub-Engineer, 3rd Grade, reported his departure to join the 4th Circle of superintendence, Military Works, on the 25th ultimo.

The 25th October 1876.

No. 52.—With reference to Quarter Master General's Circular No. 79, dated the 9th ultimo, Sergeant J. Walter, Overseer, attached to the 1st Allahabad Division, Military Works, reported his departure for Bombay on the 21st instant, *en route* to England.

No. 53.—With reference to this Office Notification No. 50, dated the 13th instant, Mr. J. McCarthy, Supervisor, joined the Allahabad Special Division on the afternoon of the 21st idem.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

4th Circle.

The 20th October 1876.

No. 33.—Captain F. F. Cotton, R. E., Executive Engineer, returned on the morning of the 7th current from the two months' privilege leave granted to him in this Office Notification No. 14 of 12th July last, and received over charge of the Ferozepore Division, Military Works, from Lieutenant M. Langharne, R. E., Assistant Engineer, on the afternoon of that date.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Lahore, the 21st October 1876.

No. 1391.—Major A. LeMessurier, R.E., assumed charge of the Office of Deputy Consulting Engineer for Railways in Sind from Lieutenant H. S. F. Haynes, R.E., on the afternoon of the 9th October 1876.

CHARLES POLLARD, *Colonel, R.E.,*
Consg. Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATION.

Simla, the 16th October 1876.

No. 162.—Consignments of the undermentioned articles will be carried on Indian State Railways at the rate of the class specified against each:—

	Class.
Animal Charcoal, as Charcoal ...	1
Arrack in bottles, as Spirits, bottled ...	3
Assafœtida in liquid state, as Assafœtida	2
Ashes	1
Baggage, as Luggage	2
Bair or Jungle Plums, as Fruits ...	2
Bark for tanning, as Bark-packed ...	2
Bicycles, as Perambulators	3
Bolts, Railway, as Iron, such as Railway Chairs, Rails, or Spikes	1
Bonnets, as Millinery	3
Bunslochun, or Bamboo Camphor, as Camphor	2
Cactus, as Plants, Shrubs	1
Cadjans Jawlees (palm-leaf roofing) ...	1
Carmine, or Rouge, as Perfumery ...	3
Carpets, Country, as Suttrunjees ...	1
Chamaellee Oil, as Perfumery ...	3
Charpoys (Native Cots)	2
Chobe Cheenee	3
Cinders	1
Coffins, empty	2
Combustibles, as Matches	3
Commissariat Ammunition Carriages, as Commissariat Stores	2
Compost (if manure), as Manure ...	1
Condiments, as Groceries	2
Cricket Balls and Bats, as Toys ...	3
Crowbars, as Iron Rods	1
Cubebs, as Drugs	3
Deodorizing Fluids, as Disinfectants ...	1
Dhall Stalks	1
Dross	1
Dry Salteries, as Groceries	2
Eau-de-Cologne, as Perfumery ...	3
Essences, as Essential Oil	3
Files, as Iron Tools	2
Flint, as Stone unwrought	1
Fulminate of Mercury, as Gunpowder ...	3
Galvanized Iron, as Iron in rods, bundles, sheets, &c.	1
Garden Seats, as Iron or Garden Chairs...	2
Gates, Iron or Wooden, as Iron Railing...	2
Gins, Cotton, as Screws	1
Glasses, Shaving, Country, Tin-framed...	1
Goolkund	3
Gourds, as Vegetables	1
Grates and Ovens, Clay, as Fire-bricks ...	1
Ground Nuts, as Nuts	1
Gun Carriages, as Military Stores, not Ammunition	2
Jungle Posts, as Posts	1
Kuppas (cotton with seed) as Cotton ...	
Lead Colors, as Colors	1
Leather Hose-pipes, as Leather ...	1
Looms, Country, as Machinery in small lots	2
Maccaroni, Country, as Bread ...	2
Machinery (as Cotton Presses, &c.), as Cotton Screws	1
Magnesia, as Medicine	3
Manuscripts, as Records	2
Moonj Matting, as Coir	2
Oil of Cinnamon, as Essential Oil ...	3

	Class.
Organs, as Musical Instruments ...	3
Padlocks, as Locks	2
Palanquins, as Doolies	3
Paper, Gartridge, as Paper other than stamped	1
Paper, Coarse or Waste, as Paper other than stamped	1
Paper, Writing, as Paper other than stamped	1
Peppermint (weed), as Plants or Vegetables	1
Piles, Iron, Screw, and Frames for ditto, as Iron in castings, &c.	1
Points and Crossings, as Railway Rails, Spikes, &c.	1
Powder, Blue or Red	1
Rosine Dye, as Dyes, Aniline ...	3
Rouge or Carmine, as Perfumery ...	3
Soap Stone, as Mokai or Mokai stone ...	1
Shells, Specimen, as Specimens, &c. ...	3
Signal Posts and Materials belonging thereto, as Posts, Iron, Weights, Rods, &c.	1
Snuff Boxes, Empty	2
Spectacle Cases, Empty	2
Sungjeera, as Mokai or Mokai stone ...	1
Terra Cotta Ware	2
Thermantidotes, as Furniture ...	3
Tinning Materials, as Tin Block ...	1
Tubing, Brass or Copper, as Pipes ...	2
Twine, as Cord or Cordage	2
Velocipedes, as Perambulators ...	3
Walking Sticks, Fancy, as Canes, Walking	3
Weighing Machines, as Iron Scales, &c.	2

2. The necessary additions should be made alphabetically in the general classification of goods on State Railways.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

PUNJAB NORTHERN STATE RAILWAY

NOTIFICATIONS.

Lahore, the 21st October 1876.

No. 128.—Mr. H. C. Mann, Sub-Engineer, 1st Grade, is transferred from the Chenab to the Ravi Division. He left the former on the afternoon of 7th October 1876, and joined the latter on the afternoon of the same day.

No. 129.—Mr. A. Spratt, Overseer, 1st Grade, is transferred from the Jhelum to the Ravi Division. He left the former on the forenoon of 11th October 1876, and joined the latter on the forenoon of 12th idem.

No. 130.—Mr. T. Brady, Supervisor, 1st Grade, Jhelum Division, returned to duty from the one month's privilege leave granted to him by Notification No. 113, dated 30th September 1876, on the forenoon of 10th October 1876.

No. 131.—With reference to Director of State Railways' Notification No. 128, dated 5th August 1876, transferring Sub-Conductor M. Johnstone, Sub-Engineer, 2nd Grade, from the Punjab Northern State Railway to Indus Valley State Railway, this subordinate ceased to belong to this Railway from the afternoon of the 10th October 1876.

No. 132.—Mr. H. T. Geoghegan, Executive Engineer, 1st Grade, returned to duty on the forenoon of 16th October 1876, from one month's privilege leave granted to him by Notification No. 108, dated 30th September 1876, and took over charge of Soan Division from Major Faber, R. E., Executive Engineer, on the forenoon of that date.

No. 133.—Mr. H. F. Storey, Executive Engineer, 1st Grade, returned to duty from the sixty-one days' privilege leave granted to him by Notification No. 103, dated 2nd September 1876, on the forenoon of 16th October 1876, and took over charge of the Chenab Division from Mr. M. S. Dooley, Executive Engineer, on the forenoon of that date.

No. 134.—Mr. J. H. L. Patterson, Storekeeper, 2nd Grade, was attached to the General Store Magazine, Lahore, from 22nd September to 16th October 1876, both days inclusive.

No. 135.—Mr. F. Cunliffe, Store-keeper, 2nd Grade, Chenab and Jhelum Store Depôts, is allowed thirty-one days' privilege leave, with effect from the forenoon of the 17th October 1876.

No. 136.—Mr. J. H. L. Patterson, Store-keeper, 2nd Grade, took over charge of the Chenab and Jhelum Store Depôts from Mr. Cunliffe on the afternoon of 16th October 1876.

No. 137.—Major H. R. Faber, R.E., Executive Engineer, 1st Grade, Soan Division, is transferred to the Peshawar Survey Division, which Division he joined on the afternoon of the 16th October 1876.

No. 138.—With reference to Director of State Railways' Notification No. 144, dated 15th September 1876, posting Lieutenant R. Jennings, R. E., Assistant Engineer, 2nd Grade, to this Railway, this Officer reported his arrival on the forenoon of 16th October 1876, and is posted to Peshawar Survey Division.

ALEX. GRANT,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 20th October 1876.

No. 117.—Mr. J. Tait, Assistant Engineer, 2nd Grade, reported his return from the leave granted him in Government of India Notification No. 207, dated 3rd May 1876, and Director of State Railways' Notification No. 94, dated 20th May 1876, on the forenoon of this date at Mooltan, and is posted to the Mooltan District.

No. 118.—Mr. E. Lewis, Accountant, 4th Grade, has been granted by the Examiner of Accounts one month's privilege leave, with effect from the forenoon of the 17th instant.

M. RAYNE,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 18th October 1876.

No. 52.—Mr. E. J. Moore, Executive Engineer, 4th Grade, reported his arrival at Agra on return from the leave granted to him in Director of State Railways' Notification No. 60, dated 29th March 1876, on the afternoon of the 14th instant.

KELLOW C. PYE,
Manager.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

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	„ —60295	... 10	...
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305	... L 20—46146	... 5	... Babu Sree Kunto Sing.

CALCUTTA,—Paper Currency Office; *The 25th October* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Coconada Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
I 4—07262	... 50	... Mr. R. S. Harris, Alamoor, Godavery District.

COCONADA,—Paper Currency Dept.; *The 11th October* 1876.

H. RICHARDSON,
Depy. Collr., in charge of Paper Currency.

Lahore Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
67	... E 12—10721	... 20	... Babu Nebaran Chunder Mookerjee, Executive Engineer's Office, Rawal Pindi.

LAHORE,—Paper Currency Office; *The 21st October* 1876.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Calicut Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
J 7—28973	... 5	... Mr. T. Simeon, C.M.S., Inspector of Schools, Nallur, Palamcottah.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
J 5—48014		... 20	... Venketa Soobiah, Stamp Vendor, Manantoddi.
J 4—67762		... 50	...
J 3—99915		... 100	... T. W. Ditmas, Esq., Manantoddi.
„ —97006		... 100	...
J 6—86521 / „ —86520	wrongly joined.	10	... B. Barthasarathy Naidoo, Madras.
J 7—42659 / —42662	ditto	... 5	... Oolakndayan Vittil Kuttyappoo Chetty, Calicut.
J 7—39233 / —39299	ditto	... 5	... Chevia Pallikalagath Kappalikandy Moosa Koya of Calicut.
J 6—82185		... 10	... S. Vythinatha Sastry, Native Public Opinion Office, Madras.

CALICUT,—Paper Currency Office; *The 18th October* 1876.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Statement of the Affairs of the Bank of Bengal for the week ending 23rd October 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,73,202	7	9
Public Deposits at Head Office ... 1,43,84,334 15 1 / Public Deposits at Branches ... 1,22,41,810 3 11	2,66,26,145	3	0
Other Deposits at Head Office and Branches	1,75,08,273	14	0
Bank Post Bills, &c.	2,87,309	15	2
Sundries	6,43,109	12	0
TOTAL ...	6,67,38,041	3	11

ASSETS.	Rs.	A.	P.
Government Securities	1,37,39,824	15	6
Loans on Government Securities, &c., at Head Office and Branches ...	63,43,794	7	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches	56,40,129	13	2
Bills discounted and purchased at Head Office and Branches	1,56,13,570	12	2
Balances with other Banks ...	6,76,050	5	1
Bullion	10,082	0	9
Dead Stock	10,44,109	9	8
Stamps	9,954	0	8
Sundries	1,39,581	8	1
	4,32,17,097	8	4
Cash and Currency Notes at Head Office ... 1,18,25,850 0 8 / Cash and Currency Notes at Branches ... 1,16,95,093 10 11	2,35,20,943	11	7
TOTAL ...	6,67,38,041	3	11

By order of the Directors,

BANK OF BENGAL; *Calcutta, 19th October* 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION: Under Assay.	BALANCE OF BULLION: Assayed.	BALANCE OF BULLION: Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 16th, 1876 ...	Holidays				
„ 17th „ ...		2,16,569	19,60,502	76,35 697	...
„ 18th „ ...	...	2,15,086	17,58,919	77,50,380	...
„ 19th „ ...	...	2,16,855	15,54,551	78,57,832	...
„ 20th „ ...	...	1,12,121	14,40,358	78,63,037	...
„ 21st „ ...	...				

CALCUTTA MINT, *The 23rd Oct.* 1876.

J. F. TENNANT,
Offg. Mint Master.

Commissariat Notice No. 9.

Sealed tenders for the supply of hospital clothing for men, women, and children at Darjeeling (Jullapahar) for one year, to commence from 1st April 1877, will be received by the Executive Commissariat Officer, Darjeeling, up to 4 P. M. of 15th December next, and opened at noon the next day, in presence of those who may choose to attend.

2. No tenders will be received except on forms obtainable from the Commissariat Office up to 9th December 1876.

3. For all particulars, apply to

W. R. BUNBURY, *Captain,*
Offg. D. A. C. General,
Executive Commissariat Officer.

DARJEELING, EXE. COMMISSARIAT OFFICE; *The 19th October* 1876.

NOTICE.

Covenanted Deputy Collector Mr. Romesh Chunder Dutt has been placed in charge of the Nuddea Treasury and authorized to draw Bills on other Treasuries.

COMMR.'s OFFICE, PRESIDENCY DIVISION; *Calcutta, the 23rd Oct.* 1876.

C. T. BUCKLAND,
Commissioner.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 27th October 1876.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 28th October 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *India*, will be closed at the General Post Office on Sunday, the 29th October 1876, at 7 P. M.

Mails for Akyab and Kyouk Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 29th October 1876, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Tuesday, the 31st October 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the

General Post Office on Tuesday, the 31st October 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Goa*, will be closed at the General Post Office on Wednesday, the 1st November 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Teheran*, will be closed at the General Post Office on Wednesday, the 1st November 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 3rd November 1876.

2. Book post and pattern packets must be posted on the 2nd November 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 27th October 1876.

Anderson, Mrs.
Andrews and Sons, F. C. Messrs.
Andrew, Walter.
Armstrong, J. P.
Atkinson, J.
Bailey, Mrs. E.
Banningfield & Co., Messrs.
Baptist, J.
Biale, Madame.
Borssaye, Monsieur.
Brand, E. C.
Brownricke, Mrs. J.
Brown, Thos.
Burnett, Mrs. Eliza.
Caddy, Miss.
Carles, F.
Clerity, G. M.
Connolly, W. G.
Cornelius, H. G.
Davidson, F.
Dozairo, Miss A. A. C.
Ducat, Mrs. V.
Ellis, J. E. S.
Fernandez, G.
Gasper, J.
Gastrell, H. E.
Goldenberg, J.
Gonsalves, Mrs.
Graham, W. A. F.
Haslam, J.
Hooper & Co.
Houghton, B.
Hudson, F. A.
Hurvas, S. E.
Johnston, J.
Loch, F. P.
MacBean, Arthur.
Marrian, S.
McKenzie, Mrs.
Oliver, Henry.
Owen, Miss.
Paul, L. Mrs.
Payne, Mrs.
Philipe, J.
Phillips, A.
Raike, Miss.
Richard & Miller, Messrs.
Robinson, Mrs.
Roger & Co., Messrs.
Russell, Mrs.
Secy., Canning Institute.
Seer, Mr.
Soone, S.
Stewart, Mrs. C. W.
Sykes, J.
Thomas, Mrs. E.
Thomson, H. D.
Vyall, Miss E.
Whatkinson, Mrs.
White & Co., Messrs.
Wiseham, Mrs.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Anderson, John.
Bailey, J. W.
Bates, W.
Battye, Major H. D.
Birks, A. R.
Borthwick, Mrs.
Boulter, R. F.
Browne, D.
Bruse, Mr.
Campbell, Mrs.
Carey or Kelly, Engineer.
Chichester, R. E.
Cohen, M. B.
Cooper, H. J.
Court, John.
Davis, Phillip.
E. F. W.
E. R. M.
Findlay, Alfred.
Fleming, Mrs. L. H.
Friedwald, Fanny.
Graham, C.
Hall, W.
Hindmarsh, William.
Holdsworth, Col.
Holland, Capt. J.
Howey, E. W.
Isaac, M.
Jackson, E. J., Mrs.
Johnson Henry.
Kelly, W. P.
Le Comte A. de Monale.
Lewis, Chas.
Littlewood, J. H.
MacIntyre, A.
Meid, James.
Micheli Aristodenio, Signr.
Mitchell, J. W.
Munro, Major C. A.
O'Brien, Capt. T. E.
O'Brien, T. H.
Orton, B.
Oxenham, T. H.
Palmer, Henry.
Price, J.
Raban, Jas.
Rabontean, Mr.
Reed, J.
Reed, J. V. C.
Roberts, A.
Rowcliffe, R. H.
Ryall, Capt.
Scott, Walter.
Sinclair, A.
Slawecki, T., Monsieur.
Smythe, John.
Stephens, Dr.
Stroesko, Michel.
Sykes, B.
Walker, G.
Webb, A.
Wilson, L. W. J.
Winkla, Patrick Waller & Co.

Papers.

Anderson, John.
Holland, H. O. H., Capt.
Munro, Major C. A.
Roberts, A.

Registered Letters.

Boulter, R. F.
Corke, Charles.
Gastrel, H. E.
Oxenham, T. H.

W. ALPIN,
Offg. Post Master of Calcutta.

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H. H. RISLEY,
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 4, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 3rd November 1876.

No. 27.—Mr. R. C. Laughlin, an Assistant Superintendent of the 1st Grade, is allowed subsidiary leave for twenty-eight days to rejoin appointment, under Section 18 (*b*) of the Civil Leave Code, with effect from the forenoon of the 18th September 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

BANK OF BENGAL.

Calcutta, the 2nd November 1876.

NOTICE.—The Directors have made the following changes in the Bank's staff:—

Mr. J. Hector, Deputy Secretary, has resigned the Bank's service.

Mr. C. J. Cooke, returned from leave, to be Agent at Lahore.

Mr. T. Taylor, to be Agent at Delhi.

Mr. G. Mackilligin, returned from leave, to be Accountant of the Bombay Agency until further orders.

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 25th October 1876.

No. 35.—Mr. C. E. Gael, Executive Engineer, 3rd Grade (temporary), returned on the afternoon of the 16th October 1876, from the three months' privilege leave granted in Notification No. 23, dated 26th June last, and received charge of the Neemuch Division from Mr. R. E. Nelson on the afternoon of the 18th October.

No. 36.—Mr. R. E. Nelson, Assistant Engineer, 1st Grade, having been relieved of the charge of the Neemuch Division, is re-transferred to the Mhow Division.

No. 37.—Mr. W. A. Smith, Executive Engineer, 4th Grade, is transferred from the Bundelcund Road Division to the Mhow Division.

No. 38.—Hurput Roy, Overseer, 2nd Grade, is transferred from Mhow to the Southern Road Division.

No. 39.—Baboo Nocoorkristo Mookerjee, Overseer, 1st Grade, returned on the forenoon of the 12th October 1876 from the three months' privilege leave granted him in Notification No. 24, dated 26th June 1876.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 28th October 1876.

No. 4.—The privilege leave of absence for two months, from the 1st September 1876, granted to Mr. Edmund Hume Stephen Gasper, Probationary Assistant Surveyor, 4th Grade, is cancelled, and four months' leave of absence is granted to Mr. Gasper, from that date, under Supplement F, Sections 3 and 4, of the Civil Leave Code.

The 30th October 1876.

No. 5.—LEAVE OF ABSENCE.—Mr. Daniel A[illegible]r King, Assistant Surveyor, 1st Grade, for th[illegible] months, under Supplement F, Section 12, of th[illegible]il Leave Code, from the date on which he m[illegible]ail himself of it.

[illegible]D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

PUBLIC WORKS DEPARTMENT—
Military Works.

NOTIFICATIONS.

Simla, the 26th October 1876.

No. 107.—Mr. J. McCarthy, Supervisor, 2nd Grade, is transferred from the 2nd to the 4th Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 30th October 1876.

No. 54.—With reference to Inspector General's Notification No. 86, dated the 11th August 1876, Mr. J. C. Wyatt, Assistant Engineer, 2nd Grade, reported his arrival on the forenoon of the 23rd instant, and is posted to the Allahabad Special Division, which he joined on the same date.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 27th October 1876.

No. 47.—Privilege leave for three months is granted to Mr. J. Robinson, temporary Executive Engineer, 4th Grade, Bareilly Division, Military Works, with effect from the 25th July 1876, the date on which he has availed himself of the same.

This Office Notification No. 27 of 19th July 1876, granting one month's privilege leave, is hereby cancelled.

The 30th October 1876.

No. 48.—Privilege leave for three months is granted to Mr. H. W. Stokoe, Supervisor, 2nd Grade, Agra Division, Military Works, from 1st November 1876.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

8th Circle.

Rawal Pindi, the 23rd October 1876.

No. 1637.—Mr. T. Lobb, temporary Executive Engineer, 4th Grade, was relieved of his duties in the Dalhousie Division, Military Works, on the 10th instant, and reported his departure for Hyderabad on the 12th idem.

The 24th October 1876.

No. 1644.—Lieutenant Nicholson, R.E., Executive Engineer, 4th grade, returned from the privilege leave granted him by Notification No. 1451 of the 9th ultimo, on the 6th instant, and resumed charge of the office of the 2nd Peshawur Division, Military Works, on that date.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

CONSULTING ENGINEER'S OFFICE GUARANTEED RAILWAYS.

NOTIFICATIONS.

Calcutta, the 1st November 1876.

Captain W. A. J. Wallace, R.E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta, made over charge of his office on the afternoon of 12th October 1876.

Major C. H. Luard, R.E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta, rejoined his appointment on the forenoon of the 23rd October 1876.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consg. Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 24th October 1876.

No. 163.—Mr. J. R. Scott, Assistant Engineer, 1st Grade, Northern Bengal State Railway, is transferred to the Indus Valley State Railway.

The 25th October 1876.

No. 164.—Mr. C. W. Hodson and Baboo Russick Lall Roy, Assistant Engineers, 2nd Grade, are transferred from the Tirhoot State Railway to the Indus Valley State Railway.

The 26th October 1876.

No. 165.—Mr. W. Scott, Executive Engineer, 2nd Grade, is transferred from the Western Rajputana State Railway to the Indus Valley State Railway.

No. 166.—With reference to Military Department G. G. O. of the 11th October 1876, Lieutenant G. F. Wilson, R.E., Assistant Engineer, 2nd Grade, Tirhoot State Railway, is granted fifteen days' subsidiary leave, with effect from the 16th October 1876.

No. 168.—Mr. E. W. Arundell, Assistant Engineer, 2nd Grade, Punjab Northern State Railway, passed the colloquial examination in Hindustani on the 4th September 1876.

The 27th October 1876.

No. 169.—Consignments of *Churrus* and *Turpentine, Crude,* or *Venice,* will be carried on Indian State Railways at 2nd class rate.

The additions should be made after "Choories or Bangles, Glass," and "Turpentine in cases," respectively, in the general classification of goods.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 20th October 1876.

No. 69.—Mr. W. Johnstone, Assistant Engineer, 1st Grade, attached to Fatehabad Division, Neemuch State Railway, is granted privilege leave for fifteen days from 20th October 1876, or such subsequent date as he can avail himself of it.

The 23rd October 1876.

No. 70.—Babu Jadu Nath Banerji, Accountant, 3rd Grade, attached to the Office of Examiner of Accounts, Holkar and Neemuch State Railways, returned to duty on the 17th instant from the twenty-eight days' privilege leave granted in Notification No. 62, dated 23rd September 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 25th October 1876.

No. 222.—Mr. R. S. Reynolds, Executive Engineer, 2nd Grade, is granted two months' privilege leave from the 1st November, or from such date as he may be able to avail himself of it.

No. 223.—Mr. W. W. Shanks, temporary Executive Engineer, 4th Grade, is appointed to the charge of the Northern Division from the date of Mr. Reynolds' departure on privilege leave.

No. 224.—Mr. F. A. Hawkes, Executive Engineer, 3rd Grade, temporary rank, Northern Division, is transferred to Porada Section.

No. 225.—Baboo Mohendra Nauth Chatterjee, Accountant, 4th Grade, Central Office of Accounts, is granted thirty days' privilege leave. He availed himself of this leave on the forenoon of the 14th October 1876.

No. 226.—Baboo Sarat Chunder Mookerjee, Accountant, 4th Grade, Northern Division, returned from the leave granted him in Notification No. 204 of 17th August 1876, and joined the Central Office of Accounts on the forenoon of 3rd October 1876.

No. 227.—The following Accountants are posted to the District Store Depôts:—

Baboo Mohendra Nauth Chatterjee, 4th Grade, to South District, Atrai.

Baboo Sarat Chunder Mookerjee, 4th Grade, to North District, Saidpur.

No. 228.—Mr. W. L. Buyers, Executive Engineer, 3rd Grade, No. 5 Mahanaddi Survey Division, is transferred to the Assam Extension Survey, from 1st November 1876.

No. 229.—T. E. Owen, Executive Engineer, 2nd Grade, Northern Division, is posted to the Seebsagur Railway Survey, from the 1st November 1876.

The 26th October 1876.

No. 230.—Mr. J. Barron, Executive Engineer, 4th Grade, Porada Section, is granted two months' privilege leave from 1st November 1876, or from such date as he may avail himself of the same.

No. 231.—Baboo Mohesh Chunder Banerjee, Overseer, 3rd Grade, No. 5 Mahanaddi Survey Division, is transferred to the Assam Extension Survey Division, from 1st November 1876.

No. 232.—Baboo Bunsgopal, Overseer, 3rd Grade, No. 5 Mahanaddi Survey Division, is transferred to the Seebsagur Railway Survey, from 1st November 1876.

No. 233.—Mr. F. E. Braham, Assistant Engineer, 2nd Grade, No. 5 Mahanaddi Survey Division, is transferred to the Seebsagur Railway Survey Division, from 1st November 1876.

No. 234.—No. 5 Mahanaddi Survey Division is abolished from 1st November 1876.

No. 235.—Mr. J. M. Luff, Executive Engineer, 2nd Grade, Assam Extension Survey Division, is temporarily attached to the Office of the Engineer-in-Chief, from 1st November 1876.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 30th October 1876.

No. 139.—Lieutenant R. Jennings, R.E., Assistant Engineer, 2nd Grade, posted to the Punjab Northern State Railway by Director of State Railways' Notification No. 144, dated 15th September 1876, joined the Peshawar Survey Division on the afternoon of the 16th October 1876.

No. 140.—Baboo Sheo Dyal, Assistant Engineer, 3rd Grade, is transferred from the Bakrala Division to the Peshawar Survey Division. He

left the former on the forenoon of the 19th October 1876, and joined the latter on the forenoon of the same date.

No. 141.—Mr. E. W. Arundell, Assistant Engineer, 2nd Grade, is transferred from the Bakrala Division to the Peshawar Survey Division, with effect from the afternoon of the 20th October 1876.

No. 142.—Subdha Ram Sahni, Apprentice Engineer, is transferred from the Bakrala Division to the Peshawar Survey Division, with effect from 9th October 1876.

No. 143.—Madaree Lall, Accountant, 4th Grade, on probation, Office of Examiner of Accounts, is allowed twenty-one days' leave on medical certificate, with effect from 21st September 1876.

No. 144.—Baboo Ishan Chunder Chatterjee, Overseer, 2nd Grade, is transferred from the Chenab Division to the Ravi Division. He left the former on the forenoon of 16th October 1876, and joined the latter on the afternoon of the same date.

No. 145.—Mr. W. C. Hennessey, Executive Engineer, 4th Grade, Ravi Division, returned to duty from the six months' leave on medical certificate granted to him by Director of State Railways' Notification No. 95, dated 29th May 1876, on the afternoon of 27th October 1876.

No. 146.—Mr. W. C. Hennessey, Executive Engineer, 4th Grade, is transferred from the Ravi Division to the Jhelum Section, with effect from the forenoon of 28th October 1876.

ALEX. GRANT,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 27th October 1876.

No. 121.—Baboo N. C. Mookerjee, Overseer, 1st Grade, Sutlej Bridge Division, is granted one month's leave without allowances from 1st November 1876, or such subsequent date as he may be permitted to avail himself of it.

No. 122.—The following postings and transfers have been made by Superintending Engineers :—

* * * * * *

Mr. J. Tait, Assistant Engineer, 2nd Grade, is posted to the Sutlej Bridge Division.

Lieutenant C. R. Hoskyn, R.E., Assistant Engineer, 2nd Grade, is posted to the Ghotki Division.

Lieutenant H. Finnis, R.E., Assistant Engineer, 2nd Grade, is posted to the Larkhana Division.

M. RAYNE,
Engineer-in-Chief.

NOTICE.

Covenanted Deputy Collector Mr. Romesh Chunder Dutt has been placed in charge of the Nuddea Treasury and authorized to draw Bills on other Treasuries.

COMMR.'S OFFICE, PRESIDENCY DIVISION; *Calcutta, the 23rd Oct.* 1876. } C.T. BUCKLAND, *Commissioner.*

Report of a Deserter from the 4th Battalion, Rifle Brigade, dated at Umballa, this 25th day of October 1876.

Number, Rank, and Name,—Private Thomas Lancelot Jones.	At what Place Enlisted,—Umballa.
Age,—25 years.	Parish and County in which born,—Yorkshire.
Size,—5 feet 10 inches.	Marks,—None.
Color of—	Trade,—Clerk.
Complexion, fresh; hair, light brown; eyes, brown.	Coat or Jacket, Waistcoat, Breeches or Trowsers. } Regimentals, Winter Clothing.
Date of Desertion,—24th October 1876.	
Place of Desertion,—Umballa.	REMARKS,—Under one year's service.
Date of Enlistment,—May 1876.	

G. A. HILLYARD, *Captain,*
Commdg. 4th Bn., Rifle Brigade.

Report of a Deserter from the 59th Regiment of Foot, dated at Agra, Bengal, this 26th day of October 1876.

Number, Rank, and Name,—1053, Private Benjamin Aldridge.	At what Place Enlisted,—Leeds.
Age,—26 years 10 months.	Parish and County in which born,—St. Peter in Paul, London, Middlesex.
Size,—5 feet 7 inches.	Marks,—None.
Color of—	Trade,—Silk Weaver.
Complexion, fair; hair, brown; eyes, hazel.	Coat or Jacket, Waistcoat, Breeches or Trowsers. } Regimentals.
Date of Desertion,—21st October 1876.	
Place of Desertion,—Agra, Bengal.	
Date of Enlistment,—18th March 1867.	REMARKS,—None.

J. deMONTMORENCY, *Colonel,*
Comdg. 59th Regiment.

Report of a Deserter from the 59th Regiment of Foot, dated at Agra, this 26th day of October 1876.

Number, Rank and Name,—653, Private William Murphy.	At what Place Enlisted,—Manchester.
Age.—30 years 5 months.	Parish and County in which born,—Manchester, Lancashire.
Height,—5 feet 7 inches.	Marks,—None.
Color of—	Trade,—Groom.
Complexion, fresh; hair, dark brown; eyes, blue.	Coat or Jacket, Waistcoat, Breeches or Trowsers. } Regimentals.
Date of Desertion,—21st October 1876.	
Place of Desertion,—Agra.	
Date of Enlistment,—10th May 1864.	REMARKS,—None.

J. deMONTMORENCY, *Colonel,*
Comdg. 59th Regiment.

COMPTROLLER GENERAL'S OFFICE.

No. 1041.—Account of the Revenue and Expenditure of the Government of India for the third month of the year 1876, as compared with the corresponding period of 1875-76.

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

EXPENDITURE.	Estimate, 1876-77.	April to June 1875.	April to June 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,106,400	592,393	584,607	...	7,786
2.—Interest on Service Funds and other Accounts	300,000	85,884	46,686	...	39,198
3.—Refunds and Drawbacks ...	300,000	73,453	66,801	...	6,652
4.—Land Revenue	2,467,800	518,196	535,389	...	12,807
5.—Forest	414,500	84,184	100,767	16,583	...
6.—Excise on Spirits and Drugs	87,000	20,058	25,496	5,438	...
7.—Customs	189,000	46,007	47,556	1,549	...
8.—Salt	525,600	104,372	117,042	12,670	...
9.—Opium	2,159,000	1,282,295	1,794,899	512,604	...
10.—Stamps	71,700	18,513	19,166	653	...
11.—Mint	79,000	23,350	21,803	...	1,547
12.—Post Office	760,400	194,879	192,052	...	2,827
13.—Telegraph*	381,300	...	...	...	...
14.—Administration and Public Departments ...	1,251,500	299,765	322,683	22,918	...
15.—Minor Departments	219,400	51,987	55,005	3,018	...
16.—Law and Justice	2,361,200	550,267	576,805	26,538	...
17.—Marine	403,400	85,258	79,263	...	5,995
18.—Ecclesiastical	161,100	38,176	38,949	773	...
19.—Medical	184,000	46,218	44,163	...	2,055
20.—Political	293,400	73,319	74,036	687	...
21.—Allowances	1,675,200	342,808	328,720	...	14,148
22.—Superannuation	586,000	202,540	175,094	...	27,446
23.—Loss by Exchange	2,332,000	371,193	419,528	48,335	...
24.—Miscellaneous	45,000	11,089	22,512	11,423	...
25.—Allotments for Provincial Services ...	5,059,400	1,269,126	1,263,689	...	5,437
TOTAL ...	25,576,300	6,415,390	6,952,681	537,291	...
Army	11,820,700	2,844,171	2,798,497	...	45,674
Public Works, Ordinary, ...	2,441,500	552,318	576,742	24,424	...
Ditto Extraordinary, including Railways ...	3,015,900	801,940	763,795	...	38,145
Land and Supervision	93,000	18,399	14,853	...	3,546
Interest paid in India	30,000	...	...	...	...
State Railways	292,000	45,191	74,053	28,862	...
Guaranteed Railways' Working Expenses, including Surplus Profits	4,418,000	783,938	708,399	...	75,539
TOTAL ...	47,687,400	11,464,347	11,891,020	426,673	...
England, including Army, Public Works, Ordinary and Extraordinary, and Guaranteed Interest	14,295,600	1,978,421	2,170,479	192,058	...
GRAND TOTAL ...	61,983,000	13,442,768	14,061,499	618,731	...

REVENUE AND RECEIPTS.	Estimate, 1876-77.	April to June 1875.	April to June 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	6,183,587	5,935,316	...	248,271
II.—Tributes ...	700,000	178,921	171,416	...	7,505
III.—Forest ...	600,000	111,540	111,162	...	378
IV.—Excise on Spirits and Drugs ...	2,525,000	633,224	668,115	34,891	...
V.—Assessed Taxes ...	...	121	100	...	21
VI.—Customs ...	2,620,000	781,259	606,012	...	175,247
VII.—Salt ...	6,300,000	1,574,657	1,546,600	...	28,057
VIII.—Opium ...	8,200,000	1,998,526	2,032,463	33,937	...
IX.—Stamps ...	2,837,000	747,050	751,538	4,488	...
X.—Mint ...	124,000	29,754	92,078	62,324	...
XI.—Post Office ...	778,000	191,202	195,333	4,131	...
XII.—Telegraph* ...	281,500	...	...	...	...
XIII.—Law and Justice ...	310,000	77,771	85,745	7,974	...
XIV.—Marine ...	198,000	37,578	34,105	...	3,473
XV.—Interest ...	488,000	169,018	168,796	...	222
XVI.—Pensions ...	504,400	27,446	24,578	...	2,868
XVII.—Gain by Exchange	317,000	88,413	115,307	26,894	...
XVIII.—Miscellaneous ...	238,400	32,849	69,046	36,197	...
TOTAL ...	48,438,300	12,862,916	12,607,710	...	255,206
Army	840,600	181,921	170,394	...	11,527
Public Works, Ordinary ...	65,000	9,304	12,146	2,842	...
Canals ...	527,000	54,549	111,560	57,011	...
State Railways ...	415,000	62,168	94,300	32,132	...
Guaranteed Railways' Traffic Receipts ...	7,888,000	1,849,107	2,097,023	247,916	...
TOTAL ...	58,174,100	15,019,965	15,093,133	73,168	...
England, including Army and Public Works ...	193,900	122,495	61,292	...	61,203
GRAND TOTAL ...	58,368,000	15,142,460	15,154,425	11,965	...

* Telegraph Receipts and Disbursements for April and May are inserted in the Account for that month.

R. TAYLOR,
Offg. Comptroller General.

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The 31st October* 1876.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st October 1876.

PARTICULARS.	3½ PER CENT. LOAN OF 1865-66.	4 PER CENT. LOANS							5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
		of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.	Transfer of 1866.	of 1854-55.	10 years.	15 years.	
									Repayable, June 1877.	Repayable, June 1882.	
Balance of 16th October 1876	55,800	33,173	2,346	14,65,463	31,58,300	1,51,54,600	1,50,84,200	1,06,97,700	23,94,000	33,13,000	12,80,76,812
Add—											
Amount enfaced at Madras between 16th and 31st October 1876 ...	...	...	...	...	...	1,000	9,500	...	...	...	20,500
Amount enfaced at Bombay between 16th and 31st October 1876 ...	...	...	...	...	...	1,000	...	...	...	...	7,000
Amount enfaced at Calcutta between 16th and 31st October 1876 ...	...	...	...	...	...	84,500	6,000	1,000	...	2,000	1,93,000
	55,800	33,173	2,346	14,65,463	31,58,300	1,51,80,700	1,66,86,700	1,06,98,700	23,94,000	33,15,000	12,82,97,312
Deduct—											
Amount written off in the London Registers	...	...	...	...	...	28,100	82,900	...	...	...	3,34,500
Balance on 31st October 1876	55,800	33,173	2,346	14,65,463	31,58,300	1,51,54,600	1,66,03,800	1,06,98,700	23,94,000	33,15,000	12,79,62,812

NOTE.—From 9th June 1867 to 31st August 1876, enfaced from India, 2,347 lakhs; re-transferred from London, 2,392 lakhs.

"	1st Sep.	1876 to 15th Sep.	"	12 "
"	16th "	" to 30th "	"	2 "
"	1st Oct.	" to 15th Oct.	"	2 "
"	16th "	" to 31st "	"	3 "
				2,411 lakhs.
				2,355 "
			Balance against London	56 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 2nd November 1876.

Statement of the Affairs of the Bank of Bengal for the week ending 31st October 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,72,992	7	9
Public Deposits at Head Office ... Rs. 1,13,02,022 2 9			
Public Deposits at Branches ... 1,30,96,186 7 7	2,43,98,208	10	4
Other Deposits at Head Office and Branches	2,01,27,728	12	1
Bank Post Bills, &c.	1,96,067	6	10
Sundries	6,65,354	10	11
TOTAL ...	6,70,60,351	15	11

ASSETS.	Rs.	A.	P.
Government Securities	1,37,34,838	1	6
Loans on Government Securities, &c., at Head Office and Branches ...	63,49,794	7	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches	55,34,294	2	2
Bills discounted and purchased at Head Office and Branches	1,58,04,962	13	6
Balances with other Banks ...	5,62,691	9	7
Bullion	10,082	0	9
Dead Stock	10,43,337	5	7
Stamps	10,583	7	8
Sundries	1,39,282	3	1
	4,31,89,866	3	1
Cash and Currency Notes at Head Office ... Rs. 1,06,10,502 15 9			
Cash and Currency Notes at Branches ... 1,32,59,982 13 1	2,38,70,485	12	10
TOTAL ...	6,70,60,351	15	11

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

BANK OF BENGAL;
Calcutta, 2nd November 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
44	M 5—99228	50	D. S. Rodrigus, Butler to Lieutenant-Colonel H. S. Anderson, Mhow.
	M 19—97234	10	
	" —97231	10	
49	C 90—72734	1,000	Hunsraj Woodhawje, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
108	M23—02650	50	Kasidas Bhaidas, Surat.
112	M18—15588	10	Mr. Dhunjidas Tilackchund, Hurda.
	M 17—18008	10	
	M16—59257	10	
	" —60261	10	
	M18—60716	10	
	" —68238	10	
	" —72769	10	
	" —80417	10	
	M 20—82998	10	
	M 18—93202	10	
127	C 96—76017	10	Mr. Essan Chunder Benerje, Raipur.
	" —68720	10	
	C 88—50129	10	
136	M 18—62812	10	Mr. Kasidas Bhaidas, Surat.
	" —14335	10	
	" —52681	10	
	M16—16392	10	
	M19—91014	10	
	M20—72334	10	
	M21—33483	10	
	C 99—65675	20	
	" —80716	20	
150	M20—69870	10	Mr. Rustomje Dadabhoy, Bombay.
41	C 98—03231	10	Mr. Seetul Pershad, Allahabad.
	" —03147		
48	C 86—96321	100	Ramlal Goomasta, Indore.
	" —96323		
51	C 99—21331	20	Apaje Pandurang Moonim, Bombay.
	" —21329		
52	C 84—66531	20	Kesheaje Deochund, Bombay.
	" —66474		

BOMBAY,—Paper Currency Dept.;
The 24th October 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
251	L 70—52454	1,000	Mr. C. T. Metcalfe, C. S., Inspector General of Police, Calcutta.
253	L 51—98085	100	Babu Hurrymohun Haldar.
256	L 37—64028	20	Babu Shamachurn Mozoomdar.
257	L 38—54800	100	Lalla Jawher Lal.
258	L 79—33725	20	Babu Hurromohun Banerjee.
259	L 81—11794	50	Babu Hurrychurn Ghose.
260	L 81—08496	50	Babu Nund Coomar Chatterjee.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
212	L 23—18273 D 10—58573	5	Babu Gopaul Chunder Banerjee.
	L 10—64503 „ —64504	5	Babu Gopaul Chunder Banerjee.
213	L 44—70828 „ —70827	10	Lalla Kalwar.
215	L 24—36966 „ —36967	10	Babu Bhuggobutty Churn Mookerjee.
306	L 48—76811	20	Babu Gopaul Chunder Mozoomdar.
307	L 66—23104	50	The Deputy Collector, Chooadanga.
308	L 75—30212	10	Mr. G. H. Dupuis, C. E.
309	L 19—07641	50	Tacoorse Chund Mull.
	L 79—38393	20	Tacoorse Chund Mull.
	L 48—87123	20	Tacoorse Chund Mull.
310	L 1—57477	10	The Post Master General, N. W. Provinces.
311	L 81—01947	50	Raizadah Ram Chunder.
312	L 25—75040	5	Babu Procas Chunder Ghuttuck.
313	L 43—51830	10	Babu Khetter Mohun Mitter.
314	A 42—06659	10	Babu Wooma Churn Bromochary.
	„ —06660	10	Babu Wooma Churn Bromochary.
315	L 65—44930	20	Babu Nilmadhub Chatterjee.
316	L 8—51747	100	Bhugmut Saran.

CALCUTTA,—Paper Currency Office;
The 3rd November 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
59	B 43—31206	50	R. Streerunga Charry, Madras.
	B 50—27293	100	R. Streerunga Charry, Madras.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
159	B 41—11948	10	V. Streenevas Row, Gooty.
30	B 49—08598 wrongly joined. „ —08601 wrongly joined.	10	Agent, Bank of Bombay, Poona.

FORT ST. GEORGE,
Accott. Genl.'s Office, Paper Currency Dept.;
The 23rd October 1876.

D. KISSEN SING,
Asstt. to the Accott. Genl., in charge of Paper Currency Dept.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
46	D 7—97980	100	Babu Probode Nath Bose, Allahabad.
	„ —97981	100	Babu Probode Nath Bose, Allahabad.
	„ —97982	100	Babu Probode Nath Bose, Allahabad.
	„ —97983	100	Babu Probode Nath Bose, Allahabad.
	„ —97984	100	Babu Probode Nath Bose, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
68	D 10—02304	5	Mr. S. Hamer, Howrah.
69	D 4—37976	50	J. C. Leupolt, Esq., C.S., Azamgarh.

ALLAHABAD.—Paper Currency Office;
The 27th October 1876.

T. H. S. BIDDULPH,
Asstt. Accti. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
49	E 4—84775	50	Sodagur and Bahadur, Mahajans, Ludhiana.
50	E 3—62789	100	Pundit Rala Ram, Hospital Assistant, Dispensary Gurhshanker *vid* Hoshyarpore.
	E 3—61350	100	Pundit Rala Ram, Hospital Assistant, Dispensary Gurhshanker *vid* Hoshyarpore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
18	E 10—29916 „ —29915	10	Messrs. R. Steel & Co., Calcutta.
60	E 3—99148	100	Babu Kochil Chander Pal, Sulkea *vid* Howrah Post Office.
71	E 6—88801	10	Dr. J. Irving, Dinapore.
62	E 4—91915	50	Gordhan Das and Buldeo Sing, Dugshai
	„ —93269	50	Gordhan Das and Buldeo Sing, Dugshai

LAHORE,—Paper Currency Office;
The 27th October 1876.

I. C. BOSE,
Asstt. to Accti. Genl., in charge of Currency Office.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered. Estimated value.	Certificates issued for	Balance of Bullion		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 23rd, 1876 ...	...	2,17,269	12,45,504	79,75,796	...
„ 24th „ ...	...	2,17,301	10,41,605	80,91,900	...
„ 25th „ ...	...	...	10,41,605	80,03,669	...
„ 26th „ ...	Holidays				
„ 27th „ ...					
„ 28th „ ...	...	1,11,882	10,41,605	80,03,669	...

CALCUTTA MINT,
The 30th Oct. 1876.

J. F. TENNANT,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 3rd November 1876.

Mails for Chittagong, Akyab, Kyouk-Phyoo, and Sandoway, for transmission per Steamer ***Moulmein***, will be closed at the General Post Office on Sunday, the 5th November 1876, at 7 P. M.

Mails for Rangoon, Moulmein, Straits, Port Blair and Camorta, for transmission per Steamer *Arabia*, will be closed at the General Post Office on Sunday, the 5th November 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 7th November 1876, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 8th November 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Goa*, will be closed at the General Post Office on Wednesday, the 8th November 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 10th November 1876.

2. Book-post and pattern packets must be posted on the 9th November 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 3rd November 1876.

Abdon, C. J.
Andrew, Walter.
Armstrong, J. P.
Banningfield, & Co., Messrs.
Baptist, P. W.
Bernard, S. & Co., Messrs.
Boustead, Monsieur.
Braine, John.
Brand, E. C.
Broad, Jas.
Christian, A. Mrs.
Clare, Mrs.
Corke, Chas.
Cornelius, H. G.
Courtenay, A. B., Mrs.
Dooley, M.
Ellis, J. E. S.
Egnotts, Mr.
Gasper, J.
Goldenberg, J.
Gonsalves, Mrs.
Harries, C.
Hooper & Co.
Houghton, B.
Hudson, F. A.
Johnson, T., Mrs.
Manager, Credit Foncier.
Mendes, A.
Morgan, L., Mrs.
New Type.
Nuthall, A. F.
O'Shaughnessy, D.
Pereira, Simon.
Phillips, A.
Ransome & Sims, Messrs.
Roos, H. G.
Rowe, W., Mrs.
Russell, Mrs.
Saker, W.
Seely, A. A.
Smith, A. L.
Smith, J. A., Mrs.
Steward, J. M.
Stewart, Mrs. C. W.
Stove, M.
Sykes, J.
Thomas, John.
Wallace & Co.
White & Co., Messrs.
Wintle, Mrs.
Wiseham, Mrs.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, Andrew.
Anderson, John.
Arnold, J.
Bailey, J. W.
Bates, W.
Battye, Major H. D.
Birks, A. R.
Borthwick, Mrs.
Boulter, R. F.
Browne, D.
Bruse, Mr.
Campbell, Mrs.
Carey or Kelly, Engineer.
Cohen, M. B.
Cooper, H. J.
Court, John.
Davis, Phillip.
E. F. W.
Findlay, Alfred.
Fleming, Mrs. L. H.
Galloway, John.
Graham, C.
Hindmarsh, William.
Holland, Capt. J.
Howey, E. W.
Isaac, M.
Johnson, Henry.
Kelly, W. P.
Le Comte A. de Monale.
Lewis, Chas.
MacIntyre, A.
Meid, James.
Micheli Aristodenio, Signr.
Mitchell, J. W.
Morris, John.
Munro, Major C. A.
O'Brien, Capt. T. E.
O'Brien, T. H.
Orton, B.
Oxenham, T. H.
Palmer, Henry.
Price, J.
Raban, Jas.
Rabontean, Mr.
Reed, J.
Reed, J. V. C.
Roberts, A.
Rowcliffe, R. H.
Ryall, Capt.
Scott, Walter.
Sinclair, A.
Slaweeki, T. Monsieur.
Smythe, John.
Stephens, Dr.
Stroesko, Michel.
Sykes, B.
Travis, Ida, Miss.
Walker, G.
Webb, A.
Whitfield, Mr.
Wilson, L. W. J.
Winkla, Patrick, Waller & Co.

Papers.

Anderson, John.
Holland, H. O. H., Capt.
Munro, Major C. A.
Roberts, A.

Registered Letters.

Boulter, R. F.
Corke, Charles.
Oxenham, T. H.

W. ALPIN,
Offg. Post Master of Calcutta.

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Just published.

Note on Lac, by J. E. O'Conor. Third and enlarged edition. *Price, Re.* 1; *packing and postage* 4 *annas.*

Just published—revised edition.

Vanilla: its cultivation in India; by J. E. O'Connor. *Price,* 8 *annas; postage,* 1 *anna.*

Army List.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st October 1876. *Price, Rs.* 4; *packing and postage,* 8 *annas.*

A Manual of Cinchona Cultivation in India, by Geo. King, M.B., F.L.S., Superintendent of the Royal Botanical Garden, Calcutta, and of Cinchona Cultivation in Bengal. *Price, Rs.* 2; *packing and postage,* 6 *annas.*

Just published, Foolscap Folio, Stiff Covers.

THE PRODUCTION of GOLD and SILVER, the DEMAND for GOLD, and the PRICE of SILVER; compiled by R. H. Hollingbery. *Price, Rs.* 2; *packing and postage,* 6 *annas extra.*

☞ *The above to be had at the Office of Superintendent of Government Printing,* 8, *Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

Publications for sale at the Bengal Secretariat Press.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs.* 2; *with map, Rs.* 3-4.

The Bengal Administration Report for 1874-75. *Price, Rs.* 4-8; *postage,* 14 *annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

The Bengal Administration Report for 1873-74. *Price, Rs.* 4; *postage,* 10 *annas.*

The Bengal Administration Report for 1872-73. *Price, Rs.* 7-8; *postage, Re.* 1-4.

Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal, *Price, Rs.* 10; *postage, Re.* 1-2.

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price,* 8 *annas per copy, or including postage,* 10 *annas.*

Act VII (B. C.) of 1873 in Bengali. *Price,* 8 *annas per copy, or including postage,* 10 *annas.*

Rules for the Sale of Waste Lands. *Price,* 4 *annas, or including postage,* 5 *annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs.* 3; *postage,* 5 *annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper, with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs.* 8; *postage,* 11 *annas.*

A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs.* 3; *postage,* 6 *annas.*

Further Notes on the Rungpore Records. Vol. II. By E. G. GLAZIER, ESQ., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re.* 1; *postage,* 3 *annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs.* 5; *postage,* 8 *annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs.* 5; *postage,* 12 *annas.*

Selections from the Supplement to the *Calcutta Gazette,* 1871 to 1874. *Price, Rs.* 2-8; *postage* 6 *annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs.* 3; *postage,* 7 *annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st October 1876. *Price, Rs.* 3; *postage,* 8 *annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs.* 3; *postage,* 4 *annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs.* 6; *postage,* 5 *annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs.* 3-8; *postage,* 11 *annas.*

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

South America Pilot. Part I ...	... Rs.	4	4 0
West India Pilot. Vol. I ...	... „	3	0 0
West India Pilot. Vol. II ...	... „	6	0 0

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—bound copies	... Rs.	45	0 0
„ unbound copies	... „	35	0 0

Apply to Mr. E. M. LEWIS, *Bengal Secretariat Press, 28, Chowringhee Road, Calcutta.*

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Notice to Subscribers.

Subscribers to the *Calcutta Gazette* and the *Bengali Gazette* are hereby informed that unless a remittance in full for the amount of their subscription for the year 1877 is received before the 31st December 1876, no further copies of either Gazette will be forwarded to them from the 1st January 1877, the terms of subscription being strictly in advance. All remittances should be made to the Accountant, Bengal Secretariat.

H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

Now ready.

Volume I of the Statistical Reporter. Edited by H. J. S. Cotton, Junior Secretary to the Government of Bengal. *Price, bound in full cloth, lettered, Rs.* 10.

Apply to MR. E. M. LEWIS, *Superintendent, Bengal Secretariat Press,* 28, *Chowringhee Road, Calcutta.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 11, 1876. { Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

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Subscription for *Gazette* and Supplement per annum	15	0	0
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For a single copy of the Supplement	0	8	0

Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned estates having come under charge of this Office, all persons having claims upon, being indebted to, or holding property belonging to the said estates, are requested to place themselves in immediate communication with the undersigned :—

Gerald Frederick (*alias* Fitzgerald) Cox, an Honorary Lieutenant in Her Majesty's Army, and Deputy Assistant Commissary in the Public Works Department, lost at sea in the Steamer *Coromandel* in July 1875.

Robert Brown, a Surgeon-Major in Her Majesty's Indian Army, and Political Agent at Manipur, on the Frontiers of Eastern India, died at Manipur on the 18th August 1876.

William Sutherland, an Engineer in the employ of Messieurs Paul Auchitzky and Co., of Akyab, died at Akyab on the 3rd May 1876.

Thomas Boydell, a Lieutenant (local Captain) in Her Majesty's 39th Regiment of Foot, died at Dagshai on the 15th June 1876.

HIGH COURT, CAL., *The 4th Nov.* 1876. } F. S. COLLIS, *Offg. Administrator Genl.*

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Simla, the 30th October 1876.

Mr. Henry Eardly Gastrell, Assistant Superintendent of Revenue Survey, 2nd Grade, returned from furlough, is granted nine days' subsidiary leave from 23rd September to 1st October 1876, inclusive, under Chapter V, Section 18 (b), Rule 2, of the Civil Leave Code.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

Calcutta, the 9th November 1876.

No. 6.—Mr. Richard Cunningham Dundee Ewing, Assistant Surveyor, 2nd Grade, passed by the 2nd or Higher Standard Vernacular Examination laid down in G. O., Military Department, No. 734, dated 9th September 1864.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 28th October 1876.

The furlough granted to Mr. E. J. Connor, Assistant Surveyor, 1st Grade, Mysore Topographical Survey, for one year, in Notification dated the 26th September, is commuted to six months' leave on private affairs, under Section 5, Supplement F, Civil Leave Code, from the 1st November.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 6th November 1876.

No. 1330.—Captain R. G. E. Dalrymple, Boundary Settlement Officer, and Political Assistant in Bhopal, availed himself, on the forenoon of the 12th July 1876, of the privilege leave granted in Notification No. 574, dated 2nd June 1876, and returned to duty on the 11th October 1876.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 2nd November 1876.

No. 108.—Barrack Sergeant W. Cant is temporarily transferred from the 5th to the 3rd Circle, Military Works.

This cancels that portion of Inspector-General's Notification No. 106, dated 21st October 1876, relating to Barrack Sergeant H. Cahill.

The 3rd November 1876.

No. 109.—Baboo Haran Chunder Bose, Accountant, 4th Grade, transferred from Bengal to Military Works Branch by Public Works Department Notification No. 413, dated 11th October 1876, is posted to Executive Engineer's Office, Bareilly Division.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

Simla, the 30th October 1876.

No. 2.—Mr. W. B. Bromley, temporary Executive Engineer, 3rd Grade, is appointed to officiate as Executive Engineer of the Chakrata Division, Military Works.

L. RUSSELL, *Col.,*
Offg. Chief Engineer, Military Works.

2nd Circle.

Lucknow, the 2nd November 1876.

No. 55.—Mr. J. W. Joakim, Overseer, 1st Grade, attached to the 1st Allahabad Division, is transferred to the Saugor Division, Military Works.

The 3rd November 1876.

No. 56.—With reference to this Office Notification No. 42, dated the 7th August last, Mr. J. Beale, Sub-Engineer, 1st Grade, returned from the three months' privilege leave on the 28th ultimo. The unexpired portion of four days of his leave is hereby cancelled.

No. 57.—With reference to this Office Notification No. 40, dated the 3rd August last, Mr. E. LeLevre, Executive Engineer, returned from the three months' privilege leave on the forenoon of the 28th ultimo, and resumed charge of the Fyzabad Division, Military Works, from Mr. W. E. Eckstein, on the same date.

The 4th November 1876.

No. 58.—With reference to this Office Notification No. 48 of 11th ultimo, Captain H. S. Clive, R.E., Executive Engineer, returned from the one month's privilege leave on the forenoon of the 1st instant, and resumed charge of the 2nd Allahabad Division, Military Works, from Captain G. T. Maitland, Executive Engineer.

No. 59.—With reference to G. G. O. No. 958, dated the 14th September 1876, Honorary Captain Mathews, Barrack Master, attached to the Lucknow Division, Military Works, reported his departure on the afternoon of 27th idem, in consequence of his retirement from the Department on pension.

No. 60.—With reference to Inspector General's Notification No. 103, dated the 2nd ultimo, Sergeant J. Hicks, R.E., Overseer, 1st Grade, reported his arrival on the 23rd ultimo, and is posted to the 1st Allahabad Division, Military Works, which he joined on the same date.

No. 61.—With reference to Inspector General Military Works' Notification No. 106, dated the 21st ultimo, Barrack Sergeants Warren and Ingram reported their departure on the 26th and 28th idem, respectively, to join the 3rd Circle, Military Works, for duty at the coming Imperial Assemblage at Delhi.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 6th November 1876.

No. 49.—With reference to Inspector General Military Works' Notification No. 104 of 5th October 1876, Conductors G. Blake, Barrack Master, 1st Class, and R. Revell, Barrack Master, 2nd Class, reported their arrival at Delhi on the 31st October and 1st November 1876, respectively.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 6th November 1876.

Baboo Bindoo Chunder Chunder, Accountant, 3rd Grade, attached to the Office of the Examiner of Railway Accounts to the Government of India at Calcutta, returned from privilege leave and joined his appointment on the forenoon of 3rd November 1876.

F. S. TAYLOR, *Lieut.-Colonel, R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 26th October 1876.

No. 167.—Lieutenant B. Scott, R.E., Assistant Engineer, 2nd Grade, Punjab Northern State Railway, passed the colloquial examination in Hindustani on the 18th October 1876.

The 3rd November 1876.

No. 170.—Mr. F. H. Landon, Assistant Engineer, 1st Grads, is transferred to the open line of the Holkar and Neemuch State Railways.

No. 171.—Mr. J. L. Gallott, Executive Engineer, 1st Grade, and temporary Superintending Engineer, 3rd Grade, Indus Valley State Railway, is granted one year's furlough, with effect from the 19th December 1876, or such subsequent date as he may avail himself of the same; also thirty days' subsidiary leave prior to furlough.

No. 172.—The under-mentioned Engineers and Upper Subordinates are transferred from the Punjab Northern to the Indus Valley State Railway:—

Mr. C. A. Bull, Executive Engineer, 3rd Grade.
Mr. B. Parkes, Assistant Engineer, 2nd Grade.
Mr. Dharm Sing Soin, Apprentice Engineer.
Corporal C. Williams, Overseer, 1st Grade.
Private J. Morrison, Overseer, 1st Grade.

The 6th November 1876.

No. 173.—Mr. F. S. Homfray, Store-keeper, 2nd Grade, Holkar and Neemuch Railways, is transferred to the Indus Valley Railway.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 6th November 1876.

No. 53.—Mr. T. W. Bartlett, Assistant Engineer, 1st Grade, reported his arrival at Agra, on return from the three months' privilege leave granted to him in this Office Notification No. 30, dated 26th June 1876, on the forenoon of the 1st November 1876.

The 7th November 1876.

No. 54.—Babu Adya Nath Mittra, Accountant, 4th Grade, is granted two months' privilege leave of absence, of which he availed himself on the forenoon of the 6th November 1876.

KELLOW C. PYE,
Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 4th November 1876.

No. 147.—Sergeant W. Robinson, Supervisor, 2nd Grade, Ravi Division, is allowed thirty-one days' privilege leave, with effect from the forenoon of 1st October 1876.

No. 148.—Mr. W. Holloway, Supervisor, 2nd Grade, returned to duty from the three months' privilege leave granted to him by Notification No. 123, dated 14th October 1876, on the forenoon of the 28th October 1876.

No. 149.—Tej Rai, Supervisor, 2nd Grade, transferred by Director of State Railways' Notification No. 128, dated 5th August 1876, to the Indus Valley State Railway, left the Jhelum Division of this Railway on the forenoon of the 27th October 1876.

No. 150.—Mr. C. A. Bull, Executive Engineer, 3rd Grade, made over, and Mr. C. E. S. Younghusband, Assistant Engineer, 2nd Grade, received charge of the Jhelum Division on the afternoon of the 31st October 1876.

No. 151.—Mr. B. Parkes, Assistant Engineer, 2nd Grade, left the Soan Division on transfer to the Indus Valley State Railway, on the forenoon of the 31st October 1876.

No. 152.—With reference to Public Works Department Notification No. 383, dated 6th September 1876, appointing Mr. D. DeMello, Accountant, 4th Grade, on probation, and posting him to Punjab Northern State Railway, this Accountant joined the Office of the Examiner of Accounts on the forenoon of 30th October 1876.

ALEX. GRANT,
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 8th November 1876.

No. 28.—With reference to Notification No. 26 of 14th ultimo, Mr. W. C. Rennie made over, and Mr. H. D. LaTouche received charge of the Agra Division on the 1st instant, this Division being from this date merged with the Chumbul Division into the 1st Division of the Railway.

HORACE BELL,
Offg. Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 2nd November 1876.

No. 236.—Baboo Debendro Chunder Bose, Accountant, 4th Grade, Southern Division, is granted six weeks' sick leave from 13th October 1876.

The 6th November 1876.

No. 237.—Mr. R. S. Reynolds, Executive Engineer, 2nd Grade, availed himself of the leave granted him in Notification No. 222 of 25th October, on the forenoon of 1st November 1876.

No. 238.—With reference to Notifications Nos. 228 and 235 of 25th and 26th October, respectively, Mr. W. L. Buyers, Executive Engineer, assumed charge of the Assam Extension Survey Division, and relieved Mr. J. M. Luff on the forenoon of the 3rd November 1876.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Ajmere, the 20th October 1876.

No. 1194.—With reference to Director's Notification No. 144, dated 15th September 1876, Lieutenant Ronald C. Maxwell, R.E., Assistant Engineer, 2nd Grade, reported his arrival at Ajmere on the forenoon of 19th October 1876.

JAMES COLLET,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 30th October 1876.

No. 123.—This Office Notification No. 90, dated 19th August 1876, granting 20 days' privilege leave to Sergeant T. Collier, Supervisor, 2nd Grade, is cancelled.

The 31st October 1876.

No. 124.—Mr. J. W. Christison, Assistant Engineer, 1st Grade, Larkana Division, is granted one month and four days' privilege leave from 28th October 1876, or such subsequent date as he may avail himself of it.

The 1st November 1876.

No. 125.—Mr. F. L. Dibblee, Executive Engineer, 2nd Grade, is transferred temporarily for special duty from the Mehur Division to the Office of the Superintending Engineer, Lower Sind District.

The 2nd November 1876.

No. 127.—Mr. A. Brereton, Assistant Engineer, 1st Grade, reported his return from leave on the forenoon of this day and is posted to the Mooltan District.

M. RAYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 1st November 1876.

No. 71.—Mr. C. Thompson, Store-keeper, 2nd Grade, is granted privilege leave for three months from 5th November 1876, or such date as he may be relieved of his charge of the Indore Depôt Stores, Neemuch State Railway.

No. 72.—Mr. F. H. Landon, Assistant Engineer, 1st Grade, Fatehabad Division, transferred to the Engineering Department of the open line under the Manager, Holkar and Neemuch State Railways, reported his departure from the Fatehabad Division on the 26th October 1876.

No. 73.—Mr. J. Harkness, Plate-layer, transferred from Fatehabad Division to Barnagar Division, reported his departure from Fatehabad Division on the 1st November 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 7th November 1876.

No. 62.—Privilege leave of one month is granted to Baboo Jodoo Nauth Paul, Probationary Accountant, 4th Grade, Somastipoor Division, from the 8th October 1876.

No. 63.—With reference to Director of State Railways' Notification No. 164 of 25th October 1876, Mr. C. W. Hodson, Assistant Engineer, 2nd Grade, reported his departure for the Indus Valley State Railway on the forenoon of the 1st instant.

No. 64.—Mr. G. H. Tait, Executive Engineer, 3rd Grade, returned from the two months' privilege leave granted to him in this Office Notification No. 51 of 22nd August 1876, on the afternoon of the 4th instant.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

NOTICE.

Covenanted Deputy Collector Mr. Romesh Chunder Dutt has been placed in charge of the Nuddea Treasury and authorized to draw Bills on other Treasuries.

COMMR.'S OFFICE, PRESIDENCY DIVISION; *Calcutta, the 23rd Oct.* 1876. } C.T. BUCKLAND, *Commissioner.*

Commissariat Notice No. 9.

Sealed tenders for the supply of hospital clothing for men, women, and children at Darjeeling (Jullapahar) for one year, to commence from 1st April 1877, will be received by the Executive Commissariat Officer, Darjeeling, up to 4 P. M. of 15th December next, and opened at noon the next day, in presence of those who may choose to attend.

2. No tenders will be received except on forms obtainable from the Commissariat Office up to 9th December 1876.

3. For all particulars, apply to

W. R. BUNBURY, *Captain,*
Offg. D. A. C. General,
Executive Commissariat Officer.

DARJEELING, EXE. COMMISSARIAT OFFICE; *The 19th October* 1876.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 30th, 1876 ...	26 57,700	4,44,551	31,69,086	84,37,401	...
„ 31st „ ...	20,99,977	...	52,68,763	83,47,156	...
Nov. 1st „ ...	...	1,90,732	59,52,352	84,38,758	...
„ 2nd „ ...	8,62,689	1,04,437	58,56,444	84,54,134	...
„ 3rd „ ...	...	2,24,043	58,61,133	85,80,657	...
„ 4th „ ...	2,18,660	...	58,61,133	84,99,978	...

CALCUTTA MINT, *The 6th Nov.* 1876. } J. F. TENNANT, *Offg. Mint Master.*

ACCOUNTANT GENERAL'S OFFICE.
PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 448.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 31st October* 1876.

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.				IRRIGATION.				STATE RAILWAYS (CAPITAL).			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Central Provinces...	Aug. 1876	Oct. 9, 1876	1	Rajpootana ...	Aug. 1876	Oct. 4, 1876	1	Western Rajpootana	Sep. 1876	Oct. 23, 1876
2	Rajpootana ...	Ditto ...	Do. 17 „	2	Bombay ...	Ditto ...	Do. 26 „	2	Rangoon and Sittang.	Ditto ...	Do. 24 „
3	Oudh ... / Assam ...	Ditto ...	Do. 21 „	3	Madras ...	Ditto ...	Do. 27 „	3	Calcutta and South-Eastern.	Aug. 1876	Sep. 25 „
5	Port Blair ... / Indo-European Telegraph.	Ditto ...	Do. 24 „	4	Mysore ...	Ditto ...	Do. 28 „	4	Wurdah Valley ...	Ditto ...	Oct. 20 „
7	Bombay ... / Central India ...	Ditto ...	Do. 25 „	5	Bengal ... / North-Western Provinces / British Burmah	Ditto ...	Do. 30 „	5	Rangoon and Irrawaddy Valley.	Ditto ...	Do. 9 „
9	Coorg ...	Ditto ...	Do. 26 „	8	Punjab ...	Ditto ...	Do. 31 „	6	Nulhati ...	Ditto ...	Do. 16 „
10	Madras ... / Hyderabad ... / Hyderabad Assigned Districts.	Ditto ...	Do. 27 „					7	Nizam's ...	Ditto ...	Do. 19 „
13	Mysore ...	Ditto ...	Do. 28 „		GUARANTEED RAILWAYS.			8	Sindhia ... / Tirhoot ... / Store-keeper, Calcutta. / Tirhoot Surveys...	Ditto ...	Do. 23 „
14	Bengal ... / British Burmah...	Ditto ...	Do. 30 „	1	Oudh ...	Aug. 1876	Oct. 23, 1876	12	Indus Valley ...	Ditto ...	Do. 24 „
16	North-Western Provinces. / Punjab ...	Ditto ...	Do. 31 „	2	Bengal ...	Ditto ...	Do. 24 „	13	Holkar ... / Neemuch	Ditto ...	Do. 25 „
18	Indian Telegraph...	July 1876	Sep. 27 „	3	Bombay ...	Ditto ...	Do. 26 „	15	Dhond and Munmar. / Rajpootana	Ditto ...	Do. 26 „
19	Grand Trunk Road	Ditto ...	Oct. 3 „	4	Madras ...	Ditto ...	Do. 27 „	17	Punjab Northern...	Ditto ...	Do. 28 „
20	Military Works ...	Ditto ...	Do. 12 „	5	Punjab ...	July 1876	Sep. 26 „	18	Northern Bengal ...	Ditto ...	Do. 31 „
								19	Assam Extension...	July 1876	Sep. 27 „
									STATE RAILWAYS (REVENUE).		
								1	Calcutta and South-Eastern.	Aug. 1876	Sep. 25, 1876
								2	Wurdah Valley ...	Ditto ...	Do. 27 „
								3	Oomraotee ... / Khamgaum ...	Ditto ...	Oct. 5 „
								5	Nulhati ...	Ditto ...	Do. 16 „
								6	Nizam's ...	Ditto ...	Do. 20 „
								7	Tirhoot ...	Ditto ...	Do. 23 „
								8	Holkar ... / Neemuch	Ditto ...	Do. 26 „
								10	Rajpootana / Punjab Northern	Ditto ...	Do. 30 „

J. J. McLEOD INNES, *Lieut.-Colonel,*
Accountant-General, P. W. Dept.

Dated 2nd November 1876.

Statement of the Affairs of the Bank of Bengal for the week ending 7th November 1876.

LIABILITIES.			Rs.	A.	P.
Capital paid up ...		...	2,00,00,000	0	0
Reserve Fund ...		...	16,72,792	7	9
	Rs.	A. P.			
Public Deposits at Head Office ...	1,09,07,569	5 10			
Public Deposits at Branches ...	1,36,05,608	11 5	2,45,13,178	1	3
Other Deposits at Head Office and Branches			2,15,00,247	8	7
Bank Post Bills, &c.		...	2,41,007	5	4
Sundries		...	6,99,406	2	9
TOTAL		...	6,86,26,631	9	8

ASSETS.			Rs.	A.	P.
Government Securities ...		...	1,38,69,464	5	6
Loans on Government Securities, &c., at Head Office and Branches ...			62,53,144	7	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...			60,23,995	4	3
Bills discounted and purchased at Head Office and Branches ...		...	1,66,28,823	1	8
Balances with other Banks ...			5,40,978	5	5
Bullion ...		...	10,082	0	9
Dead Stock ...		...	10,44,774	14	7
Stamps ...		...	10,950	11	8
Sundries ...		...	1,39,440	14	7
			4,45,21,654	1	8
	Rs.	A. P.			
Cash and Currency Notes at Head Office ...	1,07,99,541	6 2			
Cash and Currency Notes at Branches ...	1,33,05,433	1 10	2,41,04,977	8	0
TOTAL		...	6,86,26,631	9	8

BANK OF BENGAL; *Calcutta, 9th November* 1876. } J. GORDON, *Chief Accts. & Depy. Secretary.*

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

MAPS OF THE SURVEY OF INDIA,

Published at the Office of the Surveyor General of India, Calcutta, for the quarter ending 30th Sept. 1876.

Local Agents.

Calcutta,—Messrs. Thacker, Spink & Co.
Allahabad,—Curator of Government Books.
Nagpoor, Do. Do.
Lahore,—Mr. W. Ball, Bookseller and Stationer.
Madras,—Messrs. Higginbotham & Co.
Bombay,—Messrs. Thacker, Vining & Co.

N. B.—Maps are *not sold* at the Office of the Surveyor General of India, Calcutta, but applications for maps on payment should be made to Agents. This Department only issues maps *free of charge* on the Public Service. It is particularly requested that the nearest local Agent, as above, be first applied to, for any map required on the Public Service before indenting on this Department. The cost of postage of parcels must be borne by applicants themselves, as also such incidental charges as may be incurred at their request for mounting and binding maps. The best maps are invariably supplied in lieu of those asked for which may not be available, and lists of all newly published maps are periodically notified in the Gazettes of India and of local Governments.

Description.	Size.	Price of Map unmounted per sheet or copy. Uncolored. Rs.	A.	Colored. Rs.	A.
GENERAL MAPS. *Scale 128 Miles = 1 Inch.*					
India Military Map	Imperial ...	1	0	1	0
DISTRICT MAPS. *Scale 4 Miles = 1 Inch.*					
Chumparun	Atlas ...	1	0	1	4
REVENUE SURVEY MAPS. *Scale 1 Mile = 1 Inch.*					
Southal Pergunnahs, Sheets Nos. 3, 4 & 5	Double Royal ...	1	8	1	12
Goalpara District, „ „ 14, 15, 17, 18 and 19	Double Elephant...	1	8	1	12
Agra Do. „ „ 1, 4 and 7	Ditto ...	1	8	1	12
Darrang Do. Sheet No. 10	Ditto ...	1	8	1	12
Bahawalpur State, Sheets Nos. 27, 30, 35, 36 & 38	Ditto ...	1	8	1	12
TOPOGRAPHICAL SURVEY MAPS. *Scale 1 Mile = 1 Inch.*					
Rajputana, Sheets Nos. 54, 55, 56, 57, 60 & 61	Double Elephant...	1	0	1	4
Ganjam and Orissa, Sheets Nos. 50, 51, 61, 75 and 77	Ditto ...	1	0	1	4
Chota Nagpore, Sheets Nos. 16 & 17	Ditto ...	1	0	1	4
Scale 2 Miles = 1 Inch.					
Ganjam and Orissa, Sheet No. 24	Ditto ...	1	0	1	4
CANTONMENT, CITY AND CIVIL STATION PLANS. *Scale 12 Inches = 1 Mile.*					
Deogarh Fort, (District Chhindwara)	Sheet Royal ...	0	8	0	10
Scale 8 Inches = 1 Mile.					
Simla and Jutogh, (with hills)...	4 Sheets of Atlas ...	4	0	4	8
Scale 12 Inches = 1 Mile.					
Toghlukabad Fort, (District Delhi)	Imperial ...	0	8	0	10

SURVEYOR GENERAL'S OFFICE,
Calcutta, 13th Oct. 1876.

J. O. N. JAMES,
Assistant Surveyor General.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
51	... E 12—21750 ...	20	... The Executive Engineer, Upper Sutlej Division, Mamoki.
52	... E 4—87951 ...	50	... Rambuksh Bhuggut, Cawnpore.

NOTES PARTIALLY LOST OR DESTROYED.

68	... E 4—71519 ...	50	... W. D. Brockman, Esq., Executive Engineer, Lucknow.
70	... E 10—45578 ...	10	... Sahib Mirza, Dalhousie.
73	... E 4—84046 ...	50	... Wali Mohammad Khan, 19th Bengal Lancers, Meean Meer.
74	... E 7—87214 ...	5	... Babu Surut Chunder Chowdry, Head Clerk, Executive Engineer's Office, Mooltan.
75	... E 10—02464 ...	10	... Babu Shoshi Bhoshan Mukerji, Government College, Lahore.

LAHORE,—Paper Currency Office;
The 4th November 1876.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
60	... B 40—18174 ...	5	... Corporal W. P. Underwood, Head Quarters, 20th Brigade, R. A., Secunderabad.

NOTES PARTIALLY LOST OR DESTROYED.

160	... B 39—94281 ...	5	... Mrs. C. Leonard, Poona.
161	... B 49—06791 ...	10	... B. Bhima Row, Owk.
	„ —06792 ...	10	...
162	... B 42—08855 ...	20	... C. Moonesawmy Moodeliar, Mysore.
	„ —18543 ...	20	...
163	B 50—30749 ...	100	... Mr. R. Nicholson, Negapatam.
164	... B 40—00835 ...	5	...
	B 52—02430 ...	10	... M. Krishnasawmiah, Srirangam.
	B 42—24316 ...	20	...
165	... B 49—52874 ...	10	... Hussanamah, Kurnool.
166	... B 50—12512 ...	100	... Mr. J. Burgess, Bangalore.
167	... B 41—90662 ...	10	... S. V. Lazarus, Bellary.
168	... B 43—62806 ...	50	... Patchamyah Saib.
	B 44—75588 ...	100	...
169	... B 50—03155 ...	100	... Vaithilingum Pillay, Puducottah.
170	... B 36—76123 ...	5	... M. Coopoosawmy Naidu, Madras.
171	... B 49—85036 ...	10	... I. Lutchmana Chetty, Coimbatore.

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.;
The 30th October 1876.

D. KISSEN SING,
Asstt. to the Accts. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs	Name of Claimant.
151	... M 5—98461 ...	50	... Lieutenant-Colonel W. C. Lester, Political Agent, Sirdarpore Central India.
152	... C 66—89915 ...	20	...
	„ —90477 ...	20	...
	„ —45912 ...	20	... Sha Sribhoowandas Wittuldas, Bombay.
	C 50—35314 ...	50	...
	C 89—34004 ...	10	...
53	... M20—90775 } wrongly	10	... Mr. W. H. Davis, Agent, Sudar Co.'s Ice House, Bombay.
	„ —90755 } joined.		
	C 81—72811 } ditto ...	10	... Rungeelal Jeewalanath, Bombay.
	„ —51586 }		
143	... M19—4—411 ...	10	... Anoopchund Nema, Bombay.
144	... M18—776 ...	10	... Sergeant D. Bowen, H. M.'s 1-2nd Queen's, Colaba, Bombay.

BOMBAY,—Paper Currency Dept.;
The 31st October 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
47	... D 4—65617 ...	50	...
	D 7—77114 ...	100	... Baboo Bhoobun Chunder Bhur, Chandernagore.
	„ —77115 ...	100	...
48	... D 4—55933 ...	50	... Boodhun Sah, Dinapore.
49	... D 9—55406 ...	1,000	... Bindrabun Dass, Benares.
50	... D 11—34041 ...	10	... The Post Master General, North-Western Provinces, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

70	... D 4—21133 ...	50	...
	„ —58964 ...	50	... Mr. G. G. Charles, Lucknow.
71	... D 4—62596 ...	50	... Surgeon W. A. Duke, Chakrata.

ALLAHABAD,—Paper Currency Office;
The 3rd November 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
G 8—25750 ...	20	... Sheik Ghulam Hoossein and Sons, Merchants, Gujrat, Punjab.

KURRACHEE,—Paper Currency Dept.;
The 30th October 1876.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
265	L 61—70507	10	The Post Master General, N.-W. Provinces.
267	L 89—27577 to „ —27591	20 each	Babu Punch Coury Das.
268	L 82—59697	100	Babu Mohun Lal.
269	L 89—34604 to „ —34627	20 each	Babu Issan Chunder Mukerjee.
271	L 38—37195	100	The Assistant Director General of the Post Office of India, Simla.
273	L 61—09316	10	Babu Sreenath Mozoomdar.
	L 59—49769	10	
	L 74—35886	10	
	L 42—16288	10	
	L 23—43527	5	
274	L 64—34179	20	Babu Prosunno Kumar Haldar.
	L 78—91180	20	
	L 79—03893	20	
	L 63—16599	20	
	L 41—88281	10	
	L 59—85797	10	
	L 74—97993	10	
	L 75—30315	10	
	L 62—39649	10	
	L 76—15046	10	
	L 74—82179	10	
281	L 82—82213 to „ —82217	100 each	The Officiating Post Master General of Bengal, Calcutta.
	L 80—47031	20	
	L 48—86124	20	
	L 75—43814	10	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
216	L 23—16976 „ —16978	5	Babu Ram Das Mukerjee.
217	L 58—96360 „ —96361	10	Messrs. Mutty Lal Seal & Co.
218	L 24—31927 „ —31926	5	Babu Kally Das Banerjee.
219	L 43—45122	10	Babu Gopal Chunder Law.
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The 10th November 1876.

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POST OFFICE.

NOTIFICATIONS.

Calcutta, the 10th November 1876.

Mails for Ceylon, Straits, Hong-Kong, and the United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 11th November 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Busheer*, will be closed at the General Post Office on Sunday, the 12th November 1876, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 12th November 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 14th November 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Rajpootana*, will be closed at the General Post Office on Wednesday, the 15th November 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Poonah*, will be closed at the General Post Office on Wednesday, the 15th November 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 17th November 1876, by which mails for Mauritius, St. Denis, Réunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands, and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 16th November 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

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Allan, G.
Anderson, Miss M.
Andrews, H.
Andrew, Walter.
Armstrong, J. P.
Banningfield & Co., Messrs.
Baptist, P. W.
Bose, E. C.,
Bateman, W. G.
Bernard, S. & Co., Messrs.
Boustead, Monseiur.
Brand, E. C.
Brink, P. R.
Castle, Chas.
Christian, Mrs. A.
Clare, Mrs.
Condey, Mr.
Cooney, L.
Corke, Chas.
Cornelius, H. G.
Courtenay, Mrs. A. B.
DeCruz, A., Mrs.
Egnotts, Mr.
Ellis, J. E. S.
Gardener, Mrs. H.
Goldenberg, J.
Gomes, Miss Alice.
Hanlon, J.
Heron, E. E.
Hooper & Co.
Jackson, Mrs. H. N.
Johnson, Mrs. T.
MacCarthy, Mrs.
McCausland, E. O.
Manager, Credit Foncier.
Mendes, A.
Michael, Simson.
Morgan, Miss L.
Morgan, Mrs. L.
Morey, Mrs. W.
Murray, Mrs.
Nesbitt, Miss E.
New Type.
Nicolson, Miss.
Ord, Mr.
O'Shaughnessy, D.
Pereira, Simon.
Phillips, C.
Pitt, W.
Ransome & Sims, Messrs.
Roos, H. G.
Russell, Mrs.
Saker, W.
Smith, A. L.
Smith, Mrs. J. A.
Soone, S.
Steward, J. M.
Stewart, Mrs. C.
Stove, M.
Thomas, John.
Wallace & Co.
White & Co., Messrs.
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Anderson, John.
Arnold, J.
Bailey, Frank.
Barrow, F. D.
Battye, Major H. D.
Birks, A. R.
Borthwick, Mrs.
Boulter, R. F.
Browne, D.
Bruse, Mr.
Campbell, Mrs.
Carey or Kelly, Engineer.
Cohen, M. B.
Cooper, H. J.
Court, John.
Duncan, J. Hastings.
E. F. W.
Edmunds, A.
Ferrell, John.
Findlay, Alfred.
Fleming, Mrs. L. H.
Galloway, John.
Graham, C.
Hindmarsh, William.
Holland, Capt. J.
Howey, E. W.
Isaac, M.
Jonqua, Marguerite Madame.
Johnson, Henry.
Kelly, W. P.
Le Comte A. de Monale.
Lewis, Chas.
Mandslay, Lieut. E. R.
Meers, W.
Micheli Aristodenio, Signr.
Morris, John.
Munro, Major C. A.
O'Brien, Capt. T. E.
O'Brien, T. H.
Orton, B.
Oxenham, T. H.
Palmer, Henry.
Raban, Jas.
Rabontean, Mr.
Reed, J.
Reed, J. V. C.
Roberts, A.
Ryall, Capt.
Scott, Walter.
Sinclair, A.
Slaweeki, T. Monsieur.
Stephens, Dr.
Stewart, Adam.
Stroesko, Michel.
Sykes, B.
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Boulter, R. F.
Corke, Charles.
Maitland, A. C.
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W. ALPIN,
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H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

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Published by the Government of Bengal,

THE STATISTICAL REPORTER,

Vol. II, No. 6, *for November* 1876.

The Village Mahajun in Bengal.—Sea-borne Trade of Calcutta, September 1876.—River Traffic on the Bhagiruthee River thirty years ago.—Lac, Manufacture in Chota Nagpore.—The Carob Tree (Ceratonia Siliqua), with reference to its cultivation in India.—(By Mr. J. E. O'Connor, Assistant Secretary to the Government of India).—Agricultural Statistics of Patna.—Communications and Water-way in Jessore, Furreedpore, and Backergunge.—The Census of Calcutta, 1876—(by Mr. Beverley, C. S.) No. II.—Concluding remarks.—Infant Mortality in Calcutta.—(By Dr. A. J. Payne, Health Officer to the Justices).—Road Traffic between Bengal and Madras, 2nd quarter of 1876.—Statements of River Traffic in Bengal, district by district, during August 1876.—Vital Statistics, Bengal, during the month of August 1876.—Vital Statistics of the Town of Calcutta, September 1876.—Vital Statistics of the Suburbs of Calcutta, September 1876.—Statements of Bengal Railway Traffic during August 1876.—The Agricultural Returns of Great Britain, 1876.—The Merchant Shipping of the World, 1875.—The reduction in the price of imports into Great Britain, August 1876.—Shellac—(From L. W. Toulmin and Company's Weekly Circular, dated October 20th, 1877).

SUPPLEMENT:—The Rise and Growth of Calcutta; being the third part of a report on the Census of the Town of Calcutta, taken on the 6th April 1876, by H. Beverley, Esq., of the Bengal Civil Service.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 18, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 17th November 1876.

No. 28.—Mr. F. F. Hensley, temporary Assistant Examiner of Telegraph Accounts, availed himself, on the forenoon of the 13th November 1876, of the one month's privilege leave granted to him in Public Works Department Notification No. 442, dated 31st October 1876.

No. 29.—Mr. M. L. E. Thornton, an Assistant Superintendent of the 2nd Grade, is allowed privilege leave for three months, under Section 21 of the Civil Leave Code, with effect from the forenoon of the 27th September 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATIONS.

Camp Palree, the 7th November 1876.

No. 2811*S.*—Sub-Assistant Conservator Mr. Mahomed Anwur Khan availed himself of the one month's privilege leave of absence on the forenoon of the 30th July 1876, and returned to his duties on the forenoon of the 20th August 1876, the unexpired portion of this Officer's leave is hereby cancelled.

No. 2814*S.*—With reference to Government of India, Public Works Department, Notification No. 402, dated 27th September 1876, published in the *Gazette of India,* Part I, dated 30th September 1876, page 527, Mr. C. E. Housden, Apprentice Engineer, reported his arrival at Nusseerabad on the forenoon of the 23rd October 1876. Mr. Housden has been posted to the Nusseerabad Division.

Camp Sanderao, the 9th November 1876.

No. 2863*S.*—The Officiating Agent Governor General and Chief Commissioner is pleased to order the following reversions, &c., in the Engineer Establishment of Rajpootana, with effect from the date of return to duty from two years' furlough of Lieutenant-Colonel J. M. Williams:—

Executive Engineer, 1st Grade, and Superintendent of Works, Ajmere and Mhairwara, *vis.*, on the forenoon of the 2nd November 1876.

Captain H. J. Nuthall, to revert from temporary Executive Engineer, 1st Grade, to temporary Executive Engineer, 2nd Grade.

Mr. W. W. Culcheth, to revert from temporary 2nd Grade Executive Engineer, to 3rd Grade Executive Engineer, his substantive rank.

Mr. D. Joscelyne, to revert from temporary 3rd Grade Executive Engineer, to temporary 4th Grade Executive Engineer.

Mr. James Rollo, to revert from temporary 4th Grade Executive Engineer, to 1st Grade Assistant Engineer.

By Order,

A. G. CROMMELIN,
Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 7th November 1876.

No. 40.—Mr. H. E. Grant, Apprentice Engineer, appointed to Central India in Government Notification No. 402, dated 27th September 1876, joined the Northern Road Division, to which he has been posted, on the 1st November 1876.

The 11th November 1876.

No. 41.—Baboo Nilmoney Seal, Accountant, 4th Grade, attached to the Neemuch Division, has been granted one month's privilege leave from such date as he may avail himself of it.

No. 42.—Notification No. 38, dated 25th October 1876, transferring Overseer Hurput Rai from the Mhow to the Southern Road Division, is hereby cancelled.

No. 43.—Three months' privilege leave is granted to Hurput Rai, Overseer, 2nd Grade, attached to Mhow Division, from such date as he may avail himself of it.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 8th November 1876.

No. 110.—With reference to Government of India, Public Works Department, Notification No. 445, dated 1st November 1876, that portion of Inspector General of Military Works' Notification, No. 100, dated 11th September 1876, which relates to Lieutenant W. F. H. Stafford, R.E., is hereby cancelled.

No. 111.—Mr. J. A. Ellis, Accountant, 3rd Grade, Office of Examiner of Accounts, Military Works, is granted sick leave from 23rd to 29th October 1876, inclusive.

No. 112.—Sergeant R. Madams, Overseer, 1st Grade, is granted sick leave in India, from 1st October 1876 to 18th December 1876, in extension of the leave granted to him in Inspector General's Notification No. 81, dated 25th July 1876.

The 11th November 1876.

No. 113.—With reference to Inspector General's Notification No. 98, dated 2nd September 1876, Major W. R. Tucker, R.E., Superintending Engineer, 3rd Grade, rejoined from the privilege leave granted to him in Inspector General's Notification No. 91, dated 18th August 1876, and resumed charge of the 1st Circle, Military Works, on the forenoon of the 5th November 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 11th November 1876.

No. 62.—With reference to Inspector General's Notification No. 103 of the 2nd ultimo, Baboo Brindabun Paul, Overseer, 2nd Grade, reported his arrival on the afternoon of the 4th instant, and is posted to the Lucknow Division, Military Works, which he joined on the same date.

The 15th November 1876.

No. 63.—With reference to Inspector General's Notification No. 87, dated the 11th August 1876, Mr. J. Hogan, Assistant Engineer, reported his departure from Allahabad on the evening of the 10th instant.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 10th November 1876.

No. 50.—With reference to Inspector General of Military Works' Notification No. 106 of 21st October 1876, Barrack Sergeants T. Axe, W. Warren and C. Ingram reported their arrival at Delhi on the 3rd instant.

R. TYNDALL, *C. E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

4th Circle.

The 11th November 1876.

No. 34.—Mr. J. D. Davies, Assistant Engineer, received over charge of the Mooltan Sub-Division on the 1st November 1876, from Lálá Raja Lall, Overseer, who held charge of the said Sub-Division from 28th September to 31st October 1876 during Mr. Davies' absence on duty at Firozepore.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 14th November 1876.

No. 7.—LEAVE OF ABSENCE.—Mr. Edwin George Little, Surveyor, 4th Grade, for three months, from the 9th instant, under Section 12, Supplement F, of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

BANK OF BENGAL.

Calcutta, the 15th November 1876.

NOTICE.—The Directors have made the following changes in the Bank's establishment:—

Mr. W. D. Cruickshank, Agent at Rangoon, to be Deputy Secretary.

Mr. F. A. Gillam, Acting Inspector of Branches, to be Agent at Rangoon.

By order of the Directors,

R. HARDIE,
Secretary & Treasurer.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATIONS.

Lucknow, the 10th November 1876.

Mr. J. B. Braddon, Assistant Auditor, Oudh and Rohilkhand Railway Accounts, returned to duty on the afternoon of the 5th instant from the three months' privilege leave granted him under Public Works Notification No. 281, dated 17th June last.

The 13th November 1876.

With reference to Notification dated 28th July 1876, five days' additional privilege leave is granted to Mr. Jameison, Accountant, 4th Grade, attached to the Audit Office, Oudh and Rohilkhand Railway Accounts, from 24th afternoon to 29th September 1876.

T. W. B. SAVI, *Captain, R.E.,*
for Consg. Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 7th November 1876.

No. 174.—Mr. A. J. Fox, temporary 2nd Grade Accountant, Office of the Director of State Railways, is granted two months' privilege leave with effect from the 1st December 1876.

No. 175.—Mr. F. N. Gutersloh, Assistant Engineer, 1st Grade, in charge of the Locomotive Department, Holkar and Neemuch Railways (Open Line), is appointed to officiate as Manager during the absence of Captain W. S. S. Bisset, R.E., on special duty, or until further orders.

Mr. Gutersloh assumed charge of the Open Line on the morning of the 1st November 1876.

No. 176.—The under-mentioned Officers are transferred from the Holkar and Neemuch Railways to the Indus Valley Railway:—

Mr. J. M. Campion, Assistant Engineer, 1st Grade.

Mr. M. C. Mackinnon, Assistant Engineer, 1st Grade.

Mr. W. A. Lesmond, Assistant Engineer, temporary, 1st Grade.

The 8th November 1876.

No. 177.—Mr. E. J. Moore, Executive Engineer, 4th Grade, Rajputana Railway, returned on the 11th October 1876 from the six months' leave granted him in Director's Notification No. 60 of the 29th March 1876, and is granted six days' subsidiary leave.

No. 178.—Lieutenant E. Balfe, Assistant Engineer, 2nd Grade, is transferred from the Holkar and Neemuch Railways to the Indus Valley Railway.

The 10th November 1876.

No. 179.—Mr. W. M. Johnston, Assistant Traffic Superintendent, is transferred from the Rajputana to the Tirhoot Railway.

No. 180.—With reference to Government of India, Public Works Department, Notification No. 432 of the 23rd October 1876, Mr. W. Harvey, temporary 4th Grade Executive Engineer, entered upon the duties of Assistant Director of State Railways as a temporary arrangement, on the afternoon of the 4th November 1876.

No. 181.—The following corrections are made in the Indian State Railway classification of goods:—

"Crucibles, Plumbago," *read* 2nd Class for 3rd Class.

"Tobacco Pipes, Wood or Clay," *read* 2nd Class for 1st Class.

The 11th November 1876.

No. 182.—Mr. R. Winder, Executive Engineer, 4th Grade, is granted two years' furlough, with effect from the 14th December 1876, or such subsequent date as he may avail himself of the same.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 6th November 1876.

No. 128.—Mr. R. Winder, Executive Engineer, 4th Grade, is transferred from the Shujabad to the Bahawulpur Division.

No. 129.—Mr. S. W. Vardon, Store-keeper, 2nd Grade, is transferred from the Sutlej Bridge to the Bahawulpur Division.

No. 130.—Mr. J. A. D. Lloyd, Assistant Engineer, 1st Grade, reported his return from privilege leave on the forenoon of the 5th instant.

The 11th November 1876.

No. 131.—The following posting and transfers have been made by the Superintending Engineer, Mooltan District, and the Examiner of Accounts:—

Mr. A. Brereton, Assistant Engineer, 1st Grade, to the Office of the Superintending Engineer, Mooltan District.

Mr. W. Dorton, Accountant, 2nd Grade, from the Sutlej Bridge Division to the Central Office of Accounts.

Pundit Basant Ram, Accountant, 3rd Grade, from the Central Office of Accounts to the Sutlej Bridge Division.

Mr. F. George, Accountant, 4th Grade, from the Sutlej Bridge to the Bahawulpur Division.

Baboo Govind Chunder, Accountant, 4th Grade, from the Bahawulpur to the Sutlej Bridge Division.

M. RAYNE,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 9th November 1876.

No. 55.—Privilege leave of absence for three weeks, with effect from 7th November 1876, is granted to Babu Mukhun Lall Bose, Accountant, 4th Grade, attached to Ajmere Division, Rajputana State Railway, of which he availed himself on the forenoon of the same date.

No. 56.—With reference to Public Works Department Notification No. 451, dated 3rd November 1876, Lieutenant J. S. Nicholson, R.E., Executive Engineer, 4th Grade, made over charge of the Agra Division, Rajputana State Railway, to Mr. R. A. Way, Assistant Engineer, 1st Grade, on the afternoon of the 6th November 1876.

The 11th November 1876.

No. 57.—Mr. W. E. Palmer, Assistant Examiner, 3rd Grade, transferred to the Rajputana State Railway, under Government of India, Public Works Department, Notification No. 438, dated 30th October last, joined the Office of Examiner of Accounts on the forenoon of 10th November 1876.

KELLOW C. PYE,
Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 11th November 1876.

No. 153.—With reference to Notification No. 146, dated 28th October 1876, Mr. W. Hennessey, Executive Engineer, 4th Grade, is posted to the Chenab Division, which division he joined on the forenoon of 2nd November 1876.

No. 154.—Mr. G. Rees, Overseer, 1st Grade, Ravi Division, returned to duty from the two months' sick leave granted to him by Notification No. 111, dated 30th September 1876, on the afternoon of 31st October 1876.

No. 155.—Mr. C. A. Bull, Executive Engineer, 3rd Grade, made over, and Mr. H. T. Geoghegan, Executive Engineer, 1st Grade, received charge of the Bakrala Division on the afternoon of 6th November 1876.

No. 156.—With reference to Director of State Railways' Notification No. 80, dated 28th April 1876, Mr. C. J. Shaw, Executive Engineer, 1st Grade, reported his return from leave on medical certificate on the forenoon of 11th November 1876, and is posted to the Jhelum Section.

ALEX. GRANT,
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Ajmere, the 9th November 1876.

No. 1271.—Mr. E. J. Lemaistre, Supervisor, 2nd Grade, transferred to this line in Director's Notification No. 142, dated 12th September 1876, reported his arrival at Ajmere on the forenoon of 6th November 1876.

The 10th November 1876.

No. 1280.—With reference to order of Government of India, Public Works Department, No. 349, dated 20th October 1876, placing Mr. R. G. Macdonald, Examiner of Accounts, temporarily in charge of the Examinership of Public Works Accounts in Rajputana, that Officer reported his departure for Mount Aboo on the afternoon of 31st ultimo.

JAMES COLLET,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 13th November 1876.

No. 239.—Mr. J. Barron, Executive Engineer, 4th Grade, availed himself of the leave granted him in Notification No. 230 of 26th October on the forenoon of the 8th November 1876.

No. 240.—With reference to Notification No. 233 of 25th October 1876, Mr. W. W. Shanks, temporary Executive Engineer, 4th Grade, assumed charge of the Northern Division on the forenoon of 1st November.

J. G. LINDSAY, *Major, R.E.*,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 15th November 1876.

No. 65.—With reference to Director of State Railways' Notification No. 158 of 11th October 1876, Mr. J. W. Parry, Assistant Engineer, 2nd Grade, reported his departure for the Northern Bengal State Railway on the afternoon of the 7th instant.

No. 66.—With reference to Director of State Railways' Notification No. 164 of 25th October 1876, Baboo Russick Lall Roy, Assistant Engineer, 2nd Grade, reported his departure for the Indus Valley State Railway on the forenoon of the 8th instant.

No. 67.—With the approval of Director of State Railways, it is notified that the following Telegraph Offices on the Tirhoot State Railway are opened for the receipt and despatch of public messages between the hours of 10 A.M. and 4 P.M. daily :—

Oojeapoor.	Succra.
Kissenpoor.	

F. S. STANTON, *Lieut.-Col., R.E.*,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 11th November 1876.

No. 74.—The following Officers transferred to the Indus Valley State Railway were relieved of their duties on the Holkar and Neemuch State Railways on the dates noted against each :—

Mr. J. M. Campion, Assistant Engineer, 1st Grade,—on the afternoon of the 4th November 1876.

Mr. M. C. Mackinnon, Assistant Engineer, 1st Grade,—on the afternoon of the 4th November 1876.

Mr. W. A. Lesmond, temporary Assistant Engineer, 1st Grade,—on the afternoon of the 4th November 1876.

Lieutenant E. Balfe, Assistant Engineer, 2nd Grade,—on the afternoon of the 7th November 1876.

No. 75.—With reference to Notification No. 53, dated 11th August 1876, Mr. F. S. Homfray, Store-keeper, 2nd Grade, made over charge of the Store Magazine, Khundwa, to Mr. E. N. Homan, Store-keeper, 1st Grade, on the afternoon of the 8th November 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

DRAFTSMAN WANTED.

Wanted for the Office of the District Engineer, Rungpore, a thoroughly qualified Draftsman who can work from figured rough sketches. A native who can also compute will be preferred. Apply with testimonials and specimens of work (the latter will be returned) to Chairman, Road Cess Committee, Rungpore.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
Nov. 6th, 1876 ...	...	...	58,61,133	84,14,141	...
„ 7th „ ...	...	4,31,414	59,56,231	87,38,727	...
„ 8th „ ...	5,00,000	4,24,504	55,57,880	90,57,082	...
„ 9th „ ...	...	4,27,053	51,57,161	93,69,853	...
„ 10th „ ...	...	4,13,626	47,69,056	96,74,681	...
„ 11th „ ...	...	4,29,998	43,65,537	99,95,408	...

CALCUTTA MINT,
The 14th Nov. 1876.

J. F. TENNANT,
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
61	A. B 52—06401	...	10	... yed Booranoodeen, Madras.
62	... B 44—15013	...	100	... C. Subramani Sastry, Madura.
	„ —15014	...	100	...
	„ —15015	...	100	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
172	... B 42—42042	...	20	... T. Cotuppen, 13th M. N. I., Nellore.
173	B 40—30138	...	5	... V. Govinda Raju, Tindivanum.
174	... B 43—59947	...	50	... E. W. Baber, Esq., Dindigul.
	„ —59948	...	50	...
	„ —59949	...	50	...
175	... B 43—44540	...	50	... V. Tirukannah, Ettiapuram.
176	... B 50—26498	...	100	... Mahadavoo Rangasoobai, Madras.
177	... B 28—75962	...	500	... Banghy Shaik Ibrahim Saib, Madras.
31	... B 39—66050 wrongly joined.		5	... Mr. J. A. deRozario, Bombay.
	„ —66150 wrongly joined.			

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.;
The 6th November 1876.

D. KISSEN SING,
Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.		Value.	Name of Claimant.
		Rs.	
G 8—32289	...	20	... Mr. Oodhajee Damjee, Overseer, Indus Valley State Railway, Dadoo.
„ —32290	...	20	...

KURRACHEE.—Paper Currency Dept.;
The 6th November 1876.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
44	... M19—45187	... 10	... D. S. Rodrigus, Butler to Lieutenant-Colonel H. S. Anderson, Mhow.

NOTES PARTIALLY LOST OR DESTROYED.

131	... M18-12819	... 10	... Mr. T. W. B. Jefferies, Kurachi.
145	... C 99—76822	... 20	... Captain H. R. Young, 39th Regiment of Foot, Dagshai.
146	... M 5—98461	... 50	... Lieut.-Col. W. C. Lester, Political Agent, Sirdarpore, C. I.
147	... M18—53685	... 10	... Yar Mohomed, Bhendy Bazar, Bombay.
54	... C 81—72811 / „ —51586	... 10	... Rungeelal Jewlanath Moombadavee, Bombay.
55	... M23—07221 / M 5—14946	... 50	... Mr. L. A. DeSouza, Poona.
56	... C 48—88288 / „ —81463	... 20	... Casum Haji Mitha, Pydownee, Bombay.

BOMBAY,—Paper Currency Dept.; *The 7th November* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
51	... D 5—90058	...	20	... Bhawani Pershad, Jugadri, Punjab.
52	... D 7—68303	...	100	... Rullee Ram, Hoshyarpore.
53	... D 4—51654	...	50	... Ram Golam, Benares.

NOTES PARTIALLY LOST OR DESTROYED.

72	... D 10—68505	...	5	... Surgeon W. A. Duke, Chakrata.
	D 5—90359	...	20	...
73	... D 5—86118	...	20	... Bhugwan Dass, Rawalpindi.
74	... D 7—96520	...	100	... Mohomed Hayat and Hafeezoollah, Delhie.
75	... D 4—51648	...	50	... Herdeo Pershad, Lucknow.
24	... D 6—15694 / „ —15693	wrongly joined.	10	... Taruck Nath Mitter, Jelliapara, Bhawanipore.
25	D 5—76074 / „ —76076	ditto	20	... Mr. C. Sands, Cawnpore.
26	D 6—83774 / „ —83773	ditto	10	...
	„ —84747 / „ —71200	ditto	10	... Lalla Muthra Pershad, Allahabad.
	D 10—68146 / „ —23869	ditto	5	...

ALLAHABAD.—Paper Currency Office; *The 9th November* 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
53	... E 5—98684	... 20	... The Post Master General, Bombay.
54	... E 15—00885	... 50	... A. L. Home, Esq., Simla.
	„ —00886	... 50	...

NOTES PARTIALLY LOST OR DESTROYED.

17	... E 7—57185 / „ —57186	5	... Shunker Lal, Shahjehanpore.
81	... E 13—01867	... 100	... Mrs. H. McGarry, Lahore.
83	... E 12—10906	... 20	... E. F. Marriott, Esq., Ferozepare.

LAHORE,—Paper Currency Office; *The 11th November* 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
283	... L 82—41546	... 100	... Koonjee Lal Nanick Ram.
284	L 82—85322	... 100	... Mr. F. F. Chrestien.
	„ —85323	... 100	...
285	... L 82—73759	... 100	... Babu Tarini Churn Mitter.
286	... L 78—86619	... 20	... Babu Nundo Coomar Lal.
	„ —86620	... 20	...
	L 74—28197	... 10	...
287	... L 75—51328	... 10	... Babu Kirteebash Ghosal.
288	... L 61—09171	... 10	... Babu Sunkur Sahai.
	L 75—57299	... 10	...
	L 76—79581	... 10	...
	L 75—18105	... 10	...
	L 59—21575	... 10	...
289	L 74—02826	... 10	... Babu Bacharam Chatterjee.
	L 87—12969	... 10	...
	„ —12970	... 10	...
291	L 66—29827	... 50	... Babu Umbica Churn Sen.
	„ —39973	... 50	...

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
220	... L 58—96361 / A 96—45840	... 10	... Babu Gopal Chunder Paul.
221	... L 82—35176 / „ —35174	... 100	... Babu Muddun Gopaul.
222	... L 69—77051 / „ —02483	... 100	... Lieut. J. C. L. Campbell, R. E.
223	... A 21—32169 / „ —32162	... 10	... Babu Ram Moni Chuckerbutty.
224	... L 61—05388 / „ —03647	... 10	... Syed Abdool Hossein.
225	... L 33—32163 / „ —32161	... 10	... Fouzdar Khan.
226	... L 79—84184 / „ —84185	... 20	... Khoyroo Sirdar.
227	... L 74—33635 / L 86—91582	... 10	... Babu Bhugoban Kurmokar.
228	... L 33—69947 / „ —69946	... 10	... Mr. N. H. S. Isaw.
229	... L 21—56916 / L 22—14765	... 5	... Babu Hurry Mohun Dey.
322	... L 66—32231	... 50	...
	L 76—48745	... 10	... The Executive Engineer, Northern Delta Survey Division, Barrackpore.
	L 80—67675	... 20	...
	L 25—63491	... 5	...
	„ —65664	... 5	...
323	... L 20—33888	... 5	... Babu Probhat Chunder Chatterjee.
324	... L 24—36316	... 5	... Mr. W. Bell.
325	... L 82—79101	... 100	... Messrs. Gisborne & Co.
	„ 79102	... 100	...
326	... L 67—29410	... 50	... Babu Kally Mohan Das.
327	... L 66—27493	... 50	... Neamutoolla.
328	... L 81—03612	... 50	... Private Peasnell.
329	... L 69—85382	... 100	... Mr. J. Macdonald.
330	... L 86—34540	... 10	... Neamutoolla.
331	... L 58—59975	... 10	... Babu Audhor Chunder Mukerjee.
332	... L 10—13899	... 5	... Mr. W. Mathews.
333	... L 72—14517	... 10	... Mr. P. Alexander.
334	... A 62—99912	... 10	... Babu Chooney Lal Bose.
	„ —99908	... 10	...
335	... L 51—81860	... 100	...
	L 72—75440	... 10	...
	L 73—27834	... 10	... Babu Okhoy Ram Bhutter.
	L 43—34458	... 10	...
	L 71—73175	... 10	...
	L 57—02493	... 10	...
	... L 76—68626	... 10	... Babu Charu Chunder Banerjee.

CALCUTTA,—Paper Currency Office; *The 17th November* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Statement of the Affairs of the Bank of Bengal for the week ending 14th November 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,72,772	7	9
Public Deposits at Head Office ... 96,14,736 10 0 / Public Deposits at Branches ... 1,10,80,201 12 8	2,06,94,938	6	8
Other Deposits at Head Office and Branches	2,29,60,429	7	11
Bank Post Bills, &c.	3,67,386	12	11
Sundries	6,88,637	9	6
TOTAL ...	6,63,84,164	12	9

ASSETS.	Rs.	A.	P.
Government Securities	1,34,31,123	7	6
Loans on Government Securities, &c., at Head Office and Branches ...	62,34,761	13	3
Accounts of Credit on Government Securities, &c., at Head Office and Branches	50,87,006	12	11
Bills discounted and purchased at Head Office and Branches	1,76,07,931	2	7
Balances with other Banks ...	4,74,936	10	1
Bullion	10,082	0	9
Dead Stock	10,41,881	6	1
Stamps	11,303	1	8
Sundries	1,39,420	8	7
	4,40,38,446	15	5
Cash and Currency Notes at Head Office ... 1,00,37,106 3 1 / Cash and Currency Notes at Branches ... 1,23,08,611 10 3	2,23,45,717	13	4
TOTAL ...	6,63,84,164	12	9

By order of the Directors,

BANK OF BENGAL; *Calcutta, 16th November* 1876.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

STATEMENT *of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th November* 1876.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS of 1834-35.	of 1838-39.	of 1842-43.	of 1832-33.	of 1835-36.	4½ PER CENT. LOANS of 1854-55.	Transfer of 1865.	of 1870.	of 1871.	of 1872.	5 PER CENT. LOAN OF 1866-67.	4½ PER CENT. LOAN OF 1869-70.	5 PER CENT. DEBENTURES FOR 10 years. Repayable, June 1877.	5 PER CENT. DEBENTURES FOR 15 years. Repayable, June 1882.	TOTAL AMOUNT.
Balance of 31st October 1876	65,600	33,173	2,346	1,51,54,600	14,65,493	31,57,300	1,06,98,700	1,62,79,600	34,83,700	2,57,000	2,91,28,500	82,800	4,16,66,700	28,94,000	33,15,000	12,73,73,012
Add—																
Amount enfaced at Madras between 1st and 15th November 1876 ...	...	...	...	7,500	...	...	1,000	2,000	...	...	...	...	4,000	...	...	14,500
Amount enfaced at Bombay between 1st and 15th November 1876 ...	...	...	...	4,500	...	1,000	13,000	15,000	...	...	500	...	1,500	...	...	35,500
Amount enfaced at Calcutta between 1st and 15th November 1876 ...	...	...	...	18,500	...	...	...	19,500	...	...	...	...	7,16,500	...	...	7,54,500
	65,600	33,173	2,346	1,51,85,100	14,65,493	31,57,300	1,07,12,700	1,64,16,100	34,83,700	2,57,000	2,91,28,500	82,800	4,23,83,200	28,94,000	33,15,000	12,86,77,512
Deduct—																
Amount written off in the London Registers	...	...	...	1,42,300	...	...	29,000	1,68,200	6,000	...	43,500	...	2,53,500	1,000	...	6,62,500
Balance on 15th November 1876	65,600	33,173	2,346	1,50,42,800	14,65,493	31,57,300	1,06,83,700	1,62,47,900	34,78,700	2,57,000	2,90,85,000	82,800	4,21,35,200	28,93,000	33,15,000	12,80,15,012

NOTE.—From 9th June 1867 to 15th September 1876, enfaced from India, 2,353 lakhs; re-transferred from London, 2,404 lakhs.

„ 16th Sep.	1876 to 30th	„	2 „
„ 1st Oct.	„ to 15th October	„	2 „
„ 16th „	„ to 31st	„	3 „
„ 1st Nov.	„ to 15th Nov.	„	6 „
			2,363 lakhs.
			2,417 lakhs.
			2,363 „
	Balance against London ...		54 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 16th November 1876.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

31st October	1876	...	Rs.	1,66,25,677	3 2
2nd November	„	...	„	1,25,75,677	3 2
9th „	„	...	„	71,70,498	6 2
16th „	„	...	„	47,14,748	6 2

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
17th Nov. 1876.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 17th November 1876.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Hindostan* and *Argyll*, will be closed at the General Post Office on Saturday, the 18th November 1876, at 7 P. M.

Mails for Rangoon, Moulmein, and Straits, for transmission per Steamer *India*, will be closed at the General Post Office on Sunday, the 19th November 1876, at 7 P. M.

Mails for Chittagong, Akyab, and Kyouk-Phyoo, for transmission per Steamer *Moulmein*, will be closed at the General Post Office on Sunday, the 19th November 1876, at 7 P. M.

Mails for Madras, Ceylon, and the intermediate ports, Mauritius. Batavia, Singapore, and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Monday, the 20th November 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 21st November 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Africa*, will be closed at the General Post Office on Wednesday, the 22nd November 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 24th November 1876. By which the mails for Mauritius, St. Denis, and Réunion can be forwarded.

2. Book-post and pattern packets must be posted on the 23rd November 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 17th November 1876.

Allan, G.
Andrews, H.
Andrew, Walter.
Armstrong, J. P.
Bolton & Co., Messrs.
Brand, E. C.
Brink, P. R.
Burgess, W. A.
Burnett, John.
Carleton, Miss E.
Castle, Chas.
Chimoett, Miss R.
Condey, Mr.
Cooney, L.
Corke, Chas.
Dickson, C. A.
Ellis, J. E. S.
Gardener, Mrs. H.
Gardener, T. G.
Grey, Mrs. Laura.
Gregson, C.
Heather, Mrs.
Heron, E. E.
Hutcheson, Capt. C. C. D.
Jackson, Mrs. H. N.
Joseph, J.
McClury, W.
McDermote, Eugene.
Morgan, Mrs L.
Murphy, Bernard.
Murray, Mrs.
Nicolson, Miss.
O'Shaughnessy, D.
Owen, J.
Pereira, Manuel.
Phillips, C.
Pitt, W.
Power, Martin.
Rodrigues, M.
Rogers, W. C.
Russell, Mrs.
Scoffield, B.
Smith, James.
Soone, S.
Sullivan, Mr. M.
Templeton, Mrs. M. S.
Thomson, T. G.
White & Co., Messrs.
Williams, F.

Letters marked "Care of Post Office, to be kept till called for."

Agar, Henry.
Anderson, John.
Bailey, Frank.
Battye, Major H. D.
Birks, A. R.
Borthwick, Mrs.
Browne, D.
Bruse, Mr.
Buglioni, Alesandro.
Campbell, Mrs.
Carey, or Kelly, Engineer.
Cohen, M. B.
Court, John.
Dawson, Miss.
Doyle, Mrs. E.
Duncan, J. Hastings.
E. F. W.
Edmunds, A.
Findlay, Alfred.
Galloway, John.
Graham, G.
Hindmarsh, William.
Howey, E. W.
Isaac, M.
Ives, Richard J.
Johnson, Henry.
Kelly, W. P.
Le Comte A. de Monale.
Lewis, Chas.
Lovering, Geo. L.
Lyons, Thos. Mrs.
Mandslay, Lieut. E. R.
Meers, W.
Micheli Aristodenio, Signr.
Mitchell, J. W.
Munro, Major C. A.
Nemo.
O'Brien, T. H.
Orton, B.
Oxenham, T. H.
Palmer, Henry.
Panlopopla, W.
Raban, Jas.
Rabontean, Mr.
Rainer, P.
Rapemode, W. C.
Reed, J.
Reed, J. V. C.
Robinson, J. C.
Ryall, Capt.
Scott, Walter.
Sinclair, A.
Slawecki, T. Monsieur.
Stephens, Dr.
Stewart, Adam.
Stroesko, Michel.
Travis, Miss Ida.
Watt, Capt. J. R.
Webb, A.
Whyte, W. P.
Williams, T.
Willins, W. E. S.
Winkla, Patrick, Waller & Co.

Papers.

Anderson, John.
Croghan, W. G.
Duncan, J. Hastings.
Hollaud, H. O. H., Capt.
Ives, R. T.
Munro, Major C. A.

Registered Letters.

Bert & Co., R.
Corke, Charles.
Gonsalves, W.
Gregory, R. A.
Maitland, A. C.
Mandslay, E. R.
Oxenham, T. H.
Russell, Thos. R.
Weatherall, H. L.

Parcels.

Hughes, E. Pringle.
Syers, J. D.

W. ALPIN,
Offg. Post Master of Calcutta.

Publications for sale at the Bengal Secretariat Press.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Re. 2; postage, 2 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 10 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs.* 7-8; *postage, Re.* 1-4.

Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs.* 10; *postage, Re.* 1-2.

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price,* 8 *annas per copy, or including postage,* 10 *annas.*

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Rules for the Sale of Waste Lands. *Price,* 4 *annas, or including postage,* 5 *annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs.* 3; *postage,* 5 *annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper, with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs.* 8; *postage,* 11 *annas.*

A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs.* 3; *postage,* 6 *annas.*

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Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs.* 3; *postage,* 7 *annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st October 1876. *Price, Rs.* 3; *postage,* 8 *annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs.* 3; *postage,* 4 *annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs.* 6; *postage,* 5 *annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs.* 3-8; *postage,* 11 *annas.*

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

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West India Pilot. Vol. I ...	... „	3	0	0
West India Pilot. Vol. II ...	... „	6	0	0

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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs.* 3.

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H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

NOW READY,
Published by the Government of Bengal,
THE STATISTICAL REPORTER,
Vol. II, No. 6, *for November* 1876.

The Village Mahajun in Bengal.—Sea-borne Trade of Calcutta, September 1876.—River Traffic on the Bhagirathee River thirty years ago.—Lac Manufacture in Chota Nagpore.—The Carob Tree (Ceratonia Siliqua), with reference to its cultivation in India.—(By Mr. J. E. O'Connor, Assistant Secretary to the Government of India).—Agricultural Statistics of Patna.—Communications and Water-way in Jessore, Furreedpore, and Backergunge.—The Census of Calcutta, 1876—(by Mr. Beverley, C. S.) No. III.—Concluding remarks.—Infant Mortality in Calcutta.—(By Dr. A. J. Payne, Health Officer to the Justices).—Road Traffic between Bengal and Madras, 2nd quarter of 1876.—Statements of River Traffic in Bengal, district by district, during August 1876.—Vital Statistics, Bengal, during the month of August 1876.—Vital Statistics of the Town of Calcutta, September 1876.—Vital Statistics of the Suburbs of Calcutta, September 1876.—Statements of Bengal Railway Traffic during August 1876.—The Agricultural Returns of Great Britain, 1876.—The Merchant Shipping of the World, 1875.—The reduction in the price of imports into Great Britain, August 1876.—Shellac—(From L. W. Toulmin and Company's Weekly Circular, dated October 20th, 1876).

SUPPLEMENT:—The Rise and Growth of Calcutta; being the third part of a report on the Census of the Town of Calcutta, taken on the 6th April 1876, by H. Beverley, Esq., of the Bengal Civil Service.

Subsequent Numbers will issue on or about the 1st of each successive month.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 25, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 20th November 1876.

No. 30.—Mr. W. Williamson, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for six weeks under Section 21 of the Civil Leave Code, with effect from the forenoon of the 16th November 1876.

The 22nd November 1876.

Office opened during the month of October 1876.

Name of Station.	Where situated.	Date.	REMARKS.
Matheran ...	Bombay Presidency	1st	Re-opened.

The 23rd November 1876.

No. 31.—Mr. J. Burke, a Superintendent of the 3rd Grade, is granted subsidiary leave from 25th to 31st October 1876, both days inclusive, under Section 18 (*b*) of the Civil Leave Code, to enable him to rejoin appointment on return from furlough.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 23rd November 1876.

No. 53.—Mr. E. V. Mackay, 4th Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for two months, under Section 12, Supplement F of the Civil Leave Code, with effect from the 15th November 1876.

W. PALMER,
Examiner of Telegraph Accounts.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 18th November 1876.

Lieutenant-Colonel Adrian Deneys Vanrenen, Bengal Staff Corps, Deputy Superintendent of

Revenue Survey, 2nd Grade, returned from furlough, for five days' subsidiary leave from the 3rd to the 7th instant, inclusive, under Chapter V, Section 18 (*b*), of the Civil Leave Code.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Camp Saradna, the 17th November 1876.

No. $\frac{3868}{1879}$*G.*—With reference to this Office Notification No. 3133—1520G., dated the 15th November last, Captain J. H. L. Greenfield, 2nd-in-Command and Squadron Officer of the Deolie Irregular Force, returned from the privilege leave therein referred to on the 5th November 1876.

Camp Ajmere, the 18th November 1876.

No. $\frac{3898}{1907}$*G.*—Surgeon J. H. Newman will resume charge of his duties as Officer in medical charge of the Marwar and Jeysulmere Agency, from Surgeon-Major W. J. Moore, from the date on which he is relieved of his duties as Civil Surgeon of Ajmere by Surgeon-Major T. Murray.

C. K. M. WALTER,
Offg. Agent, Govr. Genl., for Rajputana.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 16th November 1876.

No. 1398.—Lieutenant E. L. Durand, Bengal Staff Corps, Political Assistant, 2nd Class, is granted five days' subsidiary leave from the 8th to 12th November 1876.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 16th November 1876.

No. 114.—Mr. W. D. Henry, Accountant, 4th Grade, transferred from the Military Works Branch to Punjab by Government of India, Public Works Department, Notification No. 420, dated 12th October 1876, was relieved of his duties in the Office of Examiner of Accounts, Military Works, on the afternoon of 4th November 1876.

The 18th November 1876.

No. 115.—Captain G. T. Maitland, S.C., Executive Engineer, I Allahabad Division, is transferred from 2nd to 3rd Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Camp Cawnpore, the 17th November 1876.

No. 44.—With reference to this Office Notification No. 57, dated the 3rd November 1876, Mr. W. Eckstien, Executive Engineer, rejoined the Allahabad Special Division, Military Works, on the 11th instant.

Lucknow, the 16th November 1876.

No. 64.—Mr. E. Cooke, Supervisor, 2nd Grade, is transferred from the Fyzabad Division, Military Works, to Allahabad Special Division, Military Works, and Sergeant G. Booley, Overseer, 1st Grade, from the latter to the former division. This transfer is made for the benefit of the public service.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 16th November 1876.

No. 51.—With reference to Inspector General of Military Works' Notification No. 87 of 11th August 1876, Mr. J. Hogan, Assistant Engineer, 2nd Grade, is posted to the Morar Division, Military Works, which he joined on the forenoon of the 13th instant.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Mily. Works.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATIONS.

Lahore, the 16th November 1876.

No. 1548.—Mr. W. B. Gray, temporary Assistant Examiner, posted to the Office of Examiner of Guaranteed Railway Accounts, Lahore, by Government of India, Public Works Department, Notification No. 438 of 30th October 1876, joined that office on the afternoon of the 11th November 1876.

CHARLES POLLARD, *Colonel, R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

Calcutta, the 22nd November 1876.

With reference to the Government of India, Public Works Department, Notification No. 438, dated the 30th October 1876, Mr. H. Rainier, Assistant Examiner of Guaranteed Railway Accounts to the Government of India at Calcutta, was relieved of his duties on the forenoon of 20th November 1876.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consulting Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 13th November 1876.

No. 183.—Mr. F. B. Walker, Executive Engineer, 2nd Grade, Holkar and Neemuch State Railways, is granted one year's furlough and subsidiary leave for thirty days, with effect from the 1st December 1876, or such subsequent date as he may avail himself of the same.

The 15th November 1876.

No. 184.—Mr. H. S. Harington, Assistant Engineer, 2nd Grade, Punjab Northern Railway, passed the colloquial examination in Hindustani on the 30th June 1876.

No. 185.—Mr. E. Behrmann, Assistant Engineer, 2nd Grade, Indus Valley State Railway, passed the colloquial examination in Hindustani on the 2nd October 1876.

The 16th November 1876.

No. 186.—With reference to Government of India, Public Works Department, Notifications Nos. 432 and 457 of the 23rd October and 4th November 1876, respectively, Captain F. Firebrace, R.E., relieved Captain K. C. Pye, R.E., of the charge of the Rajputana State Railway on the afternoon of the 14th November 1876.

The 17th November 1876.

No. 187.—Mr. G. Humfress, Assistant Engineer, 2nd Grade, Tirhoot State Railway, passed the colloquial examination in Hindustani on the 4th November 1876.

No. 188.—Mr. R. A. Way, temporary 1st Grade Assistant Engineer, is appointed to officiate as Executive Engineer of the Agra Division, Rajputana State Railway, until the arrival of Captain G. F. O. Boughery, R.E., or until further orders.

The 18th November 1876.

No. 189.—Mr. C. Cheyne, Superintending Engineer, temporary 1st Grade, Engineer-in-Chief, Holkar and Neemuch State Railways, is granted one month's privilege leave, with effect from the 1st December 1876, or such subsequent date as he may avail himself of the same.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 15th November 1876.

No. 58.—Babu Mahomed Dhumun Khan, Probationary Accountant, 4th Grade, attached to the Central Office of Accounts, is transferred to the Sambhur Division, Rajputana State Railway, *vice* Mr. L. Harrington, Accountant, 4th Grade, transferred to Central Office of Accounts.

The 20th November 1876.

No. 59.—Babu Greeja Bhoshun Mookerjee, Accountant, 3rd Grade, attached to the Central Office of Accounts, Rajputana State Railway, reported his return to duty on the forenoon of the 17th November 1876, from two months' privilege leave granted to him in Notification No. 48, dated 14th September last.

The 21st November 1876.

No. 60.—With reference to Director of State Railways' Notification No. 179 of 10th instant, Mr. W. M. Johnston, Assistant Traffic Superintendent, Rajputana State Railway, reported his departure to join the Tirhoot State Railway on the afternoon of the 16th instant.

FRED. FIREBRACE,
Offg. Manager.

SINDIA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 16th November 1876.

No. 29.—Babu Mahomed Dhumun Khan, Accountant, 4th Grade, on probation, late Agra Division of this Railway, is transferred to the Central Office of Accounts.

HORACE BELL,
Offg. Engineer-in-Chief.

Agra, the 22nd November 1876.

No. 30.—With reference to Director of State Railways' No. 2385E of 2nd instant, posting Mr. W. Michell, Assistant Engineer, 2nd Grade, to this line, this Officer reported his arrival at Agra on the afternoon of this date, and is posted temporarily to the Engineer-in-Chief's Office.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 13th November 1876.

No. 132.—Mr. E. Lewis, Accountant, 4th Grade, Office of Examiner of Accounts, is granted an extension of one month's privilege leave from the 17th November 1876.

No. 133.—Baboo Russick Lall Roy, Assistant Engineer, 2nd Grade, transferred to this line by Director of State Railways' Notification No. 164, dated 25th October 1876, reported his arrival at Mooltan on the forenoon of this date, and is posted to the Mooltan District.

The 15th November 1876.

No. 134.—Messrs. C. A. Bull, Executive Engineer, 3rd Grade, and W. B. Parkes, Assistant Engineer, 2nd Grade, transferred to this line by Director of State Railways' Notification No. 172, dated 3rd November 1876, reported their arrival at Mooltan on the forenoons of the 14th and 5th instant, respectively.

The 16th November 1876.

No. 135.—Mr. C. J. S. Baker, Assistant Engineer, 2nd Grade, posted to this line by Director of State Railways, reported his arrival at Mooltan on the forenoon of this date.

No. 137.—The following posting has been made by the Superintending Engineer, Mooltan District:—

Baboo Russick Lall Roy, Assistant Engineer, 2nd Grade, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 18th November 1876.

No. 157.—Mr. C. J. Williams and Private J. Morrison, Overseers, 1st Grade, left the Chenab Division, on transfer to the Indus Valley State Railway, on the forenoon of 8th November 1876.

No. 158.—With reference to Notification No. 156, dated 11th November 1876, Mr. C. J. Shaw, Executive Engineer, 1st Grade, is posted to the Bakrala Division, which division he joined on the forenoon of the 14th November 1876.

No. 159.—Mr. F. M. Averu, Executive Engineer, 2nd Grade, returned to duty from two months' privilege leave, granted to him by Notification No. 114, dated 30th September 1876, on the afternoon of the 9th November 1876.

No. 160.—Mr. C. E. S. Younghusband, Assistant Engineer, 2nd Grade, made over, and Mr. F. M. Averu, Executive Engineer, 2nd Grade, received charge of the Jhelum Division on the afternoon of 10th November 1876.

No. 161.—Mr. C. A. Bull, Executive Engineer, 3rd Grade, left this Railway for the Indus Valley State Railway, on transfer, on the afternoon of 6th November 1876.

No. 162.—Dharm Sing Sain, Apprentice Engineer, left this Railway for the Indus Valley State Railway, on transfer, on the forenoon of the 29th October 1876.

No. 163.—Mr. H. T. Geoghegan, Executive Engineer, 1st Grade, made over, and Mr. C. J. Shaw, Executive Engineer, 1st Grade, received charge of the Bakrala Division, on the forenoon of 15th November 1876.

ALEX. GRANT,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS—(Open Line).

NOTIFICATIONS.

Khandwa, the 15th November 1876.

Mr. A. Campbell, Accountant, 2nd Grade, attached to Examiner's Office, is granted forty-six days' privilege leave from 1st December 1876.

F. N. GUTERSLOH, *Offg. Manager,*
(Open Line),
Holkar and Neemuch State Railways.

Khandwa, the 21st November 1876.

With reference to Director's Notification No. 170, dated 3rd November 1876, Mr. F. H. Landon, Assistant Engineer, 1st Grade, reported his arrival at Khandwa on 27th October 1876.

W. S. S. BISSET, *Manager,*
(Open Line),
Holkar & Neemuch State Railways.

Commissariat Notice No. 9.

Sealed tenders for the supply of hospital clothing for men, women, and children at Darjeeling (Jullapahar) for one year, to commence from 1st April 1877, will be received by the Executive Commissariat Officer, Darjeeling, up to 4 P. M. of 15th December next, and opened at noon the next day, in presence of those who may choose to attend.

2. No tenders will be received except on forms obtainable from the Commissariat Office up to 9th December 1876.

3. For all particulars, apply to

W. R. BUNBURY, *Captain,*
Offg. D. A. C. General,
Executive Commissariat Officer.

DARJEELING,
EXE. COMMISSARIAT OFFICE;
The 19th October 1876.

Statement of the Affairs of the Bank of Bengal for the week ending 21st November 1876.

LIABILITIES.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0
Reserve Fund	16,72,762	7	9
Public Deposits at Head Office ... Rs. 82,97,566 11 9			
Public Deposits at Branches ... 1,02,54,774 11 6	1,85,52,341	7	3
Other Deposits at Head Office and Branches	2,57,89,393	6	3
Bank Post Bills, &c.	2,66,455	8	7
Sundries	7,18,466	9	3
TOTAL ...	6,69,99,419	7	1

ASSETS.	Rs.	A.	P.
Government Securities	1,34,82,510	1	6
Loans on Government Securities, &c., at Head Office and Branches ...	60,45,747	11	2
Accounts of Credit on Government Securities, &c., at Head Office and Branches	58,92,668	10	0
Bills discounted and purchased at Head Office and Branches	1,72,45,566	6	10
Balances with other Banks ...	4,88,932	0	6
Bullion	10,082	0	9
Dead Stock	10,42,729	9	7
Stamps	12,093	14	9
Sundries	1,41,707	15	4
	4,43,62,038	6	5
Cash and Currency Notes at Head Office ... Rs. 1,09,53,760 12 9			
Cash and Currency Notes at Branches ... 1,16,83,620 3 11	2,26,37,381	0	8
TOTAL ...	6,69,99,419	7	1

BANK OF BENGAL;
Calcutta, 23rd November 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
292	L 87—22832	10	The District Superintendent of Police, Purneah.
	,, —38476	10	
293	L 25—08479	5	Babu Haran Chunder Mukerjee.
	L 86—46529	10	
294	L 71—36728	10	Jaikaran Lall.
	L 24—07890	5	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
230	L 37—76196 to ,, —76198	20	Shaik Chundun.
231	L 77—36545 to ,, —36544	20	Komolaputh Chowbay.
232	L 44—15623 to ,, —15622	10	Babu Muti Lal Bose.
233	L 73—51186 to ,, —51187	10	Babu Gunga Gobind Sen.
234	L 57—39839 to ,, —39838	10	Babu Gopal Das Sen.
235	L 78—46716 to ,, —46717	20	Babu Gobind Chunder Nundy.
236	L 23—06797 to ,, —06795	5	Babu Trailokya Nath Burat.
237	L 39—57866 to ,, —57865	10	Chien Roop.
	L 1—57424 to ,, —57423	10	
	L 40—01475 to L 33—81545	10	
	L 21—52263 to L 23—11413	5	
	L 9—40711 to ,, —40710	5	
	L 11—08330 to ,, —08324	5	
	L 11—98618 to ,, —98617	5	
238	A 27—88762 to ,, —88761	20	Babu Ram Chundra Shaw.
220	A 96—45840 to ,, —45839	10	Babu Gopaul Chunder Paul.
337	L 48—78396	20	Mr. W. Weather.
	L 78—39810	20	
338	L 72—64357	10	Messrs. Hamilton & Co.
339	L 63—78977	20	Babu Kripanath Mozoomdar.
	L 64—66356	20	
	L 65—73921	20	
	L 40—10931	10	
340	L 74—71212	10	Mr. T. M. L. Thompson.
	L 43—53882	10	
	L 24—75737	5	
341	L 82—82213 to ,, —82217	100 each	Shokhee Chand.
342	L 87—33694	10	Babu Rakhal Dass Mullick.
343	L 7—63646	20	Hakeem Mooshtak Ahmed.
	,, —63663	20	
344	L 75—27279	10	Luchmon Acharjea.
345	L 82—80452	100	Babu Hurrendro Mohun Shaw.
346	L 66—33966	50	Babu Kedar Nath Gossain.
	L 75—41733	10	
347	L 82—97836	100	Babu Doorga Churn Shaw.
	,, —97837	100	
348	L 22—12506	5	Messrs. Beunertz & Co.

CALCUTTA,—Paper Currency Office;
The 24th November 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Nagpur Circle.

MUTILATED NOTE.

No. of Note.	Value. Rs.	Name of Claimant.
F 10—53018	100	Vidyadhur Daji, Abkari Darogah, Balaghat.

NAGPUR,—Paper Currency Office;
The 20th November 1876.

H. KEENE,
Asstt. to Depy. Accts. Genl., C. P., in charge of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
63	B 49—84105		10	Abdool Majeed Khan, Trichinopoly.
64	B 52—08843		10	Revd. W. W. Gilbert Cooper, Senior Chaplain, St. Thomas' Mount.
	„ —08844		10	
	„ —08845		10	
	„ —08846		10	
	„ —08847		10	
	„ —08848		10	
	„ —08849		10	
65	B 44—80777		100	Bezawadha Audinarayana Reddy, Nellore.
	„ —95583		100	G. Bauliah, Chicacole.
66	B 39—79241		5	

NOTES PARTIALLY LOST OR DESTROYED.

178	B 40—32249	5		Colonel H. Benson, Bangalore.
	„ —32250	5		
	„ —22251	5		
	„ —32252	5		
	„ —32253	5		
	„ —32254	5		
	„ —32255	5		
	„ —32256	5		
	„ —32257	5		
	„ —32258	5		
	„ —32259	5		
	„ —32260	5		
	„ —32261	5		
179	B 49—77157	10		Veerasawmy Moodelier, Vellore.
	B 35—94156	20		W. H. Glenny, Esq., C. S.
180	B 28—71429	500		G. Bauliah, Chicacole.
181	B 39—90240	5		Mr. J. E. Prout, Anantapore.
	B 40—07274	5		
	„ —17790	5		
182	B 39—97204	5		

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.; *The 13th November* 1876.

F. de H. LARPENT,
Offg. Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Calicut Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Note.		Value. Rs.	Name of Claimant.
J 5—66032		20	Abdool Nujger Khan, Inspector of Police, Trichinopoly.

NOTES PARTIALLY LOST OR DESTROYED.

J 6—89658 } „ —89659 }	wrongly joined.	10	Mr. G. Mariner, Telegraph Inspector, Ootacamund.
J 5—52091 } „ —55518 }	ditto	20	Mr. Richard Woolley, Wallajah Baugh, Madras.
J 3—92772 } „ —92773 }	ditto	100	Ganjam Ballapa, cloth merchant, Goondalpetta, Mysore.
J 5—66121		20	M. Verghese, Hospital Apprentice, Trichinopoly.
J 5—68519		20	I. Krishnasawmy Chetty, No. 26, Chungagada Bazar, Madras.

CALICUT.—Paper Currency Office; *The 10th November* 1876.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
55	E 6—85984		10	Roshan Khan, through the Deputy Commissioner, Gurdaspore.
56	E 15—00566		50	E. B. Medley, Esq., Executive Engineer, through the Manager, Agra Bank, Limited, Lahore.
	„ —00568		50	
	E 13—06376		100	

NOTES PARTIALLY LOST OR DESTROYED.

64	E 4—89941		50	W. Oldham, Esq., Ghazipore.
77	E 5—89936		20	W. Mathews, Esq., Custom Department, Wurcha.
	E 3—14387		100	
80	E 6—77972		10	Konwar Mal and Dasondhi Mal, Bankers, Rupar.
	E 12—25791		20	
	E 13—04447		100	
82	E 3—77535		100	Captain E. A. Money, Dera Ghazi Khan.

LAHORE.—Paper Currency Office; *The 18th November* 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.		Value. Rs.	Name of Claimant.
50	M24—60730		100	Captain Ernest Lindsay Marrayat, R. E., Marine Lines, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

148	M23—02491		50	Seekaram Buldeo, Bombay.
149	C 99—41838		20	Mr. S. A. Braganza, Bombay.
	M20—06608		20	
	M 4—83776		5	
	M 3—55184		5	

BOMBAY,—Paper Currency Dept.; *The 14th November* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
54	D 11—50343		10	Abdool Aziz, Sehore.
55	D 7—93840		100	Major P. C. Anderson, R. A., Allahabad.
	„ —94141		100	
	„ —95652		100	

NOTES PARTIALLY LOST OR DESTROYED.

76	D 10—43310		5	Dr. W. Watson, M. D., Cawnpore.
77	D 5—87144		20	Fateh Deen, Jhelum.
78	D 11—29428		10	Captain E. A. Money, Dehra Ghazi Khan.
79	A 18—26909		10	Chooney Lall Bose, Calcutta.
26	D 6—83774 } „ —83773 }	wrongly joined.	10	Mŭthra Pershad, Allahabad.
	D 6—84747 } „ —71200 }	ditto	10	
	D 10—68146 } „ —23869 }	ditto	5	
27	D 5—85589 } „ —85586 }	ditto	20	The Chief Pay Master, E. I. R., Calcutta.
28	D 10—68091 } „ —68097 }	ditto	5	Goury Churn Ghose, Calcutta.

ALLAHABAD.—Paper Currency Office; *The 17th November* 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for	Balance of Bullion: Under Assay.	Balance of Bullion: Assayed.	Balance of Bullion: Held on account of the Currency Department.
	Rs.	Rs.	Rs.	Rs.	Rs.
Nov. 13th, 1876 ...	...	4,40,629	39,52,087	1,03,26,169	...
„ 14th „ ...	...	4,34,586	43,04,227	1,06,39,457	...
„ 15th „ ...	7,50,000	4,25,260	39,06,187	1,09,54,038	...
„ 16th „ ...	...	4,38,267	35,03,389	1,12,73,956	...
„ 17th „ ...	...	4,26,983	31,02,682	1,15,82,305	...
„ 18th „ ...	...	4,28,998	27,00,048	1,18,82,006	...

CALCUTTA MINT, *The 20th Nov.* 1876.

J. F. TENNANT,
Offg. Mint Master.

Report of a Deserter from the E-11th Regiment of Royal Artillery, dated at Allahabad, this 17th day of November 1876.

Number, Rank, and Name,—5440, Driver Benjamin Laxton.
Age,—25 years, 2 months.
Size.—5 feet 4½ inches.
Color of—
Complexion, fresh; hair, brown; eyes, grey.
Date of Desertion,—16th November 1876.
Place of Desertion,—Allahabad.
Date of Enlistment,—18th November 1873.
At what Place Enlisted,—Liverpool.
Parish and County in which born,—Spulding, near Lincoln.
Marks,—None.
Trade,—Carter.
Coat or Jacket,—Serge Coat.
Waistcoat,—None.
Breeches or Trowsers,—Blue Trowsers.
REMARKS,—Absconded with Rs. 350; supposed to have left last night for Calcutta or Bombay.

P. C. ANDERSON, *Major*,
Comdg. E-11th R.A.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

23rd November 1876 ... Rs. 26,77,909 6 2

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA, *24th Nov.* 1876.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 18th November 1876.

During the absence on privilege leave of Lieutenant-Colonel G. C. Depree, Deputy Superintendent, No. 4, or North-Eastern Division, Central Provinces Topographical Survey, Mr. G. A. McGill, Surveyor, 2nd Grade, assumed temporary charge on the forenoon of the 6th instant.

H. L. THUILLIER, *Colonel, R.A.*,
Surveyor General of India.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 24th November 1876.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queens-

land, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 25th November 1876, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 26th instant, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Burmah*, will be closed at the General Post Office on Sunday, the 26th November 1876, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satarah*, will be closed at the General Post Office on Tuesday, the 28th November 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 28th instant, at 7 P. M.

Mails for Madras and Ceylon, for transmission per Steamer *Mongolia*, will be closed at the General Post Office on Monday, the 29th November 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 1st December 1876.

2. Book-post and pattern packets must be posted on the 30th November 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M

List of Unclaimed Letters lying in the Calcutta Post Office on the 24th November 1876.

Andrew, Walter.
Atkins, R. P. & Co. Messrs.
Barzilai, Signor Dr. C.
Burnett, John.
Burntside, S. A.
Castle, Chas.
Chimoett, Miss E.
Cooper, A. D.
Condey, Mr.
Corke, Chas.
Courtenay, Mrs. A. B.
Croghan, W. J.
Ellis, J. E. S.
Faithful, Miss G.
Gonsalves, C. L.
Gould, Michael.
Grey, Mrs. Laura.
Gregson, C.
Hammond, C. H.
Handley, J. H.
Hiles, A.
Hutcheson, Capt. C. C. D.
Jackson, Mrs. H. N.
LeGrand, W. J.
Leggett, Mrs. A. T.
Luces, C. J.
Matthews, Thos.
McClury, W.
McDermote, Eugene.
Murphy, Bernard.
O'Shaughnessy, D.
Owen, J.
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E. F. W.
Findlay, Alfred.
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Williams, T.
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Cayton, Geo.
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Munro, Major C. A.
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Registered Letters.

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H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

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Vol. II, No. 6, *for November* 1876.

The Village Mahajun in Bengal.—Sea-borne Trade of Calcutta, September 1876.—River Traffic on the Bhagirathee River thirty years ago.—Lac Manufacture in Chota Nagpore.—The Carob Tree (Ceratonia Siliqua), with reference to its cultivation in India.—(By Mr. J. E. O'Connor, Assistant Secretary to the Government of India).—Agricultural Statistics of Patna.—Communications and Water-way in Jessore, Furreedpore, and Backergunge.—The Census of Calcutta, 1876—(by Mr. Beverley, C. S.) No. III.—Concluding remarks.—Infant Mortality in Calcutta.—(By Dr. A. J. Payne, Health Officer to the Justices).—Road Traffic between Bengal and Madras, 2nd quarter of 1876.—Statements of River Traffic in Bengal, district by district, during August 1876.—Vital Statistics, Bengal, during the month of August 1876.—Vital Statistics of the Town of Calcutta, September 1876.—Vital Statistics of the Suburbs of Calcutta, September 1876.—Statements of Bengal Railway Traffic during August 1876.—The Agricultural Returns of Great Britain, 1876.—The Merchant Shipping of the World, 1875.—The reduction in the price of imports into Great Britain, August 1876.—Shellac—(From L. W. Toulmin and Company's Weekly Circular, dated October 20th, 1876).

SUPPLEMENT:—The Rise and Growth of Calcutta; being the third part of a report on the Census of the Town of Calcutta, taken on the 6th April 1876, by H. Beverley, Esq., of the Bengal Civil Service.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 2, 1876. {Register No. 33.

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

PART II.
Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.
The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

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E. J. DEAN,
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ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned estates having come under charge of this Office, all persons having claims upon, being indebted to, or holding property belonging to the said estates, are requested to place themselves in immediate communication with the undersigned:—

William Upton, a Sergeant in H. M.'s 85th Regiment, Light Infantry, and 1st Grade Inspector in charge of the Tounghoo Sub-Division of Telegraphs, Arrakan, died at Sandoway, British Burmah, on the 5th April 1876.

Frederick Robert Scarlett of Lahore, a British subject, died at Lahore, on the 30th August 1876.

Alexander Grant Lemsdon Raitt, an Assistant Engineer in the Public Works Department, Bombay Presidency, died at Khandwa, on the 14th June 1876.

Harold E. Garstin, an Assistant Superintendent in the Government Telegraph Department, died at Agra, on the 8th September 1876.

Fleetwood Hesketh Williams, a Captain in the General List of Infantry, Bengal Army, died at Shillong, Kasia Hills, on the 30th June 1876.

Thomas Wilson, formerly of Catherine Hall, in the University of Cambridge, Master of Arts, afterwards of Banks Hall near Barnley, in the county of York in England, but late of Leeds in the same county, died at Leeds in England, on the 1st January 1876.

Revd. James Baker Morewood, Chaplain of Morar, in the Central Provinces of India, died at Kangra, Dharmsala, in the Punjab, on the 27th July 1876.

William Quarry, a Civil Engineer, died at Tirhoot, on the 16th September 1876.

HIGH COURT, CAL., *The 25th Nov.* 1876. } F. S. COLLIS, *Offg. Administrator Genl.*

HIGH COURT.

NOTICE.—The post of a Sworn Examiner of Translations of Urdu and Persian Documents is vacant in the Privy Council Appeal Department of the High Court.

Candidates are requested to apply to the Registrar.

HIGH COURT, APPELLATE SIDE, *The 1st December* 1876. } W. M. SOUTTAR, *Registrar.*

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 30th November 1876.

No. 1219.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 9¼*d.* per rupee. Schedule 12 of the Tariff Table is therefore in force until further notice.

E. F. HARRISON,
Comptroller General.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 22nd November 1876.

No. 44.—Mr. P. Magrath, Sub-Engineer, 1st Grade, returned on the 7th November 1876 from two years' leave on medical certificate granted in Notification No. 55, dated 30th January 1875.

No. 45.—Mr. Magrath joined the Mhow Division, to which he has been posted on the forenoon of the 10th November 1876, and has been granted two days' subsidiary leave for the purpose.

No. 46.—Consequent on Mr. Magrath's return from leave, the following Upper Subordinates will revert to their substantive grades, with effect from the 10th November 1876:—

From Sub-Engineer, 1st Grade, to Sub-Engineer, 2nd Grade.

Baboo Yeknath Ramchunder.

From Sub-Engineer, 2nd Grade, to Sub-Engineer, 3rd Grade.

Mr. A. Porter.

From Supervisor, 1st Grade, to Supervisor, 2nd Grade.

Mr. J. B. Daly.

From Supervisor, 2nd Grade, to Overseer, 1st Grade.

Baboo Luchmun Pershaud.

No. 47.—Mr. J. Williams, Temporary Supervisor, 2nd Grade, has been granted twenty days' privilege leave from the 24th December 1876.

No. 48.—Bahal Roy, Temporary Overseer, 1st Grade, is granted one month's privilege leave from such date as he may avail himself of it.

No. 49.—Nilmoney Seal, Accountant, 4th Grade, attached to the Neemuch Division, availed himself, on the forenoon of the 13th November 1876, of the one month's privilege leave granted in Notification No. 41, dated 11th idem.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.

Camp Ajmere, the 23rd November 1876.

No. 3015*S.*—Messrs. J. Gregory and J. M. Span, Executive Engineers, respectively delivered over and received charge of the offices of the Erinpoora and Deesa and Aboo Divisions, on the forenoon of the 15th November 1876.

Mr. J. Gregory has been appointed Executive Engineer of the Mayo College Division.

By Order,
A. G. CROMMELIN,
Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

Mr. A. W. Croft, M.A., has been appointed to officiate as Registrar of the University, *vice* Mr. Sutcliffe, who has resigned.

The commencement of the Examinations for the Degrees of B.A. and B.L., has been postponed from Tuesday, the 2nd January, to Tuesday, the 9th January 1877.

SENATE HOUSE, *The 30th Nov.* 1876. } J. SUTCLIFFE, *Registrar.*

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 28th November 1876.

Major H. H. Godwin-Austen, Deputy Superintendent, 2nd Grade (returned from furlough), is granted subsidiary leave from the 16th to 19th November 1876, inclusive, under Chapter V, Section 18(*b*), of the Civil Leave Code, to enable him to rejoin his appointment.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

2nd Circle.

Camp Pachmarhi, the 23rd November 1876.

No. 58.—In continuation of this Office Notification No. 57, dated the 3rd instant, the four days' unexpired portion of Mr. LeLievre's leave is hereby cancelled.

Camp Cawnpore, the 28th November 1876.

No. 6*A.*—Privilege leave of absence for twenty days has been granted to Overseer, 2nd Grade, Pramessharee Dass, attached to the 1st Allahabad Division, Military Works.

No. 7*A.*—Lieutenant W. Peacocke, R.E., Assistant Engineer, 1st Grade, attached to the Lucknow Division, has been transferred to the 2nd Allahabad Division, Military Works, which he joined on the forenoon of the 21st instant.

The 29th November 1876.

No. 8*A.*—With reference to Inspector General's Notification No. 107, dated the 26th October 1876, Mr. J. McCarthy, Supervisor, 2nd Grade, reported his departure on the 24th November 1876.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 23rd November 1876.

No. 52.—Barrack Sergeant A. H. Pope, Bareilly Division, Military Works, is temporarily transferred to Meerut Division, Military Works, and reported his arrival at Delhi on the afternoon of the 2nd instant.

The 28th November 1876.

No. 53.—Privilege leave for three months is granted to Dowlut Ram, Overseer, 2nd Grade, Morar Division, Military Works, from the 15th December 1876.

R. TYNDALL, *C.E.,*
Supdg. Engr., 3rd Circle, Mily. Works.

7th Circle.

The 20th November 1876.

No. 2432.—With reference to Chief Engineer's Notification No. 2 of 30th October 1876, Mr. W. B. Bromley, C.E., took over charge of the II Chukrata Division from Lieutenant F. T. N. Spratt, R.E., on the forenoon of the 1st idem.

J. BIRNEY, *Major, R.E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 20th November 1876.

No. 190.—Mr. J. W. Buyers, Executive Engineer, 2nd Grade, Holkar and Neemuch Railways, returned on the 3rd November 1876 from the leave granted him in Director's Notification No. 59 of the 29th March 1876, and is granted three days' subsidiary leave.

The 23rd November 1876.

No. 191.—Mr. G. H. R. Deverell, Assistant Engineer, 3rd Grade, Indus Valley Railway, passed the colloquial examination in Hindustani on the 25th September 1876.

No. 192.—The under-mentioned Officers are transferred from the Punjab Northern to the Indue Valley Railway:—

Mr. C. J. Shaw, Executive Engineer, 1st Grade.
Mr. W. C. Hennessey, Executive Engineer, 4th Grade.

The 27th November 1876.

No. 193.—Sergeant C. Wickens, Supervisor, 2nd Grade, is transferred from the Northern Bengal to the Indus Valley Railway.

No. 194.—With reference to Government of India, P. W. D., Notification No. 401 of the 27th September 1876, Lieutenant-Colonel J. Bonus, R.E., took over charge of the Sindia Railway from Mr. H. Bell, on the afternoon of the 20th November 1876.

No. 195.—Mr. J. B. Chalmers, Assistant Engineer, 1st Grade, is appointed to officiate as Executive Engineer of the Shujabad Division, Indus Valley Railway, with effect from the afternoon of the 14th November 1876, during the absence of Captain J. B. Sparks on special duty.

No. 196.—With reference to Government of India, P. W. D., Notification No. 464 of the 20th November 1876, Lieutenant H. L. Wells, R.E., Assistant Engineer, 2nd Grade, is posted to the Northern Bengal Railway.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 25th November 1876.

No. 76.—Mr. Gunput Crishnajee, Overseer, 1st Grade, attached to Barnagar Division, Neemuch State Railway, returned to duty on 3rd November 1876, from the six weeks' privilege leave granted him in Notification No. 60, dated 13th September 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS—(Open Line).

NOTIFICATION.

Khandwa, the 27th November 1876.

No. 4.—Mr. E. N. Homan, Store-keeper, 1st Grade, reported his return on the 4th November 1876, from the privilege leave granted to him in this Office Notification of the 1st August 1876.

W. S. S. BISSET,
Manager (Open Line),
Holkar & Neemuch State Railways.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 25th November 1876.

No. 164.—With reference to Public Works Department Notification No. 438, dated 30th October 1876, transferring Mr. W. B. Gray, Temporary Assistant Examiner, to the Office of the Examiner, Guaranteed Railway Accounts, Lahore, this Officer was relieved of his duties in the Office of the Examiner of Accounts, Punjab Northern State Railway, on the afternoon of 11th November 1876.

No. 165.—Mr. C. J. Shaw, Executive Engineer, 1st Grade, made over, and Mr. H. T. Geoghegan, Executive Engineer, 1st Grade, received, charge of the Bakrala Division on the forenoon of the 17th November 1876.

No. 166.—Mr. T. McReddie, Supervisor, 1st Grade, Chenab Division, is allowed eighty days' privilege leave, with effect from the afternoon of the 9th November 1876.

No. 167.—Mr. J. N. Robinson, Sub-Engineer, 3rd Grade, Chenab Division, returned to duty from the privilege leave granted to him by Notification No. 100, dated 26th August 1876, on the forenoon of the 17th November 1876.

No. 168.—Mr. F. Russel, Supervisor, 1st Grade, is transferred from the Jhelum Division to the Ravi Division. He left the former on the forenoon of the 16th November 1876, and joined the latter on the afternoon of the same date.

ALEX. GRANT,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 22nd November 1876.

No. 241.—Mr. S. Finney, Assistant Engineer, 2nd Grade, temporarily attached to the Office of the Engineer-in-Chief, joined the Northern Division on the forenoon of the 15th November 1876.

No. 242.—Mr. J. W. Parry, Assistant Engineer, 2nd Grade, reported his arrival on the afternoon of the 17th November, and is posted to the Assam Railway Survey.

The 24th/28th *November* 1876.

No. 243.—With reference to Notifications Nos. 225 and 227 of 25th October 1876, Baboo Mohendro Nauth Chatterjee, Accountant, 4th Grade, returned from privilege leave and joined the Southern District Store Office on the forenoon of the 14th November.

No. 244.—With reference to Notification No. 227 of 25th October, Baboo Shurut Chunder Mookerjee, Accountant, 4th Grade, joined the North District Store Depot, Saidpur, on the forenoon of 21st November 1876.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 24th November 1876.

No. 61.—Captain G. F. O. Boughey, R.E., Executive Engineer, 2nd Grade, reported his arrival at Agra on the forenoon of 21st November 1876, from two years' furlough granted to him in G. G. O. No. 141, dated 5th February 1875.

The 27th November 1876.

No. 62.—Mr. R. N. Burn, Temporary Deputy Examiner of Accounts, Rajputana State Railway, availed himself of privilege leave granted to him in Government of India, Public Works Department, Notification No. 428 of 19th October 1876, on the forenoon of the 26th ultimo.

The 28th November 1876.

No. 63.—With reference to Government of India, Public Works Department, Notification No. 478, dated 24th November 1876, Babu Grija Bhushun Mookerjea, Accountant, 3rd Grade, was relieved of his duties in the Central Office of Accounts, Rajputna State Railway, on the forenoon of the 21st November 1876.

No. 64.—Babu Mukhun Lall Bose, Accountant, 4th Grade, Ajmere Division, Rajputana State Railway, returned to duty on the forenoon of the 24th instant, from three weeks' privilege leave granted to him in Nctification No. 55 of 9th current.

No. 65.—Captain G. F. O. Boughey, Executive Engineer, 2nd Grade, received, and Mr. R. A. Way, Assistant Engineer, 1st Grade, made over, charge of the Agra Division on the forenoon of 25th instant.

FRED. FIREBRACE,
Offg. Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 20th November 1876.

No. 138.—Mr. C. W. Hodson, Assistant Engineer, 2nd Grade, transferred to this line by Director of State Railways' Notification No. 164 of 25th October 1876, reported his arrival at Mooltan on the forenoon of 17th instant.

No. 139.—Messrs. J. M. Campion, Assistant Engineer, 1st Grade, and W. A. Lesmond, Assistant Engineer, Temporary 1st Grade, transferred to this line by Director of State Railways' Notification No. 176 of 7th November 1876, reported their arrival at Kurrachee on the afternoon of 13th instant. Mr. Campion is posted to the Upper Sind District.

No. 140.—Lieutenant E. Balfe, Assistant Engineer, 2nd Grade, transferred to this line by Director of State Railways' Notification No. 178 of 8th November 1876, reported his arrival at Kurrachee on the afternoon of 13th instant.

The 21st November 1876.

No. 141.—Baboo Lall Behary Gangooly, Accountant, 4th Grade, Office of Examiner of Accounts, is granted three months' privilege leave from 20th November 1876, or such subsequent date as he may be permitted to avail himself of it.

No. 143.—The following posting and transfers have been made by Superintending Engineers:—

Lieutenant H. S. F. Haynes, R.E., Assistant Engineer, 1st Grade, to the office of Superintending Engineer, Lower Sind District.

* * * *

M. RAYNE,
Engineer-in-Chief.

NOTICE.

Required for the Office of the Executive Engineer, 1st Peshawar Division, Military Works, a Draftsman, salary Rs. 60, rising to Rs 80, in five annual increments. Copies of testimonials to accompany application.

JOHN T. WRIGHT, *Lieut., R.E.,*
Executive Engineer,
1st Peshawar Divn., Mily. Works.

DRAFTSMAN WANTED.

Wanted for the Office of the District Engineer, Rungpore, a thoroughly qualified Draftsman who can work from figured rough sketches. A man who can also compute will be preferred. Apply with testimonials and specimens of work (the latter will be returned) to Chairman, Road Cess Committee, Rungpore.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered. Estimated value.	Certificates issued for Rs.		Balance of Bullion		
		On the Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1876.	Rs.			Rs.	Rs.	Rs.
Nov. 20	...	4,29,085	...	22,97,196	1,21,11,376	...
" 21	...	4,29,160	...	18,94,421	1,23,29,991	...
" 22	...	4,37,670	...	14,83,759	76,55,290	50,00,000
" 23	...	4,25,890	...	10,58,561	77,71,139	50,00,000
" 24	...	2,78,833	1,52,045	6,54,283	78,[illegible],593	51,42,584
" 25	...	...	4,28,134	2,52,789	76,56,225	55,44,029

CALCUTTA MINT, *The 27th Nov.* 1876.

J. F. TENNANT,
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are [illegible] have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.		Value. Rs.	Name of Claimant.
56	... L 47—31014	...	20	... Mouzooddeen, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
81	... D 10 - 75005	...	5	... Mr. W. Mathews, Shahpur.
82	... D 5—93019	...	20	... Govind Rao Goray, Allahabad.
83	... D 10—27396	...	5	... Messrs. J. W. Spence & Co., Madras.
	27395	...	5	...
29	... L 49—89891 wrongly joined.		50	... Lieutenant H. Dove, R.E., Meerut.
	" —88582			
30	... D 4—26506 ditto	...	50	... Muthra Pershad, Allahabad.
	" —26505			

ALLAHABAD.—Paper Currency Office; *The 23rd November* 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
57	... E 13—00603 ...	100	... Munsa Ram, Chief Court, Panjab, Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
29	... E 7—73017 ...	5	... Mr. J. H. G. Lockner, Allahabad.
85	... E 6—13601 ...	10	... Ruttee Ram & Co., Futtehgurh.

LAHORE.—Paper Currency Office; *The 24th November* 1876.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No. 1876.	No. of Notes.		Value. Rs.	Name of Claimant.
122	... M 16—79805	...	10	... Major C. C. Scott-Monorieff, R.E., Meerut, N. W. Provinces.
[illegible]	... M 2—83405	...	5	... Gunputtee Ramjie, Tailor, Poonah.
135	... M 19—11099	...	10	... Shaik Futteh Uddeen of Khandeish.
159	... M 24—63079	...	100	... Jamsedjee Nowrojee, Padrawak, Baroda.
	M 2—27173	...	20	...
	C 99—85414	...	20	...
160	... M 21—83485	...	10	... M. J. Pack, 134, Parell Chall Road, Bombay.
161	... C 70—90813	...	500	... Bhaujee Sivjee, Holi Chukla, Fort Bombay.
	M 19—20104	...	10	...
162	... M 27—03788	...	10	...
	C 97—84294	...	10	...
	M 21—26074	...	10	...
	" —48334	...	10	...
	M 18—70501	...	10	...
	M 19—83847	...	10	... J. Johnston, R. Scott & Co., Gurgaum, Bombay.
	" —27937	...	10	...
	M 20—23602	...	10	...
	M 4—99315	...	5	...
	" —99316	...	5	...
	" —99313	...	5	...
57	... M 18—90264 wrongly joined.		10	... Versey Vulley, Mandvi Bunder, Bombay.
	M 19—93270			
58	... C 78—55301 ditto		20	...
	" —55302			
	C 98—03147 ditto		10	... Damodar Gocaldoss, Messrs. Lyon & Co., Bombay.
	" —03234			
59	... M 3—80286 ditto	...	5	... Ritchie, Stewart & Co., Bombay.
	" —80289			
60	... M 18—89558 ditto	...	10	... Joonas Nathoo, P. L. Southern & Co., Bombay.
	" —89552			

BOMBAY.—Paper Currency Dept.; *The 21st November* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.		Value. Rs.	Name of Claimant.
J 3—96520	...	100	... Goram Soobrama Sastry, Poothoor Amshum, Palghaut.
" —96521	...	100	
J 6—82963	...	10	... V. Gavinda Rajoo Moodeliar, Accountant, D. P. W. [illegible]

CALICUT.—Paper Currency Office; *The 22nd November* 1876.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
67	... B 49—85391	... 10	... A. S. Pennagapany Moodliar, Paumben.
68	... B 49—23509	... 10	... Mr. P. Saldanha, Carwar.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
183	... B 39—08441	... 5	... B. Raghavendra Row, Bellary.
	B 49—20542	... 10	...
	„ —53757	... 10	...
184	... B 44—60162	... 100	... L. Vencataramana Chetty and Veeraragaven Chetty, Salem.
	B 50—29046	... 100	...
185	... B 50—07096	... 100	... Gangojee Row, Chudderghaut.
	„ —23388	... 100	...
186	... B 49—32983	... 10	... Major Sherman, Pondicherry.
	B 42—50293	... 20	...
187	... B 42—23435	... 20	... Cudlabaula Rachapa, Hampsagur.
188	... B 49—92931	... 10	... D. Hanumanta Row, Bangalore.
189	... B 40—20176	... 5	... Captain A. T. Woodhouse, Secunderabad.
	B 49—76347	... 10	...
190	... B 50—33468	... 100	... Eduljee Nowrosjee Joshee, Bombay.
32	... B 42—15751 wrongly joined.	20	... C. Ragavooloo Chetty, Madras.
	„ —34954 wrongly joined.		

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 20th November 1876.

F. de H. LARPENT,
Offg. Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
296	L 88—01279	... 10	... Babu Hurra Kristo Singha.
	„ —48373	... 10	...
297	... L 83—01708	... 100	... Ram Narain Marwaree.
298	... L 81—27763	... 50	... Babu Jodoo Nath Banerjee.
300	... L 51—31622	... 100	... Babu Kamickha Nath Bose.
301	... L 80—89896	... 20	...
	„ —75731	... 20	...
	„ —08117	... 20	...
	„ —78265	... 20	...
	„ —78266	... 20	...
	„ —78272	... 20	...
	„ —78273	... 20	...
	„ —78274	... 20	...
	„ —49120	... 20	...
	L 87—70502	... 10	...
	„ —70503	... 10	...
	„ —70504	... 10	...
	„ —70505	... 10	...
			... The District Superintendent of Police, 24 Pergunnahs, Alipore.
302	... L 82—77261	... 100	... The Post Master General of Bengal.
305	... L 87—32876	... 10	... Babu Koonjo Behari Ghosh.
306	... L 81—32531	... 50	... Babu Rakhal Das Shaw.
307	... L 82—06560	... 100	... Babu Hridoya Krishna Ghose.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
239	... L 57—45667	... 10	... Abdool Hameer.
	„ —45668		
240	... L 16—48464	... 5	...
	L 15—71664		
	L 15—41205	... 5	... Bulloram Dass Brojorutton Dass.
	„ —41206		
	L 9—11163	... 5	...
	L 11—06317		
241	L 17—78861	... 5	... Babu Kedar Nath Dutt.
	„ —78859		
243	... L 36—32826	... 20	...
	„ —32821		
	L 34—61173	... 10	... Rai Luchmiput Sing, Bahadoor.
	E 6—77153		
	L 15—88750	... 5	...
	„ —88749		
244	... L 1—98644	... 10	...
	„ —98645		
	A 96—29511	... 10	... Mr. F. C. Rogers.
	„ —29512		
245	... A 66—77408	... 10	... Shumbhoo Ram Trilock Chand.
	A 67—97092		
246	... A 52—41968	... 20	... Babu Dwarkanath Seal.
	„ —41964		

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED—*continued.*

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
247	... L 20—68506	... 5	...
	„ —68507		
	L 17—10473	... 5	... Babu Poorno Chunder Koondoo.
	„ —10474		
	L 9—47214	... 5	...
	„ —47241		
	L 15—53297	... 5	...
	„ —53296		
248	... A 79—17426	... 10	...
	„ —17427		
	A 96—73936	... 10	...
	„ —73934		
	L 42—14876	... 10	... Dya Chand Marwaree.
	„ —14872		
	L 9—95984	... 5	...
	„ —95985		
	L 23—47926	... 5	...
	„ —47925		
250	... L 62—37050	... 10	... Syed Komoralli.
	„ —37052		
251	... L 61—82778	... 10	... Babu Joykristo Bose.
	„ —82779		
349	... L 20—54579	... 5	... Bulloram Das
	L 9—94303	... 5	... Brojorutton Das.
350	... L 25—10385	... 5	... Babu Karrai Lal Moonshi.
351	... A 7—49195	... 10	... Mr. J. Litchfield.
352	... A 59—26731	... 100	... Babu Shumbhoo Nath Ghosh.
353	... L 63—85850	... 20	... Dabee Dat.
354	... L 78—68561	... 20	... Kanwar Mull and Dusoondhi Mull.
	L 65—10016	... 20	...
355	... L 16—14579	... 5	... Babu Rajnarayan Sircar.
356	... L 24—20216	... 5	...
	„ —20219	... 5	... Babu Makhan Lal.
	„ —20220	... 5	...
	„ —20221	... 5	...
357	... L 72—81590	... 10	... Mahomed Alli.
358	... A 84—05647	... 100	... Kally Pershad.
359	... L 36—94790	... 20	... Babu Shib Lal Sah.
360	... L 9—35431	... 5	... Babu Rajnarain Das.
361	... L 16—91166	... 5	... Babu Janokey Nath Banerjee.
362	... L 75—41246	... 10	... Babu Chandra Sekhur Banerjee.
363	... L 61—96001	... 10	... Mr. R. J. Sharman.
364	... L 23—16951	... 5	... Babu Soobul Das Mullick.

CALCUTTA,—Paper Currency Office;
The 1st December 1876.

R. B. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Statement of the Affairs of the Bank of Bengal for the week ending 28th November 1876.

LIABILITIES.		Rs.	A.	P.
Capital paid up	...	2,00,00,000	0	0
Reserve Fund	...	16,72,762	7	9
	Rs. A. P.			
Public Deposits at Head Office ...	73,90,655 9 9			
Public Deposits at Branches ...	1,00,05,037 9 1	1,73,95,693	2	10
Other Deposits at Head Office and Branches ...	...	2,55,51,618	4	7
Bank Post Bills, &c.	...	2,88,917	8	6
Sundries ...	...	7,32,543	10	0
TOTAL	...	6,56,41,535	1	8

ASSETS.		Rs.	A.	P.
Government Securities ...	...	1,35,36,932	13	6
Loans on Government Securities, &c., at Head Office and Branches ...		58,56,847	11	2
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...	...	39,14,579	13	6
Bills discounted and purchased at Head Office and Branches ...	...	1,49,08,898	7	11
Balances with other Banks	...	6,29,077	1	7
Bullion ...	...	10,082	0	9
Dead Stock ...	...	10,43,055	0	7
Stamps ...	...	12,061	14	1
Sundries ...	...	1,41,908	7	3
		4,00,53,438	4	6
Rs. A. P.				
Cash and Currency Notes at Head Office ... 1,25,24,567 9 4				
Cash and Currency Notes at Branches ... 1,30,63,529 3 10		2,55,88,096	12	2
TOTAL	...	6,56,41,535	1	8

By order of the Directors.

BANK OF BENGAL;
Calcutta, 30th November 1876.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

30th November 1876 ... Rs. 4,34,359-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
30th Nov. 1876.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 1st December 1876.

Mails for Rangoon, Moulmein, Straits, Port Blair and Camorta, for transmission per Steamer *Busheer*, will be closed at the General Post Office on Sunday, the 3rd December 1876, at 7 P. M.

Mails for Chittagong, Akyab, Kyouk-Phyoo and Sandoway, for transmission per Steamer *Moulmein*, will be closed at the General Post Office on Sunday, the 3rd December 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 5th December 1876, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 6th December 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 8th December 1876.

2. Book-post and pattern packets must be posted on the 7th December 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 1st December 1876.

Agiann, R. S., Signr.
Andrew, Walter.
Aylcott, Mrs. J.
Bellanger, Mons. B.
Bradwell, R.
Buchanan, P. R.
Castle, Chas.
Cooper, A. D.
Condey, Mr.
Courtenay, Mrs. A. B.
Culpin, J.
Davison, T. M.
Ellis, J. E. S.
Hammond, C. H.
Hiles, A.
Jackson, Mrs. H. N.
Joseph, J.
Leggett, Mrs. A. T.
Lucas, C. J.
Manson, Miss.
O'Shaughnessy, D.
Pereira, Manuel.
Phillips, Mrs. K.
Prieur, Capt. E.
Rogerson & Co., W.
Russell, Mrs.
Russell, W. A., & Co., Messrs.
Smith, James.
Stephen, E. C., Mrs.
Williams, F.
Wilson, R.

Letters marked "Care of Post Office, to be kept till called for."

Bailey, Frank.
Barwise, J. W.
Battye, Major H. D.
Berlowitz, H. W.
Borthwick, Mrs.
Browne, D.
Bruse, Mr.
Buglioni, Alesandro.
Carey or Kelly, Engineer.
Cohen, M. B.
Court, John.
Crentzberg, Chas., Mons.
Dawson, Miss.
DeCruze, D. H.
Duncan, J. Hastings.
E. F. W.
Evans, J. H.
Findlay, Alfred.
Galloway, John.
Graham, C.
Hamilton, Dr. H.
Hartley, Sir Charles A.
Hindmarsh, William.
Huguenot, M.
Isaac, M.
Johnson, Henry.
Kelly, W. P.
Laurie, A. C.
Le Comte A. de Monale.
Lewis, Chas.
Littlewood, J. H.
Lovering, Geo. L.
Lyons, Mrs. Thos.
MacIntyre, A.
Mandslay, Lieut. E. R.
Micheli Aristodenio, Signr.
Mitchell, J. W.
Munro, Major C. A.
Nemo.
O'Brien, T. H.
Orton, B.
Oxenham, T. H.
Palmer, Henry.
Panloplopla, W.
Ragg, W. L.
Rapemode, W. C.
Reed, J.
Reed, J. V. C.
Reid, J. R.
Roberts, A.
Ryall, Capt.
Scott, Walter.
Shutz, J.
Sinclair, A.
Slawecki, Monsieur T.
Stephens, Dr.
Stroesko, Michel.
Travis, Miss Ida.
Watt, Capt. J. R.
Webb, A.
Whyte, W. P.
Williams, T.
Willins, W. E. S.

Papers.

Cayton, Geo.
Duncan, J. Hastings.
Galloway, John.
Holland, Capt. H. O. H.
Kelly, W. P.
Mandolay, Lieut. E.
Munro, Major C. A.
Roberts, A.

Registered Letters.

Bert & Co., R.
Corke, Charles.
Gonsalves, W.
Gregory, R. A.
Maitland, A. C.
Mandslay, E. R.
Oxenham, T. H.
Rowcliffe, R. H.
Russell, Thos. R.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

Terms of subscription, payable annually in advance.

	Without Postage.	With Postage.
For the CALCUTTA SERIES ...	Rs. 35	Rs. 40
„ MADRAS SERIES ...	„ 8	„ 9
„ BOMBAY SERIES ...	„ 8	„ 9
„ ALLAHABAD SERIES ...	„ 8	„ 9
Complete set	„ 45	„ 50

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Just published.

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The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st October 1876. *Price, Rs. 4; packing and postage, 8 annas.*

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The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

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Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs.* 10; *postage, Re.* 1-2.

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Subscribers to the *Calcutta Gazette* and the *Bengali Gazette* are hereby informed that unless a remittance in full for the amount of their subscription for the year 1877 is received before the 31st December 1876, no further copies of either Gazette will be forwarded to them from the 1st January 1877, the terms of subscription being strictly in advance. All remittances should be made to the Accountant, Bengal Secretariat.

H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

NOW READY,
Published by the Government of Bengal,
THE STATISTICAL REPORTER,
Vol. II, No. 6, *for November* 1876.

The Village Mahajun in Bengal.—Sea-borne Trade of Calcutta, September 1876.—River Traffic on the Bhagiruthee River thirty years ago.—Lac Manufacture in Chota Nagpore.—The Carob Tree (Ceratonia Siliqua), with reference to its cultivation in India.—(By Mr. J. E. O'Connor, Assistant Secretary to the Government of India).—Agricultural Statistics of Patna.—Communications and Water-way in Jessore, Furreedpore, and Backergunge.—The Census of Calcutta, 1876—(by Mr. Beverley, C. S.) No. III.—Concluding remarks.—Infant Mortality in Calcutta.—(By Dr. A. J. Payne, Health Officer to the Justices).—Road Traffic between Bengal and Madras, 2nd quarter of 1876.—Statements of River Traffic in Bengal, district by district, during August 1876.—Vital Statistics, Bengal, during the month of August 1876.—Vital Statistics of the Town of Calcutta, September 1876.—Vital Statistics of the Suburbs of Calcutta, September 1876.—Statements of Bengal Railway Traffic during August 1876.—The Agricultural Returns of Great Britain, 1876.—The Merchant Shipping of the World, 1875.—The reduction in the price of imports into Great Britain, August 1876.—Shellac—(From L. W. Toulmin and Company's Weekly Circular, dated October 20th, 1876).

SUPPLEMENT:—The Rise and Growth of Calcutta; being the third part of a report on the Census of the Town of Calcutta, taken on the 6th April 1876, by H. Beverley, Esq., of the Bengal Civil Service.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 9, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT.

NOTICE.—The post of a Sworn Examiner of Translations of Urdu and Persian Documents is vacant in the Privy Council Appeal Department of the High Court.

Candidates are requested to apply to the Registrar.

HIGH COURT, APPELLATE SIDE, *The 1st December* 1876. } W. M. SOUTTAR, *Registrar.*

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 5th December 1876.

Offices opened and closed during the month of November 1876.

Name of Station.	Where situated.	Date.	REMARKS.
Delhi Imperial Assemblage Camp.	Punjab ...	16th	Opened.
Gunesh Khind*...	Bombay Presidency	17th	Closed.
Kalka* ...	Punjab ..	14th	Ditto.
Matheran* ...	Bombay Presidency	30th	Ditto.
Parell* ...	Ditto ...	17th	Re-opened.
Sheagaum* ...	West Berars ...	16th	Ditto.
Wudwan ...	Bombay Presidency	11th	Closed.
Wurdha* ...	West Berars ...	17th	Re-opened.

* Season Offices.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

BANK OF BENGAL.

Calcutta, the 6th December 1876.

Notice is hereby given that the Bank of Bengal, and Public Debt Office will be closed on Monday, Tuesday, Wednesday, and Saturday, the 25th, 26th, 27th, and 30th December, and on Monday and Tuesday, the 1st and 2nd January next.

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

THE HEAD COMMISSIONER OF THE DEPARTMENT OF ISSUE, CALCUTTA.

Calcutta, the 5th December 1876.

NOTICE.—It is hereby notified that the Calcutta Currency Office will be closed on Monday, Tuesday, Wednesday, and Saturday, the 25th, 26th, 27th, and 30th of December, and on Monday and Tuesday, the 1st and 2nd of January next.

E. F. HARRISON,
Head Commissioner.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATIONS.

Port Blair, the 20th November 1876.

No. 142.—Surgeon G. A. Dundas is granted three months' privilege leave, with effect from the 27th instant.

No. 143.—Second Class Assistant Apothecary J. Peters is granted three months' privilege leave, with effect from the 27th instant.

The 25th November 1876.

No. 8.—APPOINTMENTS.—With reference to Home Department Notifications Nos. 241 and 243, dated 13th September 1876, the following promotions are made with effect from the 27th instant, the date on which Major General C. A. Barwell avails himself of privilege leave:—

Captain R. J. Wimberley, 1st Assistant Superintendent, Andaman and Nicobar Islands, to officiate as Deputy Superintendent.

Captain W. B. Birch, 2nd Assistant Superintendent, to officiate as 1st Assistant Superintendent.

Mr. E. H. Man, 3rd Assistant Superintendent, to officiate as 2nd Assistant Superintendent.

Mr. F. A. deRoepstorff, Extra Assistant Superintendent, 1st Class, to officiate as 3rd Assistant Superintendent.

Mr. F. E. Tuson, Extra Assistant Superintendent, 2nd Class, to officiate as Extra Assistant Superintendent, 1st Class.

C. A. BARWELL, *Major-Genl.,*
Chief Commr. and Supdt., Andaman and Nicobar Islands.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

Mr. A. W. Croft, M.A., has been appointed to officiate as Registrar of the University, *vice* Mr. Sutcliffe, who has resigned.

The commencement of the Examinations for the Degrees of B.A. and B.L., has been postponed from Tuesday, the 2nd January, to Tuesday, the 9th January 1877.

SENATE HOUSE, *The 30th Nov.* 1876. } J. SUTCLIFFE, *Registrar.*

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 2nd December 1876.

No. 1478.—Lieutenant-Colonel J. D. Hall, 2nd Regiment, Central India Horse, is granted thirty days' privilege leave from 1st December 1876.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Camp Jeypore, the 30th November 1876.

No. $\frac{4214}{2000}$*G.*—The following Station Orders, dated 18th November 1876, issued by Colonel H. L. Campbell, Commanding at Deolie, are confirmed:—

Agreeably to Station Order No. 108, dated 31st October 1876, Surgeon-Major F. W. A. DéFabeck, Deolie Irregular Force, has reported his departure to Ajmere on duty.

Surgeon-Major R. Mantell, 9th Bengal Cavalry, will take over medical charge of the Deolie Irregular Force, during the absence of Surgeon-Major DéFabeck on duty.

C. K. M. WALTER,
Offg. Agent, Govr. Genl., for Rajputana.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 28th November 1876.

No. 124.—The following changes are made in the Berar Commission, with effect from the 14th November 1876, consequent on return from privilege leave of Captain R. Bullock, Officiating Deputy Commissioner, Hyderabad Assigned Districts:—

Mr. A. J. Dunlop, Officiating Deputy Commissioner, 3rd Class, to revert to his substantive position as Assistant Commissioner, 3rd Class.

By Order,
G. H. TREVOR, *Captain,*
2nd Assistant Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 21st November 1876.

No. 116.—With reference to Government of India, Public Works Department, Notification No. 399, dated 27th September 1876, Mr. G. W. Brown, Probationary Accountant, 4th Grade, is posted to the Office of Examiner of Accounts, Military Works, which he joined on the forenoon of the 9th October 1876.

The 1st December 1876.

No. 117.—With the sanction of the Government of India, and with reference to G. G. O. dated 14th November 1876, Lieutenant J. E. Broadbent, R.E., Assistant Engineer, 1st Grade, and temporary Executive Engineer, 4th Grade, is granted one month's leave preparatory to furlough.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

1st Circle.

Calcutta, the 6th December 1876.

No. 3341.—Major D. C. Walker, R.E., Executive Engineer, Dinapore Division, Military Works, returned from forty-days' privilege leave granted in this Office Notification No. 3009 of 25th October 1876, on the forenoon of 3rd November 1876.

W. R. TUCKER, *Major, R.E.,*
Supdg. Engr., 1st Circle, Mily. Works.

3rd Circle.

Meerut, the 1st December 1876.

No. 54.—Privilege leave for fifteen days is granted to Baboo Ram Lall, Accountant, 4th Grade, Agra Division, Military Works, from the 22nd November 1876.

No. 55.—With reference to this Office Notification No. 48, dated 30th October last, Mr. H. W. Stokoe, Supervisor, 2nd Grade, Agra Division, Military Works, availed himself of the privilege leave on the forenoon of 16th ultimo.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

8th Circle.

Rawal Pindi, the 29th November 1876.

No. 1832.—Privilege leave of absence for one month is granted to Matta Pershad, Accountant, 4th Grade, 2nd Rawal Pindi Division, Military Works, from the 9th January, or such date subsequent thereto as he may avail himself thereof.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

7th December 1876 ... Rs. 20,07,779-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA, *8th Dec.* 1876.

NOTICE.

Required for the Office of the Executive Engineer, 1st Peshawar Division, Military Works, a Draftsman, salary Rs. 60, rising to Rs. 80, in five annual increments. Copies of testimonials to accompany application.

JOHN T. WRIGHT, *Lieut., R.E.,*
Executive Engineer,
1st Peshawar Divn., Mily. Works.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 30th November 1876.

No. 245.—With reference to Notification No. 236 of 2nd November 1876, Baboo Debendro Chunder Bose, Accountant, 4th Grade, Southern Division, is granted two months' sick leave in extension, under Civil Leave Code, Supplement F, Section 3.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 1st December 1876.

No. 66.—Babu Mahomed Dhumun Khan, Accountant, 4th Grade, transferred in Notification No. 58, dated 15th November 1876, joined the Office of the Executive Engineer, Sámbhar Division, Rajputana State Railway, on the forenoon of the 22nd idem.

FRED. FIREBRACE,
Offg. Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 2nd December 1876.

No. 169.—Mr. C. E. S. Younghusband, Assistant Engineer, 2nd Grade, Jhelum Division, is allowed one month's privilege leave, with effect from the forenoon of 20th November 1876.

No. 170.—Mr. C. J. Shaw, Executive Engineer, 1st Grade, left this Railway on transfer to the Indus Valley State Railway on the afternoon of 22nd November 1876.

No. 171.—Mr. F. Cunliffe, Store-keeper, 2nd Grade, returned to duty from the privilege leave granted to him by Notification No. 135, dated 21st October 1876, on the forenoon of the 17th November 1876, and took over charge of the Jhelum Depôt Stores from Mr. J. H. L. Patterson, Store-keeper, 2nd Grade, on the afternoon of 23rd November 1876.

No. 172.—Mr. A. Wallace, Sub-Engineer, 1st Grade, Jhelum Division, returned to duty from the three months' privilege leave granted to him by Notification No. 106, dated 9th September 1876, on the forenoon of 22nd November 1876.

No. 173.—Baboo Lubdha Rama Sahni, Apprentice Engineer, is transferred from the Bakrala Division to the Indus Division, with effect from 9th October 1876. This cancels Notification No. 142, dated 28th October 1876.

No. 174.—Mr. A. Wallace, Sub-Engineer, 1st Grade, Jhelum Division, left this Railway on transfer to the Indus Valley State Railway on the forenoon of the 23rd November 1876.

No. 175.—Mr. W. C. Hennessey, Executive Engineer, 4th Grade, left this Railway on transfer to the Indus Valley State Railway on the afternoon of 25th November 1876.

ALEX. GRANT,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 2nd December 1876.

No. 77.—Mr. P. W. Dangerfield, Assistant Engineer, 1st Grade, Extension Survey Division, Neemuch State Railway, returned to duty on the forenoon of the 20th November 1876 from the privilege leave for one and a half months granted to him in Notification No. 63, dated 2nd October 1876.

No. 78.—Mr. Bhicajee Cowasjee, Accountant, 4th Grade, attached to Examiner's Office, Holkar and Neemuch State Railways, returned to duty on the forenoon of the 27th November 1876, from the one month's privilege leave granted to him in Notification No. 68 of 13th October 1876 which he had availed himself of from the 27th October 1876.

No. 79.—With reference to Director's Notification No. 173 of 6th November 1876, Mr. F. S. Homfrey, Store-keeper, 2nd Grade, reported his departure from Khandwa on the forenoon of the 26th November 1876 to join the Indus Valley State Railway.

CHARLES CHEYNE,
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Ajmere, the 16th November 1876.

No. 1299.—With reference to Director of State Railways' No. 2386 E of 2nd instant, posting Mr. E. W. Vowell, Assistant Engineer, 2nd Grade, to this line, this Officer reported his arrival at Ajmere on the afternoon of 13th November 1876.

No. 1300.—With reference to Director of State Railways' No. 2386 E of 2nd instant, posting Mr. H. I. Oddie, Assistant Engineer, 2nd Grade, to this line, this Officer reported his arrival at Ajmere on the afternoon of 13th November 1876.

The 29th November 1876.

No. 1342.— Mr. I. Oddie, 2nd Grade Assistant Engineer, who had, by order of the Director of State Railways, been transferred temporarily to the Rajputana Railway, reported his departure on the afternoon of the 23rd instant.

JAMES COLLET,
Engineer-in-Chief.

Report of a Deserter from the A Battery, C Brigade, Royal Horse Artillery, dated at Meerut, this 1st day of December 1876.

Number, Rank, and Name,—3735, Gunner Dan Gannon.	At what Place Enlisted,—Warrington, Lancashire, England.
Age,—22 years 1 month.	Parish and County in which born,—Westport, County Mayo, Ireland.
Size,—5 feet 7 inches.	Marks,—None.
Color of—Complexion, light; hair, light brown; eyes, grey.	Trade,—Laborer.
Date of Desertion,—20th November 1876.	Coat or Jacket,—Serge Jacket.
Place of Desertion,—Meerut.	Waistcoat,—None.
Date of Enlistment,—26th November 1873.	Breeches or Trowsers,—White Overalls.
	REMARKS,—has been in hospital suffering from mania.

R. G. S. MARSHALL, *Captain,*
Comdg. A Battery, C Brigade, R.H.A.

ACCOUNTANT GENERAL'S OFFICE.
PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 501.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 30th November* 1876.

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Central Provinces...	Sep. 1876	Nov. 6, 1876
2	Port Blair ...	Ditto ...	Do. 9 ,,
3	Rajpootana ...	Ditto ...	Do. 10 ,,
4	Indo-European Telegraph.	Ditto ...	Do. 15 ,,
5	Assam ...	Ditto ...	Do. 16 ,,
6	Indian Telegraph...	Ditto ...	Do. 18 ,,
7	Oudh ...	Ditto ...	Do. 22 ,,
8	Punjab ... Hyderabad ... Coorg ... Central India ... Mysore ... Hyderabad Assigned Districts.	Ditto ...	Do. 27 ,,
14	Bombay ... Grand Trunk Road	Ditto ...	Do. 28 ,,
16	Madras ...	Ditto ...	Do. 29 ,,
17	Bengal ...	Ditto ...	Do. 30 ,,
18	British Burmah ...	Aug. 1876	Oct. 30, 1876
19	North-Western Provinces.	Ditto ...	Do. 31 ,,
20	Military Works ...	Ditto ...	Nov. 3, 1876

IRRIGATION.			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Rajpootana ...	Sep. 1876	Nov. 8, 1876
2	Bombay ... Punjab ... Mysore ...	Ditto ...	Do. 27 ,,
5	Bengal ...	Ditto ...	Do. 28 ,,
6	Madras ...	Ditto ...	Do. 29 ,,
7	North-Western Provinces.	Ditto ...	Do. 30 ,,
8	British Burmah ...	Aug. 1876	Oct. 30, 1876
	GUARANTEED RAILWAYS.		
1	Oudh ...	Sep. 1876	Nov. 22, 1876
2	Punjab ...	Ditto ...	Do. 27 ,,
3	Bengal ...	Ditto ...	Do. 28 ,,
4	Madras ...	Ditto ...	Do. 29 ,,
5	Bombay ...	Aug. 1876	Oct. 26, 1876

STATE RAILWAYS (CAPITAL).			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Nagpur and Chattisgurh.	Oct. 1876	Nov. 22, 1876
2	Tirhoot Surveys ...	Ditto ...	Do. 24 ,,
3	Western Rajpootana	Sep. 1876	Oct. 23 ,,
4	Rangoon and Bittang.	Ditto ...	Do. 24, 1876
5	Wurdah Valley ...	Ditto ...	Nov. 1, 1876
6	Calcutta and South-Eastern.	Ditto ...	Do. 4 ,,
7	Nizam's ...	Ditto ...	Do. 13 ,,
8	Rangoon and Irrawaddy Valley.	Ditto ...	Do. 18 ,,
9	Rajpootana ... Sindhia ... Tirhoot ...	Ditto ...	Do. 20 ,,
12	Indus Valley ...	Ditto ...	Do. 21 ,,
13	Holkar ... Neemuch ...	Ditto ...	Do. 24 ,,
15	Northern Bengal ... Assam Extension	Ditto ...	Do. 27 ,,
17	Punjab Northern...	Ditto ...	Do. 28 ,,
18	Store-keeper, Calcutta.	Ditto ...	Do. 29 ,,
19	Dhond and Munmar.	Ditto ...	Do. 30 ,,
	STATE RAILWAYS (REVENUE).		
1	Oomraotee ... Khamgaum ...	Ditto ...	Nov. 1, 1876
3	Calcutta and South-Eastern. Wurdah Valley ...	Ditto ...	Do. 4 ,,
5	Nizam's ...	Ditto ...	Do. 13 ,,
6	Nulhati ...	Ditto ...	Do. 14 ,,
7	Tirhoot ...	Ditto ...	Do. 20 ,,
8	Rajpootana Holkar Neemuch	Ditto ...	Do. 27 ,,
11	Punjab Northern ...	Ditto ...	Do. 28 ,,

Dated 7th December 1876.

G. J. MELLISS, *Lieut.-Colonel,*
Offg. Accountant-General, P. W. Dept.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th November 1876.

PARTICULARS.	4 PER CENT. LOANS					4½ PER CENT. LOANS				5 PER CENT. LOANS		5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
	of 1824-25.	of 1825-26.	of 1832-33.	of 1835-36.	3½ PER CENT. LOAN OF 1853-54.	of 1842-43.	of 1854-55.	Transfer of 1865.	of 1870.	of 1871.	of 1872.	5 PER CENT. LOAN OF 1856-57.	5½ PER CENT. LOAN OF 1859-60.	10 years.	15 years.	
														Repayable, June 1877.	Repayable, June 1882.	
Balance of 15th November 1876 ...	33,173	2,346	14,65,493	31,57,300	55,600	1,50,42,800	1,06,83,700	1,61,27,900	34,78,700	2,57,000	2,90,85,000	82,800	4,21,35,200	23,93,000	33,15,000	12,80,15,012
Add—																
Amount enfaced at Madras between 16th and 30th November 1876 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Amount enfaced at Bombay between 16th and 30th November 1876 ...	...	...	...	...	...	...	5,000	...	...	...	...	...	5,00,000	...	...	5,20,000
Amount enfaced at Calcutta between 16th and 30th November 1876 ...	...	...	...	1,000	...	15,000	70,800	...	...	...	25,500	...	24,500	...	...	1,83,300
	33,173	2,346	14,65,493	31,58,300	55,600	1,50,57,800	1,07,59,500	1,61,27,900	34,78,700	2,57,000	2,91,10,500	82,800	4,26,59,700	23,93,000	33,15,000	12,86,98,312
Deduct—																
Amount written off in the London Registers ...	...	...	...	8,900	...	33,800	7,600	...	...	...	25,500	...	24,500	...	...	1,83,300
Balance on 30th November 1876 ...	33,173	2,346	14,65,493	31,49,400	55,600	1,50,24,000	1,06,91,900	1,61,27,900	34,78,700	2,57,000	2,90,60,000	82,800	4,17,60,000	23,93,000	33,15,000	12,75,36,912

NOTE.—From 9th June 1867 to 30th September 1876, enfaced from London, under deduction of amount re-transferred to India, 2,363 lakhs; re-transferred from London, 2,406 lakhs.

From	9th June	1867 to 30th September 1876, enfaced from London, under deduction of amount re-transferred to India,	2,363 lakhs; re-transferred from London,	2,406 lakhs.	
,,	1st Oct.	1876 to 15th October	,,	,,	2 ,,
,,	16th ,,	,, to 31st	,,	,,	3 ,,
,,	1st Nov.	,, to 15th Nov.	,,	,,	6 ,,
,,	16th ,,	,, to 30th	,,	,,	11 ,,
			2,369 lakhs.		2,428 lakhs.
					2,369 ,,
			Balance against London ...		59 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 7th December 1876.

Statement of the Affairs of the Bank of Bengal for the week ending 5th December 1876.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0	Government Securities	1,35,75,427	13	6
Reserve Fund	16,72,762	7	9	Loans on Government Securities, &c., at Head Office and Branches ...	59,23,259	4	1
Rs. A. P.				Accounts of Credit on Government Securities, &c., at Head Office and Branches	47,30,397	10	10
Public Deposits at Head Office ... 53,39,147 12 5				Bills discounted and purchased at Head Office and Branches	1,56,71,923	11	2
Public Deposits at Branches ... 1,08,84,910 0 5	1,62,24,057	12	10	Balances with other Banks ...	6,01,940	9	5
Other Deposits at Head Office and Branches	2,63,25,416	8	4	Bullion	10,082	0	9
Bank Post Bills, &c.	3,50,223	7	10	Dead Stock	10,42,321	15	6
Sundries	7,54,807	8	3	Stamps	12,164	0	9
				Sundries	1,43,564	2	0
					4,17,11,981	4	0
				Rs. A. P.			
				Cash and Currency Notes at Head Office ... 86,57,390 7 3	2,36,16,186	9	0
				Cash and Currency Notes at Branches ... 1,49,58,796 1 9			
TOTAL ...	6,53,27,267	13	0	TOTAL ...	6,53,27,267	13	0

By order of the Directors.

BANK OF BENGAL;
Calcutta, 7th December 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE.
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
57	... D 7—96430 ...	100	... Narain Das, Extra Assistant Commissioner, Oonao.

NOTES PARTIALLY LOST OR DESTROYED.

84	... L 47—30871 ...	20	... The Assistant Comptroller General, Calcutta.
85	... D 3—02263 ...	100	... Byramjee Sorabjee Basseen, West Berar.
	„ —03007 ...	100	...

ALLAHABAD,—Paper Currency Office;
The 30th November 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
58	... E 10—29352	...	10	... Heera Sing, Lahore.
59	... E 12—26309	...	20	... Mr. W. B. Decourcy, Sealkot.
60	... E 2—28522	...	500	... Bhai Hurnam Sing, Debbi Bazar, Lahore.
54	... E 15—00885	...	50	... Mr. J. S. Gamble, Darjeeling.
	E 15—00888	...	50	...

NOTES PARTIALLY LOST OR DESTROYED.

21	... E 5—74924 „ —74925	wrongly joined.	20	... Reverend J. F. Scobell, Chaplain, Cawnpore.
23	... E 10—02425 „ —02426	ditto ...	10	... Mr. W. H. Jackson, Dharumsalla.
76	... E 4—86986	...	50	...
	„ —86987	...	50	...
	„ —86988	...	50	... Mr. E. Hyde, Executive Engineer, Ahmudpore.
	„ —86990	...	50	...
84	... A 26—39207	...	20	... Mr. W. H. Jackson, Dharumsalla.
86	... E 4—84788	...	50	...
	„ —84711	...	50	... Mr. J. Wilson, Umballa.
	„ —93205	...	50	...
87	... E 4—93606	...	50	... Mrs. J. Parrott, Kurnal.
88	... A 26—30203	...	20	... Baboo Choonl Lal Bose, Calcutta.
90	... E 13—00535	...	100	...
	„ —00536	...	100	... Major A. H. Prinsep, XIth Bengal Lancers, Nowshera.
92	... E 7—30438	...	5	... Mr. R. J. Sharman, H. M.'s Custom, Bombay.

LAHORE,—Paper Currency Office;
The 2nd December 1876.

I. C. BOSE,
for *Depy. Commr. of Currency.*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
307	L 53—21831	... 1,000	... Sivaram Kedarnath.
308	... L 70—70021	... 1,000	...
	„ —75603	... 1,000	...
	„ —24104	... 1,000	... Nubbee Bux Mahomed Ebrahim.
	„ —96291	... 1,000	...
	„ —95107	... 1,000	...
309	... L 76—36762 to „ —36765	... 10 each	... Babu Kali Prasanna Datta.
310	... L 16—95029	... 5	... The Post Master General of Bengal.
312	... L 52—43910	... 500	... Babu Matta Pershad.
315	... L 72—65833	... 10	... The Chief Supdt., Travelling Post Offices in India, Allahabad.
317	... L 78—75362	... 20	... Messrs. Watts and Company.
318	... L 82—21940	... 100	... Babu Siboo Das Mitter.
319	... L 67—81928	... 50	... Nadar Shah.
320	... L 82—99904	... 100	... Babu Shib Chandra Bysack.

NOTES PARTIALLY LOST OR DESTROYED.

252	... L 76—00138 „ —00139	...	10	... Babu Mothura Lal Shome.
253	... L 24—31512 „ —31511	...	5	... Gobind Ram Marwaree.
	L 9—61971 D 10—09349	...	5	...
254	... A 98—76909 „ —76906	...	10	... Babu Deno Nath Bose.
	L 11—43716 „ —43715	...	5	...
255	L 58—56737 „ —56072	...	10	... Babu Sham Chand Paul.
	L 15—09859 „ —09858	...	5	...
256	... L 1—93742 A 98—10185	...	10	... Hajee Abdulla Noor Mahomed.
	L 16—95045 „ —95040	...	5	...
257	L 22—31369 „ —31866	...	5	... Babu Hurro Mohun Bhunjo.
258	... L 73—06523 „ —06522	...	10	... Babu Obhoy Churn Banerjee.
260	L 37—98224 „ —98227	...	20	... Ojoodhia Pershad.
		...	10	... Isree Singh.
365	... L 73—52456	...	10	... Oree Misser.
366	... L 71—93725	...	10	...
	L 74—51579	...	5	... Syed Golam Yahaiya.
367	... L 23—99160	...	10	... Wazeer Singh.
368	... L 87—27431	...	10	...
	„ —49382	...	20	... Shaik Abdul Hamed.
369	... L 77—56780	...	5	... Mr. R. H. Hill.
370	... L 9—63677	...	100	...
371	... A 91—08222	...	100	... Mr. L. de St. Helaire.
	L 82—70841	...	100	...
	„ —70844	...	10	...
372	... L 86—50119	...	10	...
	L 57—95242	...	10	... Mr. A. F. Catania.
	L 86—03377	...	10	...
	L 58—36980	...	10	...
	L 44—81720	...	20	...
373	... L 79—20290	...	20	... The Asstt. Supdt. of Police in charge Monghyr.
	L 80—27521	...		

CALCUTTA,—Paper Currency Office;
The 8th December 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Madras Circle

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
			5	... E. Manuel, Butler, Bellary.
191	... B 39—17601	...	10	... T. Seshadry Sastry, Madura.
192	... B 19—19517	...	50	...
193	... B 43—58553	...	500	... Banghy Shaik Ibrahim Saib, Madras.
	B 28—75811	...	500	...
	„ —75812	...	10	... Reverend A. Souchon, Kamptee.
194	... B 49—68325	...		
33	... B 41—84108 „ —84118	wrongly joined.	10	... S. Tippoo Saib, Madras.
	B 41—84275 „ —84276	ditto ...	10	...
34	... B 35—74231 „ —74233	ditto ...	20	... Superintendent of Police, Nellore.

FORT ST. GEORGE.
Acctt. Genl.'s Office, Paper Currency Dept.;
The 27th November 1876.

F. de H. LARPENT,
Offg. Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
	F 8—51942 ...	20	... Mr. F. Wilcox, District Superintendent of Police, Manbhoom, Bengal.
22	... F 7—74035 ...	10	... Mr. J. Pack, 134, Parell Chall, Bombay.

NAGPUR,—Paper Currency Office; *The 2nd December* 1876.

H. KEENE,
Asstt. to Accts. Genl., C. P., in charge of Paper Currency.

Coconada Circle.

NOTE MUTILATED.

No. of Notes.	Value. Rs.	Name of Claimant.
I 3—10352 ...	100	... T. Bheema Row, of Shemoga.

NOTES PARTIALLY LOST OR DESTROYED.

	Rs.	
B 36—38058 ...	5	.... V. Govinda Raju Moodeliar, Accountant, Department Public Works, Tirdiyanum.
H 7—07650 ...	5	...
I 8—11534 ...	5	... R. Kristniah, Ganjam District, Chetterpore.
I 10—22797 ...	10	...
„ —22798 ...	10	...

COCONADA,—Paper Currency Office; *The 25th November* 1876.

H. RICHARDSON,
Depy. Collr., in charge of Paper Currency.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No. 1876.	No. of Notes.	Value. Rs.	Name of Claimant.
163H	... M 19—97554 ...	10	... Naserwanji Nowrosji, Examiner's Office, Indore.
164H	... M 23—23623 ...	50	... Nowroji Naserwanji, Sonapur Lane.
	M 5—98822 ...	50	...
61M	... C 73—73607 } G 7—33577 }	10	... Guneshdas Thacoordas, Marwar Bazar.
62M	... C 85—70761 } „ —70758 }	50	... Sorabji Bomonji.

BOMBAY,—Paper Currency Dept.; *The 28th November* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 8th December 1876.

Mails for Ceylon, Straits, Hong-Kong, and the United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 9th December 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Baghdad*, will be closed at the General Post Office on Sunday, the 10th December 1876, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 10th December 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 12th December 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Peshwar*, will be closed at the General Post Office on Wednesday, the 13th December 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer will be closed at the General Post Office on Wednesday, the 13th December 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 15th December 1876, by which mails for Mauritius, St. Denis, Reunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 14th December 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 8th December 1876.

Ackrill, Chas.	Jackson, Mrs. H. N.
Andrew, Walter.	Jennings, (Private No. 997).
Birke, H. P., Capt.	Johnstone, C. E.
Balston, C.	Joseph, J. H.
Barnard, J.	Inman, C. B.
Boughton, J.	Kay, E., Mrs.
Bradwell, R.	Manson, Miss.
Castle, Chas.	Nicolson, H., Miss.
Cockburn, W.	O'Shaughnessy, D.
Condey, Mr.	Pereira, Manuel.
Culpin, J.	Robinson, M., Mrs.
Ellis, J. E. S.	Russell, Mrs.
Ernest, Joseph.	Russell, W. A., & Co., Messrs.
Ewart, Sergt.	Shillingford, F. A.
Faithful, Miss G.	Smith, James.
Forbes, W. E.	Spencer, E., Miss.
Fowler, F. B.	Thomas, C. W.
Gibbons, M., Miss.	Vacher, H.
Grundy, Thos. A.	Williams, F.
Hurd, R.	Williamson, C.

Letters marked "Care of Post Office, to be kept till called for."

Bailey, Frank.	Cavanagh, Jas.
Berlowitz, H. W.	Christian, A.
Borthwick, Mrs.	Cobb, G. P.
Browne, D.	Cohen, M. B.
Bruse, Mr.	Court, John.
Buglioni, Alesandro.	Crentzberg, Chas., Monsieur.

Daniell, D.	Munro, Major C. A.
Dawson, Miss.	Nemo.
DeCruze, D. H.	O'Brien, T. H.
Duncan, J. Hastings.	Orton, B.
E. F. W.	Oxenham, T. H.
Esse.	Palmer, Henry.
Evans, J. H.	Ragg, W. L.
Findlay, Alfred.	Reed, J.
Forker, H.	Reed, J. V. C.
Galloway, John.	Richardson, Geo.
Graham, C.	Roberts, A.
Hallewell, J.	Ryall, Capt.
Hartley, Sir Charles A.	Scott, Walter.
Hindmarsh, William.	Shutz, J.
Huguenot, M.	Sinclair, A.
Isaac, M.	Slaweeki, Monsieur T.
Johnson, Henry.	Stephens, Dr.
Kelly, W. P.	Stroesko, Michel.
Laurie, A. C.	Travis, Miss Ida.
Le Comte A. de Monale.	Watt, Capt. J. R.
Lewis, Chas.	Webb, A.
Littlewood, J. H.	West, J.
Lovering, Geo. L.	Whyte, W. P.
Mandslay, Lieut. E. R.	Williams, T.
McCraith, Jas.	Willins, W. E. S.
Micheli Aristodenio, Signr.	Wilson, G. A.
Milner, W. H.	Wilson, J. S.
Mitchell, J. W.	Wright, S., Mrs.
Mosley, W., Capt.	

Papers.

Cayton, Geo.	Kelly, W. P.
Duncan, J. Hastings.	Mandolay, Lieut. E.
Galloway, John.	Munro, Major C. A.
Holland, Capt. H. O. H.	Roberts, A.

Registered Letters.

Aviet, C.	O'Brien, C., Mr.
Cooper, R.	Oxenham, T. H.
Martin, Mr.	Russell, Thos. R.
Mandslay, E. R.	

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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„ „ BOMBAY SERIES ...	„	1 0
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MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Army List.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st October 1876. *Price, Rs. 4; packing and postage, 8 annas.*

New edition—Just published.

P. W. D. Classified List, corrected up to 1st October 1876. *Price Rs. 2; packing and postage 4 annas.*

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

Publications for sale at the Bengal Secretariat Press.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

The Bengal Administration Report for 1873-74. *Price, Rs.* 4; *postage,* 10 *annas.*

The Bengal Administration Report for 1872-73. *Price, Rs.* 7-8; *postage, Re.* 1-4.

Map of Bengal, 1873. *Price, if taken with the Report, Re.* 1; *separately, price, Rs.* 2; *postage,* 2 *annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs.* 10; *postage, Re.* 1-2.

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price,* 8 *annas per copy, or including postage,* 10 *annas.*

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H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

Published by the Government of Bengal,

THE STATISTICAL REPORTER,

Vol. II, No. 7, *for December* 1876.

Trade Centres of Bengal, No. VIII, Midnapore.—Seaborne Trade of Calcutta, October 1876.—The export of Gunny Bags from Calcutta, 1873-74, 1874-75, 1875-76.—Bengal Provincial and Local Finance, 1871 to 1876.—The Port of Chandbally.—The Bhuboonh Sub-Division of the Shahabad District.—The Beerbhoom Iron Works.—Agricultural Statistics of Thana Labpore, in the District of Beerbhoom.—Traffic on the Diamond Harbour and Baraset Road, No. IV.—Traffic on the Bankipore and Gya Road, No. IV.—River Steamer Traffic in Bengal, No. III.—Trade of Buxar.—Darjeeling Frontier Trade with Sikkim, Nepal, and Bhootan.—Trade between Bengal and Nepal, third quarter of 1876.—Statements of River Traffic in Bengal, District by District, during September 1876.—Statements of Bengal Railway Traffic, during September 1876.—Vital Statistics, Bengal, during the month of September 1876.—Vital Statistics of the Town of Calcutta, October 1876.—Vital Statistics of the Suburbs of Calcutta, October 1876.—The Progress of Indian Trade.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 16, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT.

NOTICE.—The post of a Sworn Examiner of Translations of Urdu and Persian Documents is vacant in the Privy Council Appeal Department of the High Court.

Candidates are requested to apply to the Registrar.

HIGH COURT, APPELLATE SIDE, *The 1st December* 1876. } W. M. SOUTTAR, *Registrar.*

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th December 1876.

No. 32.—Mr. A. J. M. Reade, an Assistant Superintendent of the 1st Grade, is allowed furlough on medical certificate for three months, under Section 12 of the Civil Leave Code, with effect from the forenoon of the 14th November 1876.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

HYDERABAD RESIDENCY.

NOTICE.

Hyderabad Residency, the 5th December 1876.

No. 17.—Mr. Shaik Hissam-ud-Din, Assistant Cantonment Magistrate, has been granted privilege leave for ten days, with effect from the 6th December 1876, or from such subsequent date as he may avail himself of it.

By Order,
C. B. EVAN SMITH, *Captain,*
1st Assistant Resident.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th December 1876.

Captain Samuell Hunter Cowan, Bengal Staff Corps, Assistant Superintendent of Revenue Survey, 2nd Grade, returned from furlough, is granted

for twenty-two days, subsidiary leave from the 8th to the 29th November 1876, inclusive, under Chapter V, Section 18(*b*), of the Civil Leave Code.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 11th December 1876.

Mr. T. Kenney, Assistant Surveyor, 1st Grade, No. 9 or Mysore Topographical Survey, is granted special leave under Section 9, Supplement F, for one month from the forenoon of the 1st December.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Dehra Dún, the 30th November 1876.

No. 41.—Captain T. T. Carter, R.E., Deputy Superintendent, 2nd Grade, returned from furlough, for four days' subsidiary leave from the 16th to the 19th instant, inclusive, under Chapter V, Section 18 (*b*), of the Civil Leave Code.

J. B. N. HENNESSEY,
Offg. Superintendent, G. T. Survey of India.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The commencement of the Examination for Honors and for the Degree of Master of Arts has been postponed from Monday, the 29th January, to Monday, the 5th February 1877.

SENATE HOUSE,
The 11th Dec. 1876.

A. W. CROFT,
Offg. Registrar.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

2nd Circle.

Lucknow, the 7th December 1876.

No. 65.—With reference to Public Works Department Notification No. 115, dated the 18th November 1876, Captain G. T. Maitland, Executive Engineer, 1st Allahabad Division, made over charge to Captain H. S. Clive, on the forenoon of the 2nd instant.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 6th December 1876.

No. 56.—Privilege leave for three months is granted to Pundit Dabee Pershad, Accountant, Bareilly Division, Military Works.

The 12th December 1876.

No. 57.—With reference to this Office Notification No. 39 of 18th September 1876, Baboo Kedar Nath Turfdar, Overseer, 1st Grade, Morar Division, Military Works, returned from three months' privilege leave, on the 5th December 1876.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

4th Circle.

The 9th December 1876.

No. 35.—Mr. A. C. Calder, Accountant, 3rd Grade, attached to the Umballa Division, Military Works, returned on the 30th ultimo from the two months and nineteen days' privilege leave granted to him in this Circle Notification No. 18 of 4th August 1876.

No. 36.—Mr. J. W. Wright, Executive Engineer, returned from the six months' furlough granted to him in Inspector General's Notification No. 50 of the 16th March 1876, and received over charge of the Jullundur Division, Military Works, from Captain B. J. Goldie, R.E., on the forenoon of the 27th ultimo.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

Rawul Pindi, the 30th November 1876.

No. 18.—Conductor J. Walsh, Sub-Engineer, 1st Grade, having reported his return, on the 16th November 1876, from furlough to England, is posted to the 1st Rawul Pindi Division, Military Works.

The 8th December 1876.

No. 19.—Mr. F. G. Fox, Assistant Engineer, 2nd Grade, is transferred from the 1st Rawul Pindi to the 1st Peshawur Division, Military Works, which he joined on the forenoon of the 29th November 1876.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

7th Circle.

The 6th December 1876.

No. 2535.—Privilege leave for forty-two days is granted to Lieutenant F. T. N. Spratt, R.E., Assistant Engineer, 1st Grade, with effect from the 15th December 1876.

J. BIRNEY, *Major, R.E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

8th Circle.

The 11th December 1876.

No. 1912.—Mr. J. E. Hilton, C. E., Temporary Executive Engineer, 4th Grade, returned from the privilege leave granted him per Notification No. 1452 of 9th September 1876, on the 7th instant, before noon, and received over charge of the Mooltan Division, Military Works, from Captain G. D'Aguilar Jackson, E. B. C., on that date.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

14th December 1876 ... Rs. 2,52,419-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
15th Dec. 1876.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATIONS.

Lucknow, the 9th December 1876.

Mr. G. S. Duff, Assistant Auditor, Oudh and Rohilkhand Railway, availed himself of the six weeks' privilege leave granted him under India Public Works Notification No. 486 of 30th November 1876, from the forenoon of the 17th November 1876.

R. DEBOURBEL, *Lieut.-Col., R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

Calcutta, the 15th December 1876.

Baboo Tincowry Mookerjee, Accountant, 2nd Grade, attached to the Office of the Examiner of Railway Accounts to the Government of India for Guaranteed Railways at Calcutta, returned from furlough granted him in Notification dated 3rd November 1875, and resumed his duties on the forenoon of the 13th December 1876.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consulting Engr. to Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 29th November 1876.

No. 197.—Mr. C. J. Shaw, Executive Engineer, 1st Grade, Indus Valley Railway, reported his return, on the forenoon of the 11th November 1876, from the leave notified in Director's No. 80 of the 28th April 1876.

The 1st December 1876.

No. 198.—Mr. D. F. Hogarth, Executive Engineer, 2nd Grade, Western Rajputana Railway, is granted twenty months' furlough from the 1st February 1877, and the necessary subsidiary leave.

The 2nd December 1876.

No. 199.—Mr. A. Barns is temporarily appointed to the Public Works Department as an Inspector of Maintenance, 3rd Grade, and posted to the Open Line, Holkar and Neemuch Railways.

The 6th December 1876.

No. 200.—Mr. P. J. Bruff, Executive Engineer, 3rd Grade, is transferred from the Punjab Northern Railway (Open Line) to the Indus Valley Railway.

Mr. D. G. Ottley, Executive Engineer, 4th Grade, is transferred from the Indus Valley Railway to the Punjab Northern Railway (Open Line).

The 7th December 1876.

No. 201.—The under-mentioned Officers of the Rajputana Railway passed, on the 19th and 23rd September 1876, respectively, the examination prescribed in Public Works Code II, iv, 17, 18, and 19:—

Mr. T. R. Wynne, Assistant Engineer, 2nd Grade.

Mr. R. A. Way, Assistant Engineer, temporary 1st Grade.

The 8th December 1876.

No. 202.—Mr. J. Tait, Assistant Engineer, 2nd Grade, Indus Valley Railway, reported his return on the 13th October 1876 from the leave notified in Government of India, Public Works Department, No. 207 of the 3rd May 1876, and is granted seven days' subsidiary leave.

The 9th December 1876.

No. 203.—With reference to Director's Notification No. 175 of the 7th November 1876, Captain W. S. S. Bisset, R. E., resumed charge of his duties as Manager, Open Line, Holkar and Neemuch Railways, from Mr. F. N. Gütersloh, on the morning of the 21st November 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 9th December 1876.

No. 1410.—With reference to Director's No. 145, dated 15th September last, transferring Captain W. Sedgwick, R.E., Executive Engineer, 4th Grade, to this line, that Officer reported his arrival at Ajmere on the forenoon of 9th December 1876.

JAMES COLLET,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Camp Mozufferpore, the 13th December 1876.

No. 68.—With reference to Director of State Railways' Notification No. 179 of 10th November 1876, Mr. W. M. Johnston, Assistant Traffic Superintendent, reported his arrival at Dinapore on the afternoon of the 18th November, and assumed charge of the Traffic Department from Mr. J. O'Callaghan, Traffic Superintendent, on the afternoon of the 1st instant. Mr. O'Callaghan reported his departure for the Rajputana State Railway on the 2nd idem.

No. 69.—With reference to this Office Notification No. 52 of the 25th August 1876, Baboo Thakoor Dass, Overseer, 2nd Grade, Kosee Extension Surveys, reported his return from the leave granted to him therein, on the forenoon of the 24th November, and is posted to the Durbhunga Division, Tirhoot State Railway, which he joined on the forenoon of the 2nd instant.

No. 70.—Three months' privilege leave is granted to Mr. E. Lacey, Accountant, 1st Grade, attached

to the Office of Examiner of Accounts, Tirhoot State Railway, from the 9th January 1877.

No. 71.—With reference to this Office Notification No. 49 of 19th August 1876, Baboo Byj Nath Chatterjee, Officiating Accountant, 4th Grade, Durbhunga Division, reported his return from the leave granted to him therein, on the forenoon of the 4th instant.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 7th December 1876.

No. 67.—Mr. J. O'Callaghan, Traffic Superintendent, Rajputana State Railway, reported his return to duty, from the Tirhoot State Railway, on the forenoon of the 5th instant.

The 8th December 1876.

No. 68.—Messrs. J. O'Callaghan and P. D. Barclay, respectively, received and made over charge of the Traffic Department, Rajputana State Railway, on the forenoon of 5th December 1876.

FRED. FIREBRACE,
Offg. Manager.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 7th December 1876.

No. 246.—With reference to Notification No. 213 of 15th September 1876, Babu Prosono Coomar Banerjee, Probationery Accountant, 4th Grade, Central Office of Accounts, returned to duty on the forenoon of the 4th December 1876.

The 8th December 1876.

No. 247.—Baboo Kedar Nauth Banerjee, Overseer, 2nd Grade, Southern Division, is granted five weeks' privilege leave from 9th January 1877, or from such date as he may avail himself of the same.

No. 248.—With reference to Director of State Railways' Notification No. 157 of 10th October 1876, Sergeant C. Wickens, Supervisor, 2nd Grade, Northern Division, reported his return from leave on medical certificate, on the afternoon of 2nd November 1876.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 6th December 1876.

No. 80.—Mr. W. Johnstone, Assistant Engineer, 1st Grade, attached to the Fatehabad Division, is granted privilege leave for thirty days in extension of the fifteen days sanctioned in Notification No. 69, dated 20th October 1876. He was allowed to avail himself of the privilege leave from the afternoon of the 3rd December 1876.

No. 81.—Babu Babu Mull, Assistant Engineer, 3rd Grade, attached to Fatehabad Division, is granted privilege leave for seven days in extension of the two months sanctioned in Notification No. 66, dated 13th October 1876.

The 9th December 1876.

No. 82.—Mr. F. Wolley-Dod, Assistant Engineer, 2nd Grade, reported himself at Mhow on the 15th November 1876, and is posted to the Ghat Division, Holkar State Railway.

No. 83.—Mr. A. Sulivan, Assistant Engineer, 2nd Grade, reported himself at Mhow on the 7th December 1876, and is posted to the Barnagar Division, Neemuch State Railway.

No. 84.—Mr. C. Thompson, Store-keeper, 2nd Grade, Indore Depôt Stores, availed himself of the privilege leave granted to him in Notification No. 71, dated 1st November 1876, from the afternoon of the 1st December 1876.

No. 85.—Mr. F. B. Walker, Executive Engineer, 2nd Grade, Survey Division, made over charge to Mr. J. W. Buyers, Executive Engineer, 2nd Grade, on the afternoon of the 5th December 1876.

No. 86.—ERRATUM.—In Notification No. 74, dated 11th November 1876, read "forenoon" instead of "afternoon" before the date on which Messrs. Campion, Mackinnon, and Lesmond, Assistant Engineers, were relieved of their duties on the Holkar and Neemuch State Railways.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 29th November 1876.

No. 144.—Mr. A. Wallace, Sub-Engineer, 1st Grade, transferred to this line by Director of State Railways, reported his arrival at Mooltan on the forenoon of 27th November 1876, and is posted to the Mooltan District.

The 6th December 1876.

No. 145.—With reference to Director of State Railways' Notification No. 192, dated 23rd November 1876, Messrs. C. J. Shaw, Executive Engineer, 1st Grade, and W. C. Hennessey, Executive Engineer, 4th Grade, reported their arrivals at Mooltan on the forenoons of 5th December and 29th November 1876, respectively, and are posted to the Western Extension Survey District.

No. 146.—With reference to Director of State Railways' Notification No. 173, dated 6th November 1876, Mr. F. S. Homfray, Store-keeper, 2nd Grade, reported his arrival at Mooltan on the forenoon of the 30th November 1876, and is posted to the Mooltan District.

The 8th December 1876.

No. 147.—Messrs. E. F. Jacob and A. Bewly, Assistant Engineers, 2nd Grade, posted to this line by Director of State Railways, reported their arrivals at Mooltan on the forenoons of 5th and 7th December 1876, respectively, and are posted to the Western Extension Survey District.

No. 148.—Mr. J. L. Gallott, Superintending Engineer, Upper Sind District, availed himself of subsidiary leave granted in Director's Notification No. 171, dated 3rd November 1876, on the afternoon of 23rd November 1876, making over charge of the current duties of his office to Mr. W. Hunt, Executive Engineer, 3rd Grade, on the same date.

No. 149.—The following postings are made to the Western Extension Survey District:—

Mr. C. A. Bull, Executive Engineer, 3rd Grade.
Mr. M. C. Mackinnon, Assistant Engineer, 1st Grade.
Mr. W. A. Lesmond, Assistant Engineer, 1st Grade, temporary rank.
Mr. C. W. Hodson, Assistant Engineer, 2nd Grade.
Lieutenant E. Balfe, Assistant Engineer, 2nd Grade.
Mr. W. B. Parkes, Assistant Engineer, 2nd Grade.
Mr. C. J. S. Baker, Assistant Engineer, 2nd Grade.
Corporal C. Williams, Overseer, 1st Grade.
Private J. Morrison, Overseer, 1st Grade.

No. 150.—The following transfers are made from the Districts noted to the Western Extension Survey District:—

Mr. R. Gompertz, Executive Engineer, 2nd Grade, Upper Sind.
Lieutenant H. Finnis, R.E., Assistant Engineer, 2nd Grade, Upper Sind.
Lieutenant C. R. Hoskyn, R.E., Assistant Engineer, 2nd Grade, Upper Sind.
Mr. J. Ramsay, Executive Engineer, 3rd Grade, Mooltan.
Lieutenant J. F. Hewson, R.E., Assistant Engineer, 2nd Grade, Mooltan.
Mr. C. H. C. Bickerton, Assistant Engineer, 2nd Grade, Mooltan.
Mr. R. C. Williams, Engineer Apprentice, Mooltan.
Sergeant J. Adamson, Overseer, 1st Grade, Mooltan.
Jogendro Nath Sircar, Overseer, 2nd Grade, Mooltan.
Mr. J. W. Christison, Assistant Engineer, 1st Grade, Lower Sind.

No. 151.—Mr. G. H. R. Deverell, Assistant Engineer, 2nd Grade, is transferred from the Engineer-in-Chief's Office to the Western Extension Survey District.

No. 152.—The following posting and transfer have been made by Superintending Engineer, Mooltan District:—

Mr. A. Wallace, Sub-Engineer, 1st Grade, to the Sutlej Bridge Division.
Mr. C. J. DeBreton, Sub-Engineer, 3rd Grade, from the Sutlej Bridge to the Bahawulpur Division.

M. RAYNE,
Engineer-in-Chief.

NOTICE.

Required for the Office of the Executive Engineer, 1st Peshawar Division, Military Works, a Draftsman, salary Rs. 60, rising to Rs. 80, in five annual increments. Copies of testimonials to accompany application.

JOHN T. WRIGHT, *Lieut., R.E.,*
Executive Engineer,
1st Peshawar Divn., Mily. Works.

Statement of the Affairs of the Bank of Bengal for the week ending 12th December 1876.

LIABILITIES.				Rs.	A.	P.
Capital paid up	...	...	...	2,00,00,000	0	0
Reserve Fund	...	...	...	16,72,752	7	9
	Rs.	A.	P.			
Public Deposits at Head Office ...	79,00,592	8	9			
Public Deposits at Branches ...	91,13,555	2	4	1,70,14,147	11	1
Other Deposits at Head Office and Branches ...			...	2,39,34,876	14	8
Bank Post Bills, &c.	...	...	...	2,97,364	4	1
Sundries ...	...	...	...	7,75,175	15	9
TOTAL			...	6,36,94,317	5	4

ASSETS.				Rs.	A.	P
Government Securities ...	...	...		1,32,05,160	15	6
Loans on Government Securities, &c., at Head Office and Branches ...				61,46,159	4	1
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...	...			43,89,582	5	9
Bills discounted and purchased at Head Office and Branches ...	...			1,69,22,578	5	2
Balances with other Banks	...	...		4,60,104	2	9
Bullion	...	...		10,082	0	9
Dead Stock	...	...		10,39,850	1	3
Stamps	...	...		11,433	13	9
Sundries	...	...		1,46,433	1	0
				4,23,31,384	2	0
	Rs.	A.	P.			
Cash and Currency Notes at Head Office ...	99,40,885	13	8			
Cash and Currency Notes at Branches ...	1,14,22,047	5	8	2,13,62,933	3	4
TOTAL			...	6,36,94,317	5	4

By order of the Directors,

BANK OF BENGAL:
Calcutta, 14th December 1876.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs	
321	L 82—76562	100	Babu Sumbhoo Chunder Chunder.
323	L 66—79343	50	The Sub-Divisional Officer, Serampore.
324	L 83—17337	100	Mr. C. G. Smith.
325	L 76—54126	10	Babu Umbica Churun Chatterjee.
326	L 67—96137	50	Babu Nobin Chandra Roy.
329	L 87—70900	10	Babu Nivarun Chandra Mukerjee.
330	L 82—49687	100	Babu Gunga Narain Das.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
261	L 21—06061 „ —06063	5	Babu Trailokyanath Dhur.
262	L 73—19427 „ —19429	10	Fuzlur Rusheed.
263	L 67—80403 „ —80402	50	Babu Shib Chandra Chowdhury.
264	L 15—00130 „ —00129	5	Babu Sree Kanto Singh.
374	L 76—18933	10	Babu Hira Lal Biswas.
	L 72—37017	10	
	L 32—23480	10	
	L 62—33286	10	
	L 86—07458	10	
	„ —06876	10	
	L 87—22800	10	
	L 86—21771	10	
	L 71—04133	10	
	L 76—14822	10	
	„ —94799	10	
	„ —00398	10	
	„ —62253	10	
	L 86—46662	10	
375	L 1—6 500	10	Babu Ashootosh Chakravarti.
	A 80—68083	10	
376	L 44—91794	10	Babu Bhowan Chandra Ghose.
377	L 64—69709	20	Mr. E. A. Mackintosh.
	L 22—70308	5	
378	L 66—79036	50	Babu Ram Lal Lahury.
379	L 40—75537	10	Lalla Mul.
380	L 21—58640	5	Subhan Ali.
381	L 89—19695	20	Babu Hari Prasanna Mukerjee.
382	L 80—45642	20	Babu Raghunath Chakravarti.
383	L 15—61896	5	Babu Ramdayal Gupta.
384	L 62—91415	10	Mogul Jan.
385	A 7—60307	10	Babu Dhurmo Das Bose.

CALCUTTA,—Paper Currency Office; *The 15th December* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Nagpur Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
8	F 8—46572	20	Balmookund Choteylall, Bankers, Mothegunge, Allahabad.

NOTE MUTILATED.

23	F 13—07979	5	Gungadhur Juggunnath, Bombay.

NAGPUR,—Paper Currency Office; *The 9th December* 1876.

H. KEENE,
Asstt. to Acctt. Genl., C. P., in charge of Paper Currency.

Akola Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
K 7—13910	5	The Agent, "Oriental Bank Corporation," Madras.
„ —18001	5	
K 2—18540	20	
„ —18662	20	
„ —20185	20	
„ —20189	20	
„ —22305	20	Mr. Fred. Wilcot, of Maunbhoom, Bengal.

AKOLA,—Paper Currency Dept.; *The 7th December* 1876.

C. W. A. DAVIES,
Assistant Commissioner.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
58	D 8—10441	500	Sergt. E. Murtha, Hameerpur.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
86	D 10—80679	5	Mukha Singh, Rawulpindi.
87	L 47—13875	20	Moortoza Beg, Chukrata.
88	D 5—80361	20	Joykissen Chatterjee, Nawabgunge.
	D 11—53048	10	
89	D 11—12609	10	Allahdeen Khan, Allahabad.
31	L 47—17434 wrongly joined. „ —21394	20	Kunhyee Lall, Bareilly.

ALLAHABAD.—Paper Currency Office; *The 7th December* 1876.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No. 1876.	No. of Notes.	Value. Rs.	Name of Claimant.
H170	M 4—27974	5	Heerjeebhoy Framjee Cooper, Cama Street, Fort Bombay.
H171	M 18—93535	10	The Agent, Oriental Bank Corporation, Madras.
	M 5—41550	50	
H175	C 96—32121	10	Rameshur Laheri, Lucknow.

BOMBAY,—Paper Currency Dept.; *The 5th December* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 10—26043	100	Mr. A. J. DeCosta, Clerk at Messrs. Volkart Brothers, Kurrachee.
C 99—46337	20	Mr. T. Fox.
G 7—76663	10	Supervisor, Public Works Department, Purundhur.
„ —71294	10	

KURRACHEE.—Paper Currency Dept.; *The 12th December* 1876.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
61	E 7—35396	5	The Post Master, Lahore.
	E 13—10163	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
89	E 12—22149	20	Narain Das, Munshi, Deputy Commissioner's Office, Gurdaspore.
91	E 10—48191	10	Mr. S. E. Henderson, Contractor, Multan.
93	E 3—98071	100	Kishen Chand, Cloth Merchant, Lahore.

LAHORE,—Paper Currency Office; *The 9th December* 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
70	B 24—34905	50	T. Runga Row, Bangalore.
	B 43—68207	50	
	B 38—84421	100	
	B 50—06769	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
195	B 41—67417	10	K. Valayudam, Savanur.
	B 49—53223	10	
196	B 43—69710	50	V. Soondrarajooloo Naick, Cuddalore.
197	B 49—53123	10	Mr. W. Ogilvie, Madras.
198	B 50—03661	100	M. Runga Chari, Madras.
199	B 39—07226	5	Narrainsawmy Naick, Madras.
200	B 39—59590	5	B. Srinivasiengar, Bangalore.
	„ —59593	5	
201	B 52—03182	10	V. Narasimulu, Kamgiri.
202	B 43—48968	50	P. Kamarazu, Nellore.
35	B 41—74306 wrongly joined. „ —84306	10	Soobroya Moodelliar, Madras.

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 4th December* 1876.

F. de H. LARPENT,
Offg. Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RS.		BALANCE OF BULLION		
		On the Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1876.	Rs.			Rs.	Rs.	Rs.
Nov. 27	...	817	2,68,725	...	76,79,989	55,96,051
„ 28	12,141	...	...	12,141	76,95,464	53,96,051
„ 29	1,44,736	...	...	1,56,878	77,02,434	51,96,051
„ 30	...	...	...	1,56,878	77,14,895	49,96,051
Dec. 1	...	...	...	1,56,878	77,28,922	47,96,051
„ 2	...	...	11,933	1,44,772	77,35,860	47,08,156

CALCUTTA MINT, *The 11th Dec.* 1876. } J. F. TENNANT, *Offg. Mint Master.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RS.		BALANCE OF BULLION		
		On the Tseasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1876.	Rs.			Rs.	Rs.	Rs.
Dec. 4	...	...	...	1,44,772	77,49,985	45,08,156
„ 5	...	1,39,379	14,345	197	78,94,929	43,21,629
„ 6	...	...	...	197	78,97,026	41,21,629
„ 7	...	...	...	197	39,11,343	79,21,629
„ 8	...	...	172	197	39,35,642	77,21,629
„ 9	...	...	...	197	39,27,396	76,21,629

CALCUTTA MINT, *The 11th Dec.* 1876. } J. F. TENNANT, *Offg. Mint Master.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 15th December 1876.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Himalaya*, will be closed at the General Post Office on Sunday, the 17th December 1876, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer *Kurrachee*, will be closed at the General Post-Office on Sunday, the 17th December 1876, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Singapore, Batavia and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Monday, the 18th December 1876, at 7 P. M.

Mails for Straits and Hong-Kong, for transmission per Steamers *A. Apcar* and *Penguin*, will be closed at the General Post-Office on Tuesday, the 19th December 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 19th December 1876, at 7 P. M.

Mails for Madras, Ceylon, and the intermediate ports, for transmission per Steamer , will be closed at the General Post Office on Wednesday, the 20th December 1876, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 22nd December 1876, by which mails for Mauritius, St. Denis, Reunion, and Zanzibar, can be forwarded.

2. Book-post and pattern packets must be posted on the 21st December 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 15th December 1876.

Arratoon, A.
Atkinson, M. (Private, No. 1780.)
Barattoni, C. A., Signor.
Beyts, G. F.
Biggs, Mrs. R.
Birch, Mrs. A. G. C.
Boyce, C. E.
Capper, Mrs. W. C.
Castle, Chas.
Chatterton, N. G.
Condey, Mr.
Copeland, Mrs.
Debi, Mrs. J.
D'Silva, Mrs. C.
Ellis, J. E. S.
Ernest, Joseph.
Faithful, Miss G.
Fitzpatrick, Miss M. A.
Halpin, J. N.
Hockadag, Mrs. M.
Hickie, Borman & Co., Messrs.
Hurd, R.
Jackson, Mrs. H. N.
Johnstone, C. E.
Jones, Mrs. J. D.
Kay, Mrs. E.
Manson, Miss.
Manual, J. P.
McCauley, James.
Murray, H.
Norris, Mrs.
O'Shaughnessy, D.
Payne, W. G.
Phillips, Robert.
Prieur, E.
Reynolds, J.
Robinson, Mrs. M.
Ross, Miss.
Saunders, J. H.
Smith, James.
Stephen, C.
Thomas, C. W.
Thomas, J.
Thurler, F. B.
Walker, Jas.
Williams, F.

Letters marked "Care of Post Office, to be kept till called for."

Ball, V.
Berlowitz, H. W.
Borthwick, Mrs.
B. O. X.
Browne, D.
Bruse, Mr.
Cane, Henry.
C. A. P.
Carter, W. B., Mrs.
Cavanagh, James.
Christian, A.
Cohen, M. B.
Court, John.
Crentzberg, Chas., Monsieur.
Dawson, Miss.
Duncan, J. Hastings.
E. F. W.
E. M.
Esse.
Findlay, Alfred.
Forker, H.
Galloway, John.
Gillbanks, Y. C.
Graham, C.
Godby, Mrs.
Hallewell, J.
Hindmarsh, William.
Johnson, Henry.
Kelly, W. P.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Mackenzie, W. J. B.
Mandslay, Lieut. E. R.
Mazzaline, Mrs. J.
Milner, W. H.
Mitchell, J. W.
Morgan, Milton, Mrs.
Munro, Major C. A.
Nemo.
O'Brien, T. H.
O'Brien, C.
Orton, B.
Oxenham, T. H.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Regamey, F., Monsieur.
Reid, J. R.
Richardson, Geo.
Roberts, A.
Rose, J. G.
Rumsby, R. W.
Ryall, Capt.
Scott, Walter.
Shutz, J.
Sinclair, A.
Skeldrake, Miss Hannah.
Slaweeki, Monsieur T.
Stephens, Dr.
Stroesko, Michel.
Travis, Miss Ida.
Watt, Capt. J. R.
Webb, A.
West, J.
Whyte, W. P.
Wilkinson, M.
Williams, T.
Willins, W. E. S.
Wilson, G. A.
Wilson, J. S.

Papers.

Cayton, Geo.
Duncan, J. Hastings.
Galloway, John.
Holland, Capt. H. O. H.
Kelly, W. P.
Mandolay, Lieut. E.
Munro, Major C. A.
Roberts, A.

Registered Letters.

Cooper, R.
Mandslay, E. R.
O'Brien, C., Mr.
Oxenham, T. H.
Russell, Thos R.

W. ALPIN,
Offg. Post Master of Calcutta.

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H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

Published by the Government of Bengal,

THE STATISTICAL REPORTER,

Vol. II, No. 7, *for December* 1876.

Trade Centres of Bengal, No. VIII, Midnapore.—Seaborne Trade of Calcutta, October 1876.—The export of Gunny Bags from Calcutta, 1873-74, 1874-75, 1875-76.—Bengal Provincial and Local Finance, 1871 to 1876.—The Port of Chandbally.—The Bhubooah Sub-Division of the Shahabad District.—The Beerbhoom Iron Works.—Agricultural Statistics of Thana Labpore, in the District of Beerbhoom.—Traffic on the Diamond Harbour and Baraset Road, No. IV.—Traffic on the Bankipore and Gya Road, No. IV.—River Steamer Traffic in Bengal, No. III.—Trade of Buxar—Darjeeling Frontier Trade with Sikkim, Nepal, and Bhootan.—Trade between Bengal and Nepal, third quarter of 1876.—Statements of River Traffic in Bengal, District by District, during September 1876.—Statements of Bengal Railway Traffic, during September 1876.—Vital Statistics, Bengal, during the month of September 1876.—Vital Statistics of the Town of Calcutta, October 1876.—Vital Statistics of the Suburbs of Calcutta, October 1876.—The Progress of Indian Trade.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 23, 1876. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT.

NOTICE.—The post of a Sworn Examiner of Translations of Urdu and Persian Documents is vacant in the Privy Council Appeal Department of the High Court.

Candidates are requested to apply to the Registrar.

HIGH COURT, APPELLATE SIDE, *The 1st December* 1876. } W. M. SOUTTAR, *Registrar.*

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 20th December 1876.

No. 54.—Mr. B. McMullen, 2nd Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from 8th December 1876.

W. PALMER,
Examiner of Telegraph Accounts.

BANK OF BENGAL.

Calcutta, the 6th December 1876.

Notice is hereby given that the Bank of Bengal, and Public Debt Office will be closed on Monday, Tuesday, Wednesday, and Saturday, the 25th, 26th, 27th, and 30th December, and on Monday and Tuesday, the 1st and 2nd January next.

By order of the Directors,

R. HARDIE,
Secretary & Treasurer.

COMPTROLLER GENERAL'S OFFICE.

No. 1312.—*Account of the Revenue and Expenditure of the Government of India for the fourth month of the year* 1876-77, *as compared with the corresponding period of* 1875-76.

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimate, 1876-77.	April to July 1876.	April to July 1875.	Comparison of 2 years. Increase.	Comparison of 2 years. Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	7,295,822	7,009,025	...	286,797
II.—Tributes and Contributions ...	700,000	251,997	223,710	...	28,287
III.—Forest ...	600,000	160,536	146,143	...	14,393
IV.—Excise on Spirits and Drugs ...	2,525,000	819,023	860,419	41,396	...
V.—Assessed Taxes ...	...	150	105	...	45
VI.—Customs ...	2,620,000	976,665	748,803	...	227,862
VII.—Salt ...	6,300,000	2,053,923	2,000,339	...	53,584
VIII.—Opium ...	8,200,000	2,695,128	2,835,870	140,742	...
IX.—Stamps ...	2,837,000	1,028,507	1,037,746	9,239	...
X.—Mint ...	124,000	36,162	103,841	67,679	...
XI.—Post Office ...	778,000	257,366	258,953	1,587	...
XII.—Telegraph* ...	281,500	26,551	30,951	4,400	...
XIII.—Law and Justice ...	316,000	108,331	117,229	8,898	...
XIV.—Marine ...	198,000	52,527	42,025	...	10,502
XV.—Interest ...	488,000	190,185	200,094	9,909	...
XVI.—Pensions ...	504,400	45,169	41,393	...	3,776
XVII.—Gain by Exchange ...	347,000	105,207	137,467	32,262	...
XVIII.—Miscellaneous ...	238,400	43,267	83,829	40,562	...
TOTAL ...	48,438,300	16,146,515	15,877,943	...	268,572
Military receipts and recoveries ...	840,800	263,493	234,103	...	29,390
Public Works, Ordinary ...	65,000	13,036	17,253	4,217	...
Irrigation receipts ...	527,000	132,837	135,899	3,062	...
State Railways ...	415,000	78,606	117,171	38,565	...
Guaranteed Railways' Traffic Receipts ...	7,888,000	2,966,828	2,593,666	226,838	...
TOTAL ...	58,174,100	16,901,315	18,976,035	74,720	...
England, including Army and Public Works ...	193,900	131,842	69,614	...	62,228
GRAND TOTAL ...	58,368,000	19,033,157	19,045,649	12,492	...

EXPENDITURE.	Estimate, 1876-77.	April to July 1876.	April to July 1875.	Comparison of 2 years. Increase.	Comparison of 2 years. Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,106,400	878,027	883,049	5,022	...
2.—Interest on Service Funds ...	390,000	97,548	56,839	...	40,709
3.—Refunds and Drawbacks ...	300,000	103,538	97,295	...	6,243
4.—Land Revenue ...	2,467,000	814,968	802,880	...	12,088
5.—Forest ...	414,500	118,702	127,255	8,553	...
6.—Excise on Spirits and Drugs ...	87,000	26,101	32,833	6,732	...
8.—Customs	189,000	61,246	62,995	1,749	...
9.—Salt	525,600	157,169	154,489	...	2,680
10.—Opium	2,199,000	1,296,439	1,827,577	531,138	...
11.—Stamps	71,700	25,237	25,827	590	...
12.—Mint	79,000	30,027	30,340	313	...
13.—Post Office ...	760,400	257,939	253,778	...	4,161
14.—Telegraph* ...	381,300	63,994	62,412	...	1,582
15.—Administration ...	1,251,500	391,295	425,981	34,686	...
16.—Minor Departments ...	249,400	70,177	68,165	...	2,012
17.—Law and Justice ...	2,364,200	748,084	779,737	31,653	...
18.—Marine	403,400	119,055	108,155	...	10,900
19.—Ecclesiastical ...	161,100	50,615	52,843	2,228	...
20.—Medical	184,000	60,638	58,995	...	1,643
21.—Political	293,400	110,038	100,880	...	9,158
22.—Allowances	1,675,200	439,375	405,290	...	34,085
24.—Superannuation ...	586,000	242,214	215,834	...	26,380
25.—Loss by Exchange ...	2,332,000	496,158	717,758	221,600	...
26.—Miscellaneous ...	45,000	13,550	29,185	15,635	...
27.—Allotments for Provincial Services ...	5,059,400	1,692,551	1,686,626	...	5,925
TOTAL ...	25,576,300	8,364,685	9,067,018	702,333	...
Military Expenditure ...	11,820,700	3,806,459	3,723,702	...	82,757
Public Works, Ordinary ...	2,441,500	748,904	802,125	53,221	...
Extraordinary ...	3,015,900	1,045,323	1,004,926	...	40,397
Land and Supervision ...	93,000	23,159	7,929	...	15,230
Interest paid in India ...	30,000	15,228	11,727	...	3,501
State Railways ...	292,000	56,527	101,167	44,640	...
Guaranteed Railways' Working Expenses, including Profits ... ... Surplus	4,418,000	993,754	938,771	...	54,983
TOTAL ...	47,687,400	15,054,039	15,657,365	603,326	...
England, including Army, Public Works, Ordinary and Extraordinary, and Guaranteed Interest	14,295,600	5,092,218	5,243,296	151,078	...
GRAND TOTAL ...	61,983,000	20,146,257	20,900,661	754,404	...

* Indian and Indo-European to end of May 1876, as included in the India Abstracts for July 1876.

COMPTROLLER GENL.'S OFFICE; CALCUTTA, The 15th December 1876.

EDWD. F. HARRISON, *Comptroller General.*

G. FITZGERALD, *Offg. Deputy Comptroller General.*

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The commencement of the Examination for Honors and for the Degree of Master of Arts has been postponed from Monday, the 29th January, to Monday, the 5th February 1877.

SENATE HOUSE, *The 11th Dec.* 1876. } A. W. CROFT, *Offg. Registrar.*

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

21st December 1876 ... Rs. 1,76,844-6-2.

E. F. HARRISON, *Treasurer to the Govt. of India.*

CALCUTTA, *22nd Dec.* 1876.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATIONS.

Camp Bogla, the 13th December 1876.

No. 3201 *S.*—Mr. J. M. Span, Executive Engineer, has been granted twelve days' preparatory leave, *viz.*, from 3rd to 14th November 1876, to enable him to rejoin his office of Executive Engineer, Erinpoora and Deesa and Aboo Divisions.

With reference to Notification No. 1228 S, dated 18th May 1876, Mr. J. M. Span, Executive Engineer, reported his return from six months' furlough on the 3rd November 1876. The unexpended portion of his leave is hereby cancelled.

Camp Sarwar, the 15th December 1876.

No. 3246 *S.*—Mr. Bhugut Singh, Assistant Engineer, and Mr. J. Gregory, Executive Engineer, respectively, delivered over and received charge of the office of the Executive Engineer, Mayo College Division, on the afternoon of the 6th December 1876.

By Order,

A. G. CROMMELIN, *Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.*

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 16th December 1876.

No. 50.—Mr. W. H. Bonnaud, Executive Engineer, 4th Grade, Officiating Executive Engineer, Southern Road Division, has been granted two years' furlough to Europe with thirty days' subsidiary leave from the 16th January 1877, or such subsequent date as he may avail himself of it.

No. 51.—The following permanent promotions are made with retrospective effect from the 24th August 1875, *vice* Mr. A. Hacket, Supervisor, 2nd Grade, deceased :—

From Overseer, 1st Grade, to Supervisor, 2nd Grade.

Mr. J. Williams (Temporary Supervisor, 2nd Grade).

From Overseer, 2nd Grade, to Overseer, 1st Grade.

Baboo Bahal Roy (Temporary Overseer, 1st Grade).

From Overseer, 3rd Grade, to Overseer, 2nd Grade.

Mr. Subrao Naidoo (Temporary Overseer, 2nd Grade).

No. 52.—Mr. A. T. Goodfellow, Assistant Engineer, 2nd Grade, is transferred from the Mhow to the Neemuch Division, which he joined on the forenoon of the 12th December 1876.

No. 53.—Baboo Nilmoney Seal, Accountant, 4th Grade, Neemuch Division, returned on the afternoon of the 12th December 1876 from one month's privilege leave granted to him in Notification No. 49, dated 22nd November 1876.

No. 54.—Baboo Bahal Roy, Overseer, 1st Grade, availed himself, on the afternoon of the 8th December 1876, of one month's privilege leave granted to him in Notification No. 48, dated 22nd November 1876.

No. 55.—Mr. W. Mulville, Supervisor, 2nd Grade, has been granted twenty days' privilege leave from such date as he may avail himself of it.

A. CADELL, *Colonel, R.E., Secy. to Agent, Govr. Genl., for Central India.*

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Camp Kot Kasim, the 13th December 1876.

No. $\frac{4396}{2}$ *G.*—In supersession of this Office Notification No. 2936-1365 G, dated 23rd August 1876, Captain W. J. W. Muir, Political Agent in Haraoti and Tonk, is granted privilege leave for forty-eight days. Captain Muir availed himself of this leave on the afternoon of the 16th August 1876, making over charge of his duties to Lieutenant-Colonel C. H. Clay, Commandant, Deoli Irregular Force.

Camp Gari Harsuri, the 16th December 1876.

No. $\frac{4444}{2}$ *G.*—Captain R. H. F. Rennick, Bengal Staff Corps, is granted three months' privilege leave with effect from the 23rd September 1876.

This Office Notification No. 2943-1372 G, dated 23rd August 1876, is hereby cancelled.

C. K. M. WALTER, *Offg. Agent, Govr. Genl., for Rajputana.*

PUBLIC WORKS DEPARTMENT— Military Works.

NOTIFICATIONS.

Simla, the 8th December 1876.

No. 118.—Mr. G. Pettitt, Assistant Engineer, 2nd Grade, has been granted by Her Majesty's

Secretary of State six months' leave on medical certificate, in extension of the leave granted to him in Inspector General's Notification No. 39, dated 8th March 1876.

No. 119.—Mr. H. Bull, Assistant Engineer, 2nd Grade, is granted eighteen months' leave without allowances, in extension of the leave granted to him in Inspector General's Notification No. 13, dated 22nd January 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

The 4th December 1876.

No. 3.—Privilege leave of absence for thirteen days has been granted to Lieutenant-Colonel D. Limond, R.E., Superintending Engineer of the 8th Circle, Military Works, from the afternoon of 12th November 1876 to the forenoon of 26th idem, when he rejoined his appointment.

Ranikhet, the 13th December 1876.

No. 1 *C.*—Sergeant W. G. Westwood, Overseer, 1st Grade, is transferred from the 7th to the 8th Circle, Military Works.

L. RUSSELL, *Col.,*
Offg. Chief Engineer, Military Works.

2nd Circle.

Lucknow, the 15th December 1876.

No. 66.—In continuation of this Office Notification No. 6 A, dated the 20th ultimo, Overseer Promeshri Doss availed himself of the privilege leave on the 23rd October last and returned to duty on the 31st of the same month.

The unexpired portion of eleven days of his leave is hereby cancelled.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 13th December 1876.

No. 58.—With reference to Inspector General Military Works' Notification No. 115 of 18th November 1876, Captain C. Crawford, R.E., Executive Engineer, 2nd Grade, made over, and Captain G. T. Maitland, S.C., Temporary Executive Engineer, 2nd Grade, received, charge of the Meerut Division, Military Works, on the forenoon of the 6th December 1876.

R. TYNDALL,
Supdg. Engr., 3rd Circle,
Military Works.

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Lucknow, the 19th December 1876.

With reference to Government of India, Public Works Department, Gazette Notification No. 510, dated 12th December 1876, Captain W. H. Rathborne, R.E., joined his appointment as Deputy Consulting Engineer to Government of India for Guaranteed Railways, Lucknow, on the forenoon of the 16th instant.

R. DEBOURBEL, *Lieut.-Col., R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 13th December 1876.

No. 204.—With reference to Director's Notification No. 182 of the 11th November 1876, Mr. R. Winder, Executive Engineer, 4th Grade, Indus Valley Railway, is granted fifteen days' subsidiary leave, with effect from the 30th idem.

The 18th December 1876.

No. 205.—Mr. H. Gower, Supervisor, 2nd Grade, Holkar and Neemuch State Railways, is transferred to the Open Line.

No. 206.—Mr. S. de V. H. Alexander, temporary Executive Engineer, 2nd Grade, Holkar State Railway, on special duty at Calcutta, is granted furlough for two years, also subsidiary leave for thirty days, with effect from the 20th December 1876, or such subsequent date as he may avail himself of the same.

This cancels Director's Notifications Nos. 129 and 134 of the 7th and 17th August 1876, respectively.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 16th December 1876.

No. 69.—Dr. R. Willmot reported his return from leave on medical certificate granted to him in Director of State Railways' Notification No. 29, dated 17th February 1876, on the afternoon of the 14th December 1876.

The 19th December 1876.

No. 70.—Doctors Robert Willmot and R. M. Meiklejohn, M. D., respectively, received and made over medical charge of the Rajputana State Railway on the forenoon of the 16th December 1876.

FRED. FIREBRACE,
Offg. Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 16th December 1876.

No. 176.—Baboo Hurish Chunder Paul, Overseer, 1st Grade, is transferred from the Chenab to the Ravi Division. He left the former Division on the forenoon of the 1st December 1876, and joined the latter on the afternoon of the same date.

No. 177.—Baboo Khetter Chunder Chatterjee, Accountant, 3rd Grade, Jhelum Division, returned to duty from the six months' leave on medical certificate granted to him by Notification No. 74, dated 24th June 1876, on the forenoon of the 21st November 1876.

No. 178.—Mr. J. V. Jones, Accountant, 2nd Grade, Chenab Division, is allowed three months' privilege leave, with effect from the afternoon of the 11th December 1876.

No. 179.—Mr. S. Williams, Accountant, 4th Grade, is temporarily transferred from the Office of Examiner of Accounts to the Jhelum Division, with effect from 27th November 1876.

No. 180.—Lahori Mull, Accountant, 4th Grade, on probation, Office of Examiner of Accounts, is allowed forty-five days' privilege leave, with effect from 17th October 1876.

No. 181.—Mr. G. W. Rolfe, Supervisor, 1st Grade, is transferred from the Chenab Division to the Open Line of this Railway, with effect from the forenoon of the 5th December 1876.

No. 182.—Mr. H. Luckstedt, Assistant Engineer, 2nd Grade, Bakrala Division, returned to duty from the leave granted to him by Notification No. 116, dated 30th September 1876, to study the native languages, on the forenoon of the 4th December 1876.

No. 183.—Mr. C. W. Thomas, Overseer, 2nd Grade, is transferred from the Chenab to the Ravi Division. He left the former on the forenoon of the 4th December 1876, and joined the latter Division on the afternoon of the 5th idem.

No. 184.—The services of Sub-Conductor C. Montgomery, Supervisor, 1st Grade, are temporarily placed at the disposal of Mr. Assistant Engineer Spring. He left the Chenab Division on the forenoon of the 27th November 1876, and joined the Assistant Engineer on the same date.

No. 185.—Mr. Pryce Jones, Sub-Engineer, 1st Grade, is transferred from the Jhelum Division to the Open Line.

No. 186.—Notification No. 63, dated 3rd June 1876, granting one and half month's privilege leave to Baboo Ishen Chunder Chatterjee, Overseer, 2nd Grade, is cancelled.

ALEX. GRANT,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 11th December 1876.

No. 153.—With reference to the Director of State Railways' Notification No. 195, dated the 27th November 1876, Mr. J. B. Chalmers, Assistant Engineer, 1st Grade, made over charge of the Shujabad Division to Captain J. B. Sparks, Executive Engineer, on the afternoon of the 30th November 1876.

The 14th December 1876.

No. 154.—Baboo B. M. Bose, Assistant Engineer, 2nd Grade, Sutlej Bridge Division, is granted one month and twenty-six days' privilege leave, with effect from the 29th December 1876, or such subsequent date as he may be able to avail himself of it.

This Office Notification No. 88, dated 16th August 1876, is cancelled.

No. 155.—Mr. F. L. Dibblee, Executive Engineer, 2nd Grade, is transferred from the Superintending Engineer's Office, Lower Sind District, to the Mehur Division.

No. 156.—Mr. J. H. DeRenzie, Assistant Engineer, 1st Grade, is transferred from the Lower to the Upper Sind District.

No. 157.—The following postings have been made by Superintending Engineer, Upper Sind District:—

Messrs. J. H. DeRenzie and J. M. Campion, Assistant Engineers, 1st Grade, to the Ghotki Division.

M. RAYNE,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 12th December 1876.

No. 249.—With reference to Notification No. 224 of 25th October, Mr. F. A. Hawkes, Executive Engineer, 3rd Grade (temporary rank), assumed charge of the Porada Section on the forenoon of the 8th November 1876.

No. 250.—With reference to Notification No. 221 of 16th October, Mr. W. de W. Peel, Assistant Engineer, 2nd Grade, joined the Assam Railway Extension Survey Division on the forenoon of the 20th November 1876.

The 14th December 1876.

No. 251.—Mr. R. White, Accountant, 1st Grade, Central Office of Accounts, is granted two months' privilege leave from 9th January 1877, or from such date as he may avail himself of the same.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 16th December 1876.

No. 87.—Mr. J. Wilson, Accountant, 3rd Grade, attached to Ghat Division, Holkar State Railway, is granted privilege leave for one month with effect from 15th December 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

RAILWAY CONFERENCE, 1877.

NOTIFICATION.

The Railway Conference will assemble at Calcutta on 6th February 1877. The place of meeting will be notified hereafter.

All persons who are interested in Railway affairs as well as those who are directly connected with Railway administration, and who desire to submit papers on any question which falls within the scope of the Conference, are requested to communicate with the Secretary.

As it is desirable that important papers should be printed and placed in the hands of the members of the Conference before they meet, early notice is requested.

Where this is impracticable, opportunity will, if possible, be afforded to persons who desire to express their views on such questions *viva voce*, provided that due notice of their intention and an outline of their proposals are forwarded at an early date to the Secretary, who will, in reply, explain the action to be taken on the subject in compliance with the desire of the Chairman of the Section to which it refers.

All communications should be addressed to the Secretary to the Railway Conference, Calcutta.

KELLOW C. PYE,
Secretary.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 22nd December 1876.

Privilege leave for one month and seven days is granted to Captain J. Waterhouse, Assistant Surveyor General, under Chapter VII of the Civil Leave Code, from the forenoon of the 5th January 1877.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date	Silver tendered. Estimated value.	Certificates issued for Rs.	Balance of Bullion		
		On the Treasury.	Under Assay.	Assayed.	Held on account of the Currency Department.
1876.	Rs.		Rs.	Rs.	Rs.
Dec. 11 ...	...	12,105	197	39,52,023	74,09,523
„ 12 ...	2,01,029	...	2,01,227	39,66,836	72,09,523
„ 13 ...	...	...	2,01,227	39,81,326	70,09,523
„ 14 ...	...	...	2,01,227	39,94,328	68,09,523
„ 15 ...	...	...	2,01,188	40,01,811	66,09,523
„ 16 ...	...	...	2,01,188	39,67,655	65,09,523

CALCUTTA MINT, *The 18th Dec.* 1876.

J. F. TENNANT,
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1876.		Rs.	
W52	... M 19—59059	... 10	... Captain E. D. O. Twemlow, R. E., Executive Engineer, Kolhapur District.
	• C 99—28953	... 20	...

NOTES PARTIALLY LOST OR DESTROYED.

1876.		Rs.	
M63	... M 24—33405 } „ —57809 }	... 100	... Babaji Ramchandra Fadurs, Patil Wadh, Belgaum.
H119	... M 17—12150	... 10	... Mahomed Vazeer Buksh, Vaccinator, Akola.
H179	... M 18—94023	... 10	... Dadabhoy Shapurji, Liquor Shop-keeper, Surat.
	M 20—29417	... 10	...
	M 22—09590	... 20	...
H167	... M 23—18888	... 50	... Bhogilal Hukmutrai, 2nd Assistant, Collector's Office, Punch Mahals.
M38	... C 96—10276 } B 41—25590 }	... 10	... H. H. Frances, Moradabad.
H169	... M 19—24192	... 10	... J. H. Abott, District Resident Engineer, Jabalpur.

BOMBAY,—Paper Currency Dept.; *The 12th December* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
59	... D 8—27185	... 500	... Basunt Lall, Benares.

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
90	... D 9—53550	... 1,000	... Sahibzada Mahomed Oomer Khan, Tonk.

ALLAHABAD,—Paper Currency Office; *The 14th December* 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Akola Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
C 91—07767	... 10	... Mrs. J. O'Brien of Hingolee.
„ —09262	... 10	...
C 91—08023	... 10	... The Agent, "Oriental Bank Corporation," Bombay.

AKOLA,—Paper Currency Dept.; *The 16th December* 1876.

C. W. A. DAVIES,
Assistant Commissioner.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
332	... A 87—26480	... 1,000	... Tah Ram.
333	L 67—44809	... 50	... Babu Rambrohmo Nundy.
	„ —38270	... 50	...
	„ —18431	... 50	...
334	... L 8—98236	... 100	... Babu Soshibhoosun Ganguly.
	L 66—64503	... 50	...
	L 49—11851	... 50	...
	L 19—76006	... 50	...
	„ —23809	... 50	...
	L 49—25283	... 50	...
335	... L 86—23070	... 10	... The Post Master Genl., N. W. Provinces.
337	... L 85—01889	... 1,000	... Captain P. Ozilia.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
265	... L 59—13159 } „ —13160 }	... 10	... Babu Joy Kissen Doobey.
266	L 37—87275 } „ —87274 }	... 20	... Babu Gopaul Chundra Paul.
	L 15—49275 } „ —49274 }	... 5	...
267	L 51—06021 } „ —06031 }	... 100	... Pundit Deoki Nundun.
268	... L 13—88863 } L 48—89323 }	... 20	... Babu Satcoury Mukerjee.
269	L 16—73035 } „ —73036 }	... 5	... Babu Bejoy Nath Chatterjee.
	L 20—37163 } „ —37165 }	... 5	...
	L 9—12448 } „ —12449 }	... 5	...
270	... L 23—77087 } „ —77088 }	... 5	... Babu Woomes Chandra Dutt.
272	... L 78—27345 } „ —27347 }	... 20	... Babu Brojo Nath Rukhit.
	L 24—28556 } L 23—11733 }	... 5	...
	L 15—76850 } „ —17826 }	... 5	...
273	... L 25—97939 } „ —97938 }	... 5	... Mahomed Anwar.
274	... L 5—23808 } „ —23809 }	... 10	... Babu Radha Nath Chatterjee.
	A 98—81232 } „ —06377 }	... 10	...
	L 9—61534 } „ —61533 }	... 5	...
	L 21—31527 } „ —31517 }	... 5	...
	A 19—11545 } „ —22138 }	... 10	...
275	... L 13—90792 } „ —90793 }	... 20	... Babu Hurroprosad Banerjee.
	L 13—05413 } „ —05410 }	... 20	...
276	... E 5—95025 } L 64—11818 }	... 20	... Babu Hurry Coomar Bose.
386	... L 57—38932	... 10	... Amir Ali.
387	... L 86—23729	... 10	... Babu Bisessur Nath.
	—23730	... 10	...
388	... L 12—35845	... 20	... P. Bisessur Nath.
	L 10—47985	... 5	...
389	.. L 23—42856	... 5	... Mr. J. Coello.
390	... L 57—27810	... 10	... Babu Nobin Chundra Chowdhury.
391	... L 89—20871	... 20	... Babu Khirud Mohun Bose.
392	... L 52—61397	... 500	... Babu Jattra Mohun Biswas.
	L 68—93743	... 100	...
	L 77—76656	... 20	...
	L 15—46081	... 5	...
393	... L 76—54324	... 10	... Babu Ram Gopaul Ghose.
394	... L 89—15395	... 20	... Babu Woopendra Nath Ganguly.
395	... L 66—64037	... 50	... Babu Koilas Chandra Mittra.
396	... A 79—25010	... 10	... Mr. C. P. Palmer.

CALCUTTA,—Paper Currency Office; *The 22nd December* 1876.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Calicut Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 10—01658	... 100	... Sanally Vittil Seethamoo Koya of Calicut.
J 6—84578	... 10	... P. Krishna Pillai, Head Master, School, Kollongode.

NOTES PARTIALLY LOST OR DESTROYED.

	Rs.	
J 6—77369	... 10	... The Commissioner, for B. Raghavandra Row of Bellary.
J 5—36238	... 20	... The Commissioner, for C. Rachapa of Hampsagur.

CALICUT,—Paper Currency Office; *The 7th December* 1876.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
18	... F 7—65964	... 10	... Mr. J. Humpedge, 5, Park Street, Calcutta.

NAGPUR,—Paper Currency Office; *The 12th December* 1876.

H. KEENE,
Asstt. to Accts. Genl., C. P., in charge of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
72	... B 42—53832	... 20	... A. Champion, Esq., Solicitor, Madras.
73	... B 42—63175	... 20	... M. Appathoray Pillay, Madras.
74	... B 36—50385	... 5	... Superintendent of Vaccination, Tanjore.
75	... B 42—62608	... 20	... Conductor J. McGowan, Fort St. George.
	„ —62609	... 20	...
76	... B 49—78892	... 10	... Syed Khader, Mercara.
77	... B 49—92026	... 10	... Terumallay Naidu, Srirangam.
78	... B 52—21313	... 10	... Magana Kistna Moodelliar, St. Thomas' Mount.
	„ —21314	... 10	...
	„ —21315	... 10	...
	„ —21316	... 10	...
	„ —21317	... 10	...
	„ —21318	... 10	...
	„ —21319	... 10	...
	„ —21320	... 10	...
	„ —21321	... 10	...
	„ —21322	... 10	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
203	... B 42—52330	...	20	... A. Venkataramiah, Madras.
204	... B 42—40795	...	20	... P. Rungiah Naidu, Madras.
205	... B 49—26695	...	10	... Rustomjee Eduljee Pithavalla, Bombay.
206	... B 28—87827	...	500	... Hajee Allarakia Sajim & Co., Madras.
36	... B 40—20892 wrongly joined.		5	... Mr. J. W. Ditmas, Manantoddi.
	„ —20893 wrongly joined.			
37	... B 39—32451 ditto	...	5	... P. Venkatasawmy Naidu, Madras.
	„ —32457 ditto			

FORT ST. GEORGE,
Accts. Genl.'s Office, Paper Currency Dept.; *The 11th December* 1876.

F. de H. LARPENT,
Offg. Asstt. to the Accts. Genl., in charge of Paper Currency Dept.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
62	... E 4—79392	... 50	... The District Superintendent of Police, Delhi.
	E 15—03639	... 50	...
63	... E 3—76157	... 100	... The District Superintendent of Police, Purneah.
64	... E 13—10055	... 100	... Sheikh Mowla Bux and Raheem Bux, Delhi.
65	... E 1—29959	.. 1,000	... Amir Bux, Gujrat.
66	... E 10—60013	... 10	... Gujar Mal, Gurdaspore.
	E 12—36816	... 20	...
	E 13—09455	... 100	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
24	... E 7—47658	...	5	... R. W. Trafford, Esq., Dalhousie.
	„ —47659			
79	... E 5—69037	...	20	... Budri Nath, care of Munshi Sava Singh, Canal Department, Bahampore *viâ* Gurdaspore.

LAHORE,—Paper Currency Office; *The 16th December* 1876.

I. C. BOSE,
Offg. Asstt. to Accts. Genl., in charge of Currency.

Statement of the Affairs of the Bank of Bengal for the week ending 19th December 1876.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital paid up	2,00,00,000	0	0	Government Securities	1,94,10,577	1	6
Reserve Fund	16,72,699	2	5	Loans on Government Securities, &c., at Head Office and Branches ...	65,53,971	9	8
Rs. A. P.				Accounts of Credit on Government Securities, &c., at Head Office and Branches	40,68,997	5	10
Public Deposits at Head Office ... 80,45,646 10 4				Bills discounted and purchased at Head Office and Branches	1,73,35,036	15	7
Public Deposits at Branches ... 91,86,252 13 0	1,72,31,899	7	4	Balances with other Banks ...	3,28,927	7	4
Other Deposits at Head Office and Branches	2,42,86,137	13	9	Bullion	10,082	0	9
Bank Post Bills, &c.	3,02,496	2	2	Dead Stock	10,39,220	13	10
Sundries	7,85,337	6	7	Stamps	10,281	11	4
				Sundries	1,54,709	13	6
					4,29,11,804	15	4
				Rs. A. P.			
				Cash and Currency Notes at Head Office ... 1,02,09,917 12 1			
				Cash and Currency Notes at Branches ... 1,11,56,847 4 10	2,13,66,765	0	11
TOTAL ...	6,42,78,570	0	3	TOTAL ...	6,42,78,570	0	3

BANK OF BENGAL; *Calcutta, 21st December* 1876.

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

STATEMENT of Government Promissory Notes cancelled for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th December 1876.

PARTICULARS.	4 PER CENT. LOANS of 1843-45.	of 1854-55.	of 1862-63.	of 1866-68.	of 1867-68.	3½ PER CENT. LOANS OF 1854-64.	4 PER CENT. LOANS of 1870.	of 1871.	of 1872.	5 PER CENT. LOAN OF 1866-67.	5½ PER CENT. LOAN OF 1868-69.	5 PER CENT. DEBENTURES FOR 10 years. Repayable, June 1877.	5 PER CENT. DEBENTURES FOR 15 years. Repayable, June 1882.	TOTAL AMOUNT.
Balance of 30th November 1876 ...	1,50,50,500	1,06,61,300	14,56,400	2,346	33,173	55,600	34,77,700	2,57,000	2,60,60,300	82,800	4,17,60,000	29,93,000	33,15,000	12,75,36,913
Add—														
Amount enfaced at Madras between 1st and 16th December 1876	...	...	...	...	...	...	...	...	...	...	500	...	...	500
Amount enfaced at Bombay between 1st and 16th December 1876	4,000	...	...	...	...	...	...	...	9,000	...	24,000	...	...	51,000
Amount enfaced at Calcutta between 1st and 16th December 1876	83,500	4,000	...	...	...	...	8,000	...	...	...	21,800	...	...	2,81,100
	1,51,37,000	1,06,65,300	14,56,400	2,346	33,173	55,600	34,85,700	2,57,000	2,69,69,300	82,800	4,18,06,300	29,93,000	33,15,000	12,78,69,513
Deduct—														
Amount written off in the London Registers	44,000	8,000	...	...	...	...	2,900	...	18,000	...	4,05,200	...	...	5,90,300
Balance on 15th December 1876 ...	1,51,13,000	1,06,57,300	14,56,400	2,346	33,173	55,600	34,82,800	2,57,000	2,69,51,300	82,800	4,14,01,100	29,93,000	33,15,000	12,72,79,213

NOTE.—From 9th June 1867 to 15th October 1876, enfaced from India, 2,354 lakhs; re-transferred from London, 2,408 lakhs.

16th Oct.	1876 to 31st	„	„	1	„
„	1st Nov.	„ to 15th Nov.	„	6	„
„	16th	„ to 30th	„	6	„
„	1st Dec.	„ to 15th Dec.	„	3	„
				2,373 lakhs.	
				2,373	„
		Balance against London ...		61	lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 19th December 1876.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 22nd December 1876.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 23rd December 1876, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Sunday, the 24th December 1876, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Meccu*, will be closed at the General Post Office on Sunday, the 24th December 1876, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 24th December 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 26th December 1876, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Indus*, will be closed at the General Post Office on Wednesday, the 27th December 1876, at 7 P M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 29th December 1876.

2. Book-post and pattern packets must be posted on the 28th December 1876.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 22nd December 1876.

Andrews & Sons, F. C., Messrs.
Barattoni, C. A., Signor.
Barnes, S. K.
Beyts, G. F.
Bigge, Mrs. R.
Birch, Mrs. A. G. C.
Biss, Monsieur.
Blair, Robert.
Boyce, C. E.
Canuel and Co., Messrs.
Capper, Mrs. W. C.
Castle, Chas.
Condey, Mr.
Congum, Sam.
Copeland, Mrs.
Davis, A. J., Sergt.
Downell, B.
D'Souza, R. A.
Ellis, J. E. S.
Fitz Gerald, Mr.
Forster, William.
Gordon, F. A.
Hall, Mrs.
Hickie, Borman & Co., Messrs.
Higgins, J.
Jackson, Mrs. H. N.
LeGrand, W. J.
Manning, Miss.
Martin, J.
Manual, J. P.
McCauley, James.
Norris, Mrs.
Payne, W. G.
Prieur, E.
Reynolds, J.
Ross, Miss.
Rushwaldy, H.
S Mrs.
Sanpin, E.
Saunders, J. H.
Smith, James.
Stephen, C.
Stratford, W.
Valentine, Mr.
Walker, Jas.
Williams, F.
Williamson, A. & A., Misses.
Winscom, K., Miss.
Wood, E. A., Mrs.

Letters marked "Care of Post Office, to be kept till called for."

Ball, V.
Barlow, H. E.
Berlowitz, H. W.
Borthwick, Mrs.
B. O. X.
Browne, J., Mrs.
Bruse, Mr.
Buckley, C. W.
C. A. P.
Carter, W. B., Mrs.
Cavanagh, Jas.
Christian, A.
Cohen, M. B.
Court, John.
Cracknell, W. B.
Crentzberg, Chas. Monsieur.
Dawson, Miss.
Duncan, J. Hastings.
E. F. W.
E. M.
Esse.
Findlay, Alfred.
Forker, H.
Galloway, John.
Gillbanks, Y. C.
Gilling, Capt.
Graham, C.
Godby, Mrs.
Guimet, Emile, Monsieur.
Hindmarsh, William.
Huguenot, M.
Johnson, Henry.
Jones, B. F.
Kelly, W. P.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Mackenzie, W. J. B.
Mandslay, Lieut. E. R.
Mazzaline, Mrs. J.
Milner, W. H.
Mitchell, J. W.
Morgan, Milton, Mrs.
Moseley, W. H. Capt.
Munro, Major C. A.
Murphy, Bernard.
Nemo.
Nicholson, John S.
O'Brien, C.
O'Brien, T. H.
Orton, B.
Oxenham, T. H.
Penny, P.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Regamey, F. Monsieur.
Reid, J. R.
Richardson, Geo.
Roberts, A.
Ryall, Capt.
Scolfi, A. L.
Scott, Walter.
Shutz, J.
Sinclair, A.
Skeldrake, Miss Hannah.
Slaweeki, Monsieur T.
Stephens, Dr.
Stroesko, Michel.
Tipping, R. G., Lieut.
Travis, Miss Ida.
Trotter, Capt.
Watt, Capt. J. R.
Webb, A.
Whyte W. P.
Wilkinson, M.
Williams, T.
Willins, W. E. S.
Wilson, G. A.

Registered Letters.

Mandslay, E. R.
O'Brien, C.
Oxenham, T. H.
Russell, Thos. R.

W. ALPIN,
Offg. Post Master of Calcutta.

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The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

List of Books for sale at the Library of the Asiatic Society of Bengal,

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H. H. RISLEY,
Acting Asst. Secy. to the Govt. of Bengal.

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PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 30, 1876. {Register No. 33.

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George Lindsay Kerr, formerly an Assistant in the Commissariat Examiner's Office, and late Government Pensioner, died at Entally, in the Suburbs of Calcutta, on the 27th November 1876.

Caroline Williams, of Mussoorie, wife of Frederick St. Claire Williams, Assistant Commissioner of Hurda, in the Central Provinces of India, died at Mussoorie, on the 9th May 1874.

HIGH COURT, CAL., *The 23rd Dec.* 1876. } F. S. COLLIS, *Offg. Administrator Genl.*

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 23rd December 1876.

No. 55.—Mr. H. B. Harrison, 1st Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for two months and twelve days, under Section 12 of Supplement F of the Civil Leave Code, with effect from 16th December 1876.

W. PALMER,
Examiner of Telegraph Accounts.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

28th December 1876 ... Rs. 1,61,919-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA, *29th Dec.* 1876. }

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 23rd December 1876.

No. 8.—Mr. Arthur William Smart, Probationary Assistant Surveyor, 4th Grade, availed himself, on the forenoon of the 18th September last, of the privilege leave for three months granted in Notification No. 13, dated 22nd August 1876, and resumed his duties on the forenoon of the 28th ultimo. The unexpired portion of the leave is cancelled.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 23rd December 1876.

No. 56.—Mr. F. S. Meik, Assistant Engineer, 2nd Grade, has been granted privilege leave for one month and 12 days, from the 23rd October to 3rd December 1876, inclusive.

No. 57.—Hurput Rai, Overseer, 2nd Grade, availed himself, on the forenoon of the 17th instant, of the three months' privilege leave granted him in Notification No. 43 of the 11th November 1876.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

PUBLIC WORKS DEPARTMENT—
Military Works.

NOTIFICATIONS.

Simla, the 20th December 1876.

No. 120.—The following Accountants are transferred to the Central Office of Accounts, Military Works:—

Mr. J. H. Trott, Accountant, 4th Grade, from Office of Executive Engineer, [illegible] Division. Mr. Trott reported his arrival at Simla on the 4th December 1876, before noon.

Mr. J. F. Chew, Accountant, 4th Grade, from Office of Executive Engineer, Umballa Division, Military Works. Mr. Chew reported his arrival at Simla on the 7th December 1876, before noon.

The 22nd December 1876.

No. 121.—With reference to Public Works Department Notification No. 480, dated 27th November 1876, Corporal S. Boon, R. E., Overseer, 1st Grade, is posted to the 5th Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 22nd December 1876.

No. 67.—Three months' leave of absence is granted to Lieutenant J. H. C. Harrison, R.E., Assistant Engineer, Lucknow Division, Military Works, to enable him to study the native language, from 1st April to 30th June 1877.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED. ESTIMATED VALUE.	CERTIFICATES ISSUED FOR Rs.	BALANCE OF BULLION		
		On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1876.	Rs.		Rs.	Rs.	Rs.
Dec. 18 ...	...	98,942	1,08,306	39,79,370	64,02,405
„ 19 ...	...	1,15,366	...	39,95,605	63,10,713
„ 20 ...	...	...	...	40,17,992	61,10,713
„ 21 ...	...	...	...	40,38,534	59,10,713
„ 22 ...	...	...	...	40,39,720	57,10,713
„ 23 ...	...	...	...	40,39,604	56,10,713

CALCUTTA MINT, *The 28th Dec.* 1876. } J. F. TENNANT, *Offg. Mint Master.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
338	... L 83—16280	... 100	... Hafez Kureem Bukhsk.
340	... L 52—65712	... 500	... Mr. George Sherman.
341	... L 82—26310	... 100	... Khoshal Sing.
342	... L 83—27325	... 100	... Mr. J. A. Morieno.
343	... L 83—22404	... 100	... Munfree Ram Monjee Ram.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
397	... L 43—13430	... 10	... Shahamut Khan.
398	... L 82—41782	... 100	... Mr. T. DeDombal.
399	... L 44—71738	... 10	... Babu Brojo Nath Ruckit.
400	... A 6—51201	... 10	... Mr. W. J. Fernandes.
401	... L 88—14414	... 10	... Hira Lal.
402	... L 66—38258	... 50	... Bikow Ram Moodhee.
	„ —30640	... 50	...
	„ —36718	... 50	...
	„ —[illegible]719	... 50	...
	„ —[illegible]403	... 50	...
	„ —[illegible]560	... 50	...
403	... L [illegible]—41461	... 100	... Mr. Baptist.
	„ —41462	... 100	...
	„ —21139	... 10	...
404	... L 82—86348	... 100	... Babu Bishun Bullub.
	L 66—32103	... 50	...
405	... L 42—45509	... 10	... Babu Ashanund Roy.

CALCUTTA,—Paper Currency Office; *The 29th December* 1876. }

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
79	... B 29—65913	... 1,000	... V. R. L. Aroonachella Chetty, of Madras.
	„ —65914	... 1,000	...
80	... B 49—89337	... 10	... Chinnasawmy Chetty, Chidambaram.
	B 44—78782	... 100	...
	B 50—26805	... 100	...
82	... B 49—93260	... 10	... C. Rajaruthna Pillay, Madras.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
207	... B 44—76699		... 100	... Appoo Oodayar, Malabar.
	B 50—26855		... 100	...
	„ —42084		... 100	...
208	... B 40—39768		... 5	... Mr. H. O. H. Rodrigues, Madras.
209	... B 49—87291		... 10	... Kasumiah, Kurnool.
210	... B 49—87415		... 10	... A. Venkoba Row, Kurnool.
211	... B 50—35674		... 100	... T. Pedda Subbarayadu, Guntoor.
38	... B 52—08292	wrongly joined.	10	... C. S. Subbarayaiah, Dindigul.
	„ —16492			
39	... B 50—40265	ditto	... 100	... S. E. Veerappa Chetty, Madras.
	„ —40295			
212	... B 33—93065		... 100	... G. K. Betham, Esq., Hassan.
213	... B 33—40663		... 100	... Hanumantbia, Bangalore.
	B 50—14698		... 100	...
	B 28—79253		... 500	...
214	... B 44—32732		... 100	... N. K. Chenna Veerappah, Tumkur District.
	„ —99172		... 100	...
	B 50—12049		... 100	...
	„ —25604		... 100	...
	„ —28748		... 100	...
	„ —28800		... 100	...
	„ —28801		... 100	...
	B 48—23762		... 50	...
	„ —24772		... 50	...
	„ —33307		... 50	...
	„ —41085		... 50	...
	„ —62690		... 50	...
215	... B 36—48582		... 5	... M. Anandalwar, Madras.
216	... B 40—06909		... 5	... S. Coopoosawmy Naidoo, Ramnad.
217	... B 49—95312		... 10	... Poonappah Moodr., Vellore.
40	... B 39—49963	wrongly joined.	5	... N. C. Yagappah Chetty, Madras.
	„ —49964			

FORT ST. GEORGE, Accott. Genl.'s Office, Paper Currency Dept.; *The 23rd December* 1876. }

F. de H. LARPENT,
Offg. Asstt. to the Accott. Genl., in charge of Paper Currency Dept.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
60	... D 11—56465 ...		10	... Salick Ram Missir, Marai *vid* Jounpur.

NOTES PARTIALLY LOST OR DESTROYED.

91	... D 10—69414 ...		5	... Balgobind, Sub-Registrar, Kheree, Oudh.
92	... L 47—15231 ...		20	... Kali Charan, Moosriff, Moozaffarpur.
93	... D 10—82376 ...		5	... Gobind Chunder Dutt, Allahabad.
94	... L 47—31089 ...		20	... Sahib Roy, Dehra Dun.
32	... A 18—03977 }	wrongly joined.	10	... Chowbey Raghunath Pershad, Rampur.
	„ —03970 }			

ALLAHABAD,—Paper Currency Office; *The 21st December* 1876.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No. 1876.	No. of Note.		Value. Rs.	Name of Claimant.
W53	... M 5—72117 ...		50	... Shripad Anant Chhatre, High School, Belgaum.

NOTES PARTIALLY LOST OR DESTROYED.

H97	... M 17—43279 ...		10	... Hunayat Ali, Reware.
H182	... C 6—35450 ...		20	... Sorabji Navaroji, Cooper, Municipality, Bombay.
H168	... C 98—84865 ...		10	... Gunpat Podar, Agency Treasury, Indore.
H177	... M 18—54279 ...		10	... }
	M 18—54280 ...		10	... } D. Atkinson, No. 5, Topographical Survey Party, Ashta.
	M 24—31825 ...		100	... }

BOMBAY,—Paper Currency Dept.; *The 19th December* 1876.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.			Value. Rs.	Name of Claimant.
J 3—96742		...	100	... }
J 10—00738		...	100	... } L. Olagu Iyen, care of Superintendent of Police, Tanjore.
J 4—70450 }	wrongly joined.	...	50	... Malliakal Alamammod of Kottakal, in Kurumbranad Taluq.
„ —70454 }				
J 6—68676 }	ditto	...	10	... Cheroothottathel Koonjee, Kalandan Shop-keeper, Calicut.
„ —67712 }				
J 6—81784		...	10	... }
„ —81787		...	10	... } Mr. A. G. VanHaeften, Coimbatore.
J 6—72519		...	10	... Mootha Pillay, of Porto Novo.

CALICUT.—Paper Currency Office; *The 21st December* 1876.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
67	... E 15—02882 ...		50	... Hafiz Elahee Bux, Dawkwalla, Umballa.

NOTES PARTIALLY LOST OR DESTROYED.

57	... E 10—06097	...	10	... } Messrs. Jamsetjee's Sons, Lahore (on behalf of Kashinath of
	E 12—12276	...	20	... } Pathan Kote).
78	... E 4—68199	...	50	... Pundit Pemnarain, Montgomery.
94	... E 7—55817	...	5	... }
	„ —55821	...	5	... }
	„ —55822	...	5	... } F. C. Channing, Esq., Asst. Settlement Officer, Goorgaon.
	„ —55823	...	5	... }
	„ —55824	...	5	... }
96	... E 12—19749	...	20	... Baboo Grish Chunder Mookerji, Lahore.

LAHORE,—Paper Currency Office; *The 23rd December* 1876.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency.

Nagpur Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.		Value. Rs.	Name of Claimant.
9	... F 9—68892 ...		50	... M. Peraboolingum, Head Clerk, Bank of Bengal, Nagpur.

NAGPUR,—Paper Currency Office; *The 20th December* 1876.

H. KEENE,
Asstt. to Acctt. Genl., C. P., in charge of Paper Currency.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned candidates have passed the First Examination in Arts :—

FIRST DIVISION.

In order of Merit.

1	Chattopadhyay, Digamvar	... Patna College.
2	Mitra, Amulyacharan	... Presidency College.
3	Mukhopadhyay, Krishnadhan	... Ditto.
4	Sen, Khagendranath	... Ditto.
5	De, Narendralal	.... Ditto.
	French, G. B.	... Doveton College.
7	Sengupta, Kisarimohan	... Presidency College.
8	Bhattacharyya, Rammay	... Hugli College.
9	Sanyal, Ramanath	... Presidency College.
10	Banerjea, A. N.	... Doveton College.
11	Narayandas	... Lahore College.
12	Sanyal, Dinanath	... Patna College.
13	Máiti, Rudranarayan	... Midnapur High School.
14	Basu, Bhupendranath	... Presidency College.
15	Datta, Brajavallabh	... Kishnaghur College.
16	Basu, Rakhalchandra	.. Calcutta Free Church Institution.
17	Ghosh, Ramottam	... L. M. S. Institution, Bhowanipur.
	Bagchi, Kalikrishna	... Presidency College.
	Sitaram	... Canning College, Lucknow.
	Biharilal	... High School, Jabulpur.
21	Datta, Parvatinath	... Presidency College.
	Basil, M.	... St. Xavier's College.
23	Chattopadhyay, Saratchandra	... Presidency College.
24	Gayaprasad	... Benares College.
25	Chattopadhyay, Rajendranath	... L. M. S. Institution, Bhowanipur.
	Bhattacharyya, Jugadas	... Cathedral Mission College.
27	Sarkar, Charuchandra	... Presidency College.
	Datta, Upendranath	... General Assembly's Institution.

SECOND DIVISION.

In Alphabetical Order.

	Abul Khair Muhammad Abdus Soobhan	... Presidency College.
	Aehchruram	... Lahore College.
	Adhikari, Harikrishna	... Kishnaghur College.
	„ Sasibhusan	... Hugli College.
	Agusti, Ramnarayan	... General Assembly's Institution.
	Amarnath	... Canning College, Lucknow.
	Bagchi, Kedarnath	... Benares College.
	Bandyopadhyay, Bidubhusan	... Metropolitan Institution.
	„ Jogendranath	... Cathedral Mission College.
10	„ Kalipada	... Presidency College.
	„ Kaliprasanna	... Ex-Student, Dacca College.
	„ Mahendranath	... Presidency College.
	„ Mahendranath	... L. M. S. Institution, Bhowanipur.
	„ Nandalal	... Presidency College.
	„ Rakhaldas	... Ditto.
	„ Sasibhusan	... Kishnaghur College.
	„ Upendrachandra	... Metropolitan Institution.
	Basu, Bipinvihari	... St. Xavier's College.
	„ Devendrabijay	... Metropolitan Institution.
20	„ Dvarkanath	... Dacca College.
	„ Jognesvar	... L. M. S. Institution, Bhowanipur.
	„ Kritantakumar	... Presidency College.
	„ Manmathanath	... Metropolitan Institution.
	„ Narayanchandra	... Presidency College.
	„ Nityagopal	... Muir Central College.
	„ Priyanath	... Metropolitan Institution.
	Bhattacharyya, Ramaprasad	... Kishnaghur College.
	Cathicar, Jagannath Gadi	... Jabulpur High School.
	Chakravarti, Indranarayan	... Patna College.
30	„ Jogendranath	... Free Church Institution, Calcutta.
	„ Sasikumar	... Ex-Student, Dacca College.
	Chattopadhyay, Anukulchandra	... Presidency College.
	„ Bipinvihari	... Hugli College.
	„ Pankajakumar	... Presidency College.
	„ Priyagopal	... Hugli College.

	Chaudhuri, Bijaygovinda	...	Bauleah High School.
	„ Tarakisor	...	Metropolitan Institution.
	„ Tarapada	...	Presidency College.
	Chhatulal	...	Ajmere College.
40	Damodardas	...	Bareilly College.
	Das, Govindachandra	...	Presidency College.
	„ Harendrakumar	...	Ditto.
	„ Harinarayan	...	Kishnaghur College.
	„ Saradakanta	...	Ditto.
	„ Siddhesvar	...	General Assembly's Institution.
	„ Tarinicharan	...	Presidency College.
	Datta, Jagatvandhu	...	Ditto.
	„ Mahendranath	...	Ditto.
	„ Narendrakrishna	...	Metropolitan Institution.
50	„ Navinchandra	...	Ditto.
	De, Anandamohan	...	Cathedral Mission College.
	„ Birchandra	...	Canning College.
	Deshpande, Rajaram Gangadhar	...	Jabulpur High School.
	Dikshit, Jaydev	...	Ditto.
	Dube, Murlidhar	...	Ditto.
	Dufour, A.	...	St. Xavier's College.
	Farid-ud-din Ahmed	...	Hugli College.
	Gangopadhyay, Kedarnath	...	Presidency College.
	Ghosh, Asutosh	...	Hugli College.
60	„ Bhavanicharan	...	General Assembly's Institution.
	„ Govindalal	...	Metropolitan Institution.
	„ Jogendranath	...	General Assembly's Institution.
	„ Manmathanath	...	Free Church Institution, Calcutta.
	Gupta, Gangagovinda	...	Presidency College.
	„ Gurulal	...	Hugli College.
	„ Matilal	...	Presidency College.
	Jagannathprasad	...	Jabulpur High School.
	Johns, G. W.	...	St. John's College.
	Jordar, Radhanath	...	Presidency College.
70	Kar, Gourkisor	...	Hugli College.
	Kasiram	...	Lahore College.
	Lahiri, Chandrakanta	...	Dacca College.
	„ Srihari	...	Presidency College.
	LeFranc, P. B.	...	Doveton College.
	Madansingh	...	Delhi College.
	Madhoram	...	Lahore College.
	Mahavirprasad	...	Canning College.
	Maitra, Heramvachandra	...	Presidency College.
	„ Rajendralal	...	Free Church Institution, Calcutta.
80	Majumdar, Bhavanikisor	...	Dacca College.
	„ Devendranath Mitra	...	Ex-Student, Presidency College.
	„ Hridaynath	...	Dacca College.
	„ Purnachandra	...	General Assembly's Institution.
	Musaddar Ali	...	Hugli College.
	Massa, L. A.	...	St. Xavier's College.
	Mitra, Asutosh	...	Presidency College.
	„ Birajcharan	...	Ditto.
	„ Chandicharan	...	St. Xavier's College.
	„ Nagendrachandra	...	Hugli College.
90	„ Samaldhan	...	General Assembly's Institution.
	Muhammad Hanif	...	L. M. High School, Benares.
	Mukhopadhyay, Abhayacharan	...	General Assembly's Institution.
	„ Gangadhar	...	Metropolitan Institution.
	„ Girischandra	...	Hugli College.
	„ Jogendrachandra, 1st	...	Presidency College.
	„ Purnachandra	...	Jabulpur High School.
	Nág, Abhayacharan	...	Presidency College.
	Páin, Priyalal	...	Ditto.
	Pal, Saratchandra	...	Ditto.
100	„ Srinath	...	Ditto.
	Pálit, Jadunath	...	Free Church Institution, Calcutta.
	Ratnaparkhi, Manahar Damodar	...	Jabulpur High School.
	Raushanlal	...	Agra College.
	Ráy, Atulkrishna	...	Hugli College.
	„ Indranarayan	...	Ditto.
	„ Nandagopal	...	Presidency College.
	„ Nikunjavihari	...	Bauleah High School.
	„ Phatikchandra	...	L. M. S. Institution, Bhowanipur.
	„ Prasannakumar	...	Midnapur High School.

110	Ráy, Ramcharan	...	Metropolitan Institution.
	„ Sasadhar	...	Presidency College.
	„ Syamacharan	...	Dacca College.
	Sáhá, Lalvihari	...	Hugli College.
	Sarkár, Jaganmohan	...	Dacca College.
	Sen, Chandrakanta	...	Presidency College.
	„ Harimohan	...	Metropolitan Institution.
	„ Jadavchandra	...	Dacca College.
	„ Kailaschandra	...	Free Church Institution, Calcutta.
	„ Saradaprasad	...	Dacca College.
120	Sinha, Jogeschandra	...	Free Church Institution, Calcutta.
	„ Nirmalchandra	...	Presidency College.
	Tamiz-ud-din	...	Ditto.
	Tivari, Chandrasekhar	...	Hugli College.
124	Wendt, H. L.	...	St. Thomas' College, Colombo.

THIRD DIVISION.

In alphabetical order.

	Abdul Halim	...	Presidency College.
	Acharyya, Panchanan	...	Hugli College.
	Anna Ramchandra Gokhle	...	High School, Jabalpur.
	Awadhkisor	...	Patna College.
	Bajpai, Benimadhao	...	Canning College, Lucknow.
	Bandyopadhyay, Amarnath	...	Ditto.
	„ Annadaprasad	...	Hugli College.
	„ Avinaschandra, II	...	Presidency College.
	„ Ditto	...	Ditto.
10	„ Kalipada	...	Jeypur Moharaja's College.
	„ Kedarnath	...	Metropolitan Institution.
	„ Krishnachandra	...	Patna College.
	„ Nandalal	...	L. M. S. Institution, Bhowanipur.
	„ Sasibhusan	...	Canning College, Lucknow.
	„ Sivchandra	...	General Assembly's Institution.
	„ Upendranath	...	Hugli College.
	Baptiste, E. M.	...	Patna College.
	Basu, Binadvihari	...	Ex-Student, Presidency College.
	„ Bijaygopal	...	Kishnaghur College.
20	„ Dinanath	...	L. M. S. Institution, Bhowanipur.
	„ Jaygopal	...	Ex-Student, Presidency College.
	„ Kherodchandra	...	General Assembly's Institution.
	„ Lalitmohan	...	Dacca College.
	„ Madhusudan	...	Kishnaghur College.
	„ Mahendranath	...	Ditto.
	Bhattacharyya, Bipineshvar	...	Metropolitan Institution.
	„ Harinath	...	General Assembly's Institution.
	„ Kailáschandra	...	Metropolitan Institution.
	„ Kumadnath	...	Hugli College.
30	„ Mahesvar	...	General Assembly's Institution.
	„ Mohánanda	...	Benares College.
	„ Ramgopal	...	Kishnaghur College.
	Bhaumik, Devendrachandra	...	Kishnaghur College.
	Binodelal	...	Bareilly College.
	Cháki, Benimadhav	...	Bauleah High School.
	Chakravarti, Bhupatibhusan	...	Kishnaghur College.
	„ Harakumar	...	Metropolitan Institution.
	„ Manmohan	...	General Assembly's Institution.
	Chandra, Khirodchandra	...	St. Xavier's College.
40	Chart Singh	...	Lahore Government College.
	Chattopadhyay, Basantakumar	...	St. Xavier's College.
	„ Haridás	...	Presidency College.
	„ Kalachand	...	Calcutta Free Church Institution.
	„ Sadananda	...	L. M. High School, Benares.
	Chaudhuri, Jadavchandra	...	General Assembly's Institution.
	Chunilal	...	Lahore Government College.
	Dás, Benimadhav	...	Kishnaghur College.
	„ Gangacharan	...	Hugli College.
	„ Govindachandra	...	General Assembly's Institution.
50	„ Harkishan C.	...	Delhi College.
	„ Sasibhushan	...	Calcutta Free Church Institution.
	„ Taraprassana	...	Presidency College.
	„ Umeschandra	...	L. M. S. Institution, Bhowanipur.
	Datta, Chandrakumar	...	Metropolitan Institution.
	„ Harimohan	...	Calcutta Free Church Institution.

	Datta, Jwala	... Bareilly College.
	„ Kalicharan	... Presidency College.
	„ Kaliprasanna	... Metropolitan Institution.
	„ Krishnalal	... Presidency College.
60	„ Lalvihari	... Sanskrit College.
	„ Napharchandra	... Presidency College.
	„ Upendranath	... Calcutta Free Church Institution.
	De, Basantakumar	... Dacca College.
	„ Mahendranath	... Calcutta Free Church Institution.
	„ Ramanath	... Presidency College.
	„ Ramapati	... Ditto.
	„ Sasibhushan	... Ditto.
	„ Suryyakumar	... Metropolitan Institution.
	Deviprasad	... Agra Government College.
70	Erasmus, J. D.	... Canning College, Lucknow.
	Gangaprasad	... Agra Government College.
	Gangopadhyay, Chandicharan	... Presidency College.
	„ Chandrakisor	... Ex-Student, Dacca College.
	„ Devendranath	... Muir Central College, Allahabad.
	„ Kunjavihari	... Jeypur Moharaja's College.
	Ghatuk, Nivaranchandra	... L. M. S. Institution, Bhowanipur.
	Ghosh, Amirtachandra	... Teacher.
	„ Bipinvihari	... Metropolitan Institution.
	„ Bipinvihari	... Calcutta Free Church Institution.
80	„ Jadunath	... Metropolitan Institution.
	„ Jadunath	... Calcutta Free Church Institution.
	„ Krishnalal	... Cathedral Mission College.
	„ Parvatinath	... Presidency College.
	„ Piyarimohan	... General Assembly's Institution.
	„ Purnachandra	... Metropolitan Institution.
	„ Saratchandra	... Canning College, Lucknow.
	„ Saratchandra	... General Assembly's Institution.
	„ Satya Kumar	... Dacca College.
	„ Surendranath	... Hugli College.
90	Goordayal	... St. John's College, Agra.
	Gosvami, Syamlal	... General Assembly's Institution.
	Govindrao Srikhandi	... High School, Jabalpur.
	Guni, Srinivas	... Midnapore High School.
	Gupta, Jaysankar	... Dacca College.
	„ Mahinimohan	... Metropolitan Institution.
	„ Umeschandra	... Ditto.
	Haldar, Basantakumar	... General Assembly's Institution.
	„ Gopállál	... Ditto.
	„ Pareshnath	... L. M. S. Institution, Bhowanipur.
100	Hamdr Rohim	... Kishnaghur College.
	Kshetriya, Srikrishna	... Metropolitan Institution.
	Kundanlál	... Delhi College.
	Labhamal	... Lahore Govt. College.
	Lakshmanprasad	... Canning College, Lucknow.
	Lala, Bindheswariprasad	... Benares College.
	Mahanti, Anandachandra	... Cuttack College.
	Mahommed Seddik	... Jeypur Moharaja's College.
	Maitra, Brajalál	... General Assembly's Institution.
	„ Rámlál	... Hugli College.
110	Majumdar, Bipinvihari	... Ditto.
	„ Jasadanandan	... Berhampur College.
	„ Jogendrachandra	... L. M. S. Institution, Bhowanipur.
	Mukand Govind Pavnasker	... Jabalpur High School.
	Mallik, Nilmadhav	... Presidency College.
	Misra, Dulichand	... Jabalpur High School.
	Mitra, Adharchandra	... General Assembly's Institution.
	„ Brajanath	... Ditto ditto.
	„ Devendranath	... Teacher.
	„ Girischandra	... Calcutta Free Church Institution.
120	„ Hemchandra	... Ex-Student, General Assembly's Institution.
	„ Kantichandra	... Cathedral Mission College.
	„ Kedarnath	... Metropolitan Institution.
	„ Navakumar	... Cathedral Mission College.
	„ Nrityagopal	... Ditto ditto.
	„ Priyanath	... Presidency College.
	„ Saradacharan	... Berhampur College.
	„ Taraknath	... Canning College, Lucknow.
	„ Upendranath	... Metropolitan Institution.

	Mukhopadhyay, Amvikacharan	... Kishnaghur College.
130	„ Benimadhav	... Muir Central College.
	„ Durgadas	... Berhampur College.
	„ Ganeschandra	... Calcutta Free Church Institution.
	„ Jogendranath No. II	... Presidency College.
	„ Jognesvar	... General Assembly's Institution.
	„ Kalidás	... Ditto ditto.
	„ Kedarnath	... Hugli College.
	„ Phanibhusan	... Metropolitan Institution.
	„ Saradaprasad	... Ditto ditto.
	„ Surendranath	... Kishnaghur College.
140	Munshi, Jadunath	... Ex-Student, Presidency College.
	Muthradás	... Lahore Government College.
	Nag, Priyanath	... Metropolitan Institution.
	Nandi, Gaganchandra	... Hugli College.
	Nilkanth Krishnaji Sarvtay	... Jabalpur High School.
	Pakrasi, Gopalchandra	... L. M. High School, Benares.
	Pal, Lakshminarayan	... Teacher.
	„ Manicklál	... Hugli College.
	„ Syamacharan	... General Assembly's Institution.
	„ Umeschandra	... Presidency College.
150	Pande, Sivdatta	... Muir Central College, Allahabad.
	Qánungo, Piyarilal	... Delhi College.
	Rájárám Chitamvar	... Muir Central College, Allahabad.
	Ray, Asutosh	... Cathedral Mission College.
	„ Bidhubhusán	... Presidency College.
	„ Bisvambhar	... Kishnaghur College.
	„ Durgadas	... Berhampur College.
	„ Gurbakhsh	... Agra Government College.
	„ Harinath	... Kishnaghur College.
	„ Harischandra	... Ex-Student, Dacca College.
160	„ Jadunath	... Cuttack College.
	„ Jogendranath	... Patna College.
	„ Prasannakumar	... Metropolitan Institution.
	„ Rajatsekhar	... Presidency College.
	„ Ramjadu	... Berhampur College.
	„ Upendranath (Senior)	... General Assembly's Institution.
	Sadasiv Sakaram Gokhle	... Jabalpur High School.
	Sahay, Sivasankar	... Patna College.
	Saligram	... Canning College, Lucknow.
	Sankar Ramchandra Koltay	... Jabalpur High School.
170	Sanyal, Nagendranath	... Kishnaghur College.
	Sarkar, Annadaprasad	... Patna College.
	„ Bhuvanchandra	... Ex-Student, Presidency College.
	„ Devendranath	... Hugli College.
	Sen, Basantakumar	... Ex-Student, Dacca College.
	„ Gostavihári	... Kishnaghur College.
	„ Harimohan	... Presidency College.
	„ Kailáschandra	... Hugli College.
	„ Kisarilál	... Calcutta Free Church Institution.
	„ Lakshmichandra	... Teacher.
180	„ Sasibhusan	... Metropolitan Institution.
	„ Ditto	... Calcutta Free Church Institution.
	Seneviratne, E. A.	... Teacher.
	Sing, Babbu	... Muir Central College, Allahabad.
	Sinha, Devendranath	... Ex-Student, Dacca College.
	Syamprakas	... Patna College.
	Syed Khursed Ali	... Ditto.
	„ Mahommed Ismail	... Ditto.
	Tapadar Dika Bara	... Cathedral Mission College.
	Thomson, C. W.	... Hugli College.
190	Vethal Waman Pagay	... Jabalpur High School.
191	Wirekoon, J. W.	... Kandy Collegiate School.

The undermentioned Candidates have passed the Entrance Examination :—

FIRST DIVISION.

In alphabetical order.

Abdul Jawad	... Calcutta Mudrassa.
Abdus Salam	... Ditto.
Adhya, Bipinvihari	... Hindu School.
Amjad Ali	... Gya School.
Asirkar, Laxuman Mahipat	... City School, Nagpur.

	Bacon, J.	... La Martiniere College, Lucknow.
	Bandyopadhyay, Adharchandra	... Navadwip Hindu School.
	„ Asutosh	... F. C. Institution, Calcutta.
	„ Bansidhar	... Ooterparah School.
10	„ Haridas	... Calcutta School.
	„ Harilal	... Barisal School.
	„ Kaliprasanna	... L. M. S. Institution, Bhowanipur.
	Baral, Asutosh	... Private Student.
	Baretto, J.	... St. Francis DeSale's School.
	Barman, Bipinvihari	... South Suburban School, Kalighat.
	Basak, Harimohan	... Hindu School.
	„ Kalikrishna	... Metropolitan Institution.
	Basu, Annadaprasad	... Sarodaprasad Institution, Chakdigi.
	„ Atulchandra	... South Suburban School, Kalighat.
20	„ Basantakrishna	... Metropolitan Institution, Shampukur Branch.
	„ Jogendranath (Junior)	... Metropolitan Institution.
	„ Kailaschandra	... Khulna School.
	„ Kalipada	... Jessore School.
	„ Manindranath	... South Suburban School, Kalighat.
	„ Nivaranchandra	... Noral H. C. E. School.
	„ Rajaninath	... Barisal School.
	„ Rajkrishna	... Oriental Seminary.
	„ Saradacharan	... Noral H. C. E. School.
	„ Sirischandra	... Lahore District School.
30	„ Upendranath	... L. M. S. Institution, Bhowanipur.
	Bhar, Nityananda	... General Assembly's Institution.
	Bhattacharyya, Devendranath	... Howrah School.
	„ Kalidas	... Metropolitan Institution.
	„ Rajanikanta	... Sitapur High School.
	„ Trailokyanath	... Dacca Collegiate School.
	Bhavanidas	... Delhi Upper School.
	Bisvas, Harischandra	... Oriental Seminary.
	„ Jognesvar	... Kishnaghur Collegiate School.
	Blunt, H.	... Mussooree School.
40	Bodhankar, Jognesvar Bapaji	... City School, Nagpur.
	Budhsen	... Moradabad Zillah School.
	Cable, E.	... Private Student.
	Chakravarti, Akshaykumar	... Serajgunge School.
	„ Asutosh	... Sanskrit College.
	„ Girischandra	... Hare School.
	„ Jadavchandra	... Mymensing School.
	„ Kshetrapal	... Metropolitan Institution, Shampukur Branch.
	„ Kunjavihari	... Khulna School.
	„ Lalitmohan	... Jagannath School.
50	„ Mohinimohan	... Rungpur School.
	„ Ramchandra	... L. M. S, Institution, Bhowanipur.
	„ Ramesvar	... Mymensing School.
	Chandra, Aghornalh	... Hindu School.
	Chattopadhyay, Baradakanta	... Patna Collegiate School.
	„ Gangacharan	... Barisal School.
	„ Haripada	... Hindu School.
	„ Narayandas	... Sanskrit College.
	„ Ratinath	... Hugli Collegiate School.
	„ Upendranath	... Barrackpur School.
60	„ Upendranath	... Horinavi A. S. School.
	Chaudhuri, Prasannanath	... L. M. S. Institution, Bhowanipur.
	„ Rajanikanta	... Kishnaghur Collegiate School.
	„ Satischandra	... Hindu School.
	„ Satyendrakumar	... Navadwip Hindu School.
	„ Tripurakanta	... Serajgunge School.
	Chowdry, H.	... Doveton College.
	Corrigan, J.	... La Martiniere College, Lucknow.
	Das, Gangadhar	... Hindu School.
	„ Haripada	... Metropolitan Institution, Shampukur Branch.
70	Datta, Amirtalal	... Church Mission School, Calcutta.
	„ Charuchandra	... Hare School.
	„ Digendranath	... Sylhet Government School.
	„ Kedarnath	... Hare School.
	„ Kedaresvar	... Kishnaghur Collegiate School.
	„ Sirischandra	... Sanskrit College.
	De, Jaygopal	... General Assembly's Institution.
	„ Upendralal	... Hare School.
	Dev, Jogendrachandra	... Konnugger School.
	„ Nagendrachandra	... Hindu School.

80	Dev, Sivchandra	... Hindu School.
	Euda, Ishanchandra	... Silchar School.
	Fatehchand	... Gujrat School.
	Ganeshdas	... Lahore District School.
	Gangopadhyay, Bhudarchandra	... L. M. S. Institution, Bhowanipur.
	„ Biharilal, II	... Jagannath School.
	„ Kunjavihari	... L. M. S. Institution, Bhowanipur.
	„ Priyanath	... Berhampur Collegiate School.
	„ Radhikanath	... Hare School.
	„ Saratchandra	... Jagannath School.
90	Ghuttewar, Ramchandranarayan	... F. C. Institution, Nagpur.
	Ghosh, Anandachandra	... Dacca Collegiate School.
	„ Annadaprasad	... Hugli Collegiate School.
	„ Bipinvihari	... Metropolitan Institution.
	„ Girischandra	... Mymensing School.
	„ Ishanchandra	... Faridpur School.
	„ Jogendrachandra	... Hindu School.
	„ Kantibhushan	... Cutwa School.
	„ Mahendrakumar	... Dacca Collegiate School.
	„ Nilprasanna	... Hare School.
100	„ Prankumar	... Midnapur High School.
	„ Rajendrakumar	... Kishnaghur Collegiate School.
	„ Rasiklal	... Barrackpur School.
	„ Saradacharan	... Joydebpur School.
	„ Sukhmay	... Jessore School.
	Guha, Mathuranath	... Teghoria School.
	„ Prasannakumar	... Dacca Collegiate School.
	Gupta, Akhilchandra	... Hindu School.
	„ Nagendranath	... Ditto.
	„ Upendrakrishna	... Ditto.
110	Gurdyal Sing	... Umritsur District School.
	Harris, G. R.	... Private Student.
	Healy, E. F.	... Mussooree School.
	Heard, H. H.	... St. Xavier's College.
	Henderson, J. J.	... La Martiniere College, Lucknow.
	Horst, G. P.	... Mussooree School.
	Jagannathprasad	... Patna Collegiate School.
	Kanjilal Jadunath	... Hetampur School.
	Kedarnath	... St. Stephen's High School, Delhi.
	Kelker, Vinayek Moreshwar	... F. C. Institution, Nagpur.
120	Kelly, W. A.	... St. Xavier's College.
	Lackersteen, M.	... Ditto.
	Lahiri, Harihar	... Hare School.
	MacLeod, H. A.	... Diocesan High School, Allahabad.
	Maelzer, H. G. V.	... Doveton College.
	Maitra, Kalikanta	... Serajgunge School.
	Majumdar, Adharchandra	... Calcutta Institution.
	„ Jadunath	... Jessore School.
	„ Krishnasundar	... Dalal Bazar School.
	„ Nilmadhav	... Kishnaghur Collegiate School.
130	„ Rakhaldas	... Hare School.
	„ Sasibhushan	... F. C. Institution, Calcutta.
	Mallik, Hemchandra	... Hindu School.
	Mandal, Jadunath	... Bankura School.
	„ Kedarnath	... General Assembly's Institution.
	Martin, M. S.	... Armenian Phil. Academy.
	McGuire, P.	... St. Joseph's School.
	Mendies, D. A.	... Doveton College.
	Mir Aftab Ali	... Calcutta Mudrassa.
	Mitra, Asutosh	... General Assembly's Institution.
140	„ Baradacharan	... Hare School.
	„ Birendralal	... Hindu School.
	„ Daivacharan	... Ditto.
	„ Haridas	... Hare School.
	„ Lalvihari	... Hugli Collegiate School.
	„ Rajanikanta	... Noakhali School.
	„ Sarasicharan	... Metropolitan Institution, Shampukur Branch.
	„ Saratchandra	... Hare School.
	„ Satischandra	... Ditto.
	„ Sureschandra	... Metropolitan Institution.
150	„ Upendrachandra	... Hugli Collegiate School.
	Moharir, Balaji Gangadhar	... City School, Nagpur.
	Mozuffer Hosen, Syed	... Sitapur High School.

	Mukhopadhyay, Asutosh	... Canning College.
	„ Bamacharan	... Baraset School.
	„ Bhavacharan	... Mozufferpur School.
	„ Brajalal	... Cuttack Collegiate School.
	„ Gangeschandra	... Kishnaghur A. V. School.
	„ Govindachandra	... Midnapur High School.
	„ Kaliprasanna	... L. M. School, Khagra.
160	„ Krishnadhan	... Sanskrit College.
	„ Krishnakali	... Ditto.
	„ Monmathanath	... Kishnaghur Collegiate School.
	„ Nandalal	... Hare School.
	„ Nityalal	... F. C. Institution, Calcutta.
	„ Phanibhushan	... Dacca Collegiate School.
	„ Priyanath	... Cuttack Collegiate School.
	„ Priyanath	... Canning College.
	„ Rajendranath	... Bhaugulpur School.
	Mukhyodi, Binadvihari	... Ooterparah School.
170	Naylor, A. G. E.	... F. C. Institution, Calcutta.
	Niogi, Surendranath	... Hindu School.
	Pairá Ram	... Teacher.
	Pál, Bhutnath	... Hindu School.
	„ Devendranath	... Ditto.
	„ Lolitmohan	... Oriental Seminary.
	Pálit, Davendranath	... Hugli Collegiate School.
	Pramanik, Krishnadayal	... Serajgunge School.
	Phakirchand	... Bareilly College.
	Purves, R. E.	... La Martiniere College, Lucknow.
180	Ray, Gopalchandra	... Seal's Free College.
	„ Guruprasanna	... F. C. Institution, Chinsurah.
	„ Purnachandra	... Jagannath School.
	„ Ramsankar	... Cuttack Collegiate School.
	„ Surendranath	... Hindu School.
	„ Sitaprasanna	... Serajgunge School.
	Raychaudhuri, Prabhatchandra	... Barisal School.
	„ Priyanath	... Ditto.
	„ Saratchandra	... General Assembly's Institution.
	„ Suratkumar	... Baripur School.
190	Samiruddin Ahmed	... Rungpur School.
	Sarkar, Annadaprasad	... Barrackpur School.
	„ Charuchandra	... South Boharoo School.
	„ Kesavlal	... Khulna School.
	Sarma, Chandulal	... Ajmere College.
	Sarvate, Sriram Bhaskar	... Jabulpur High School.
	Schorn, A. O.	... LaMartiniere College, Calcutta.
	Sen, Annadakumar	... Jagannath School.
	„ Asutosh	... General Assembly's Institution.
	„ Chandrakanta	... Chittagong School.
200	„ Hiralal	... Hindu School.
	„ Mohinimohan	... Bauleah School.
	„ Pramadacharan	... Hare School.
	„ Rajmohan	... Dacca Collegiate School.
	„ Ramlal	... Hindu School.
	„ Sirischandra	... Noakhali School.
	„ Srinath	... Barisal School.
	Senior, R.	... Bishop Cotton School, Simla.
	Shá, Jivankrishna	... Garden Reach School.
	Sil, Basantakumar	... Oriental Seminary.
210	Sinha, Binodvihari	... Baraset School.
	„ Manindrachandra	... Bhaugulpur School.
	Siret, E. R.	... Bengal Academy.
	Som, Ratanchandra	... Hugli Collegiate School.
	Sunder, C. E.	... St. Xavier's College.
	Sur, Haridhan	... Ooterparah School.
	„ Jogendranath	... Hare School.
	Thakurdas	... Private Student.
	Toozs, J.	... La Martiniere College, Lucknow.
	Vyall, F.	... Ditto.
220	Warwick, F. T.	... Mussooree School.

SECOND DIVISION.

In alphabetical order.

	Abdul Hosen	... Dacca Collegiate School.
	„ Khaliq	... Calcutta Mudressa.
	„ Mojidul Hanifi	... Intally Institution.
	Abdur Rahim	... Calcutta Mudressa.
	Abul Futtah, Syed	... Private Student.
	Achalvihari	... St. Peter's College, Allahabad.
	Adhikari, Sasibhushan	... Bengal Institution.
	Ahmad Hosen	... Nawab Abdul Gunny's Free School.
	„ Hosen Khan	... Lakhimpur High School.
10	„ Quarban	... Sultanpur School.
	Aich, Harihar	... Barrackpur School.
	Ala Nabi	... Almorah Mission School.
	Amarnath	... Hushyarpur District School.
	Anderson, J. H.	... La Martiniere College, Lucknow.
	Askari, Syed Hasan	... Hugli Collegiate School.
	Augustine, H.	... St. Xavier's College.
	Avetoom, T.	... La Martiniere College, Calcutta.
	Awasti, Lakshmanprasad	... Roy Bareilly High School.
	Azid Baksh	... Canning College.
20	Aziz-ud-din Ahmed	... Bareilly College.
	Badrinath	... Guzrat School.
	Badriprasad	... Bareilly College.
	Bagchi, Nrisinhaprasad	... Navadwip Hindu School.
	Bagley, A. H.	... Diocesan High School, Allahabad.
	Baker, J.	... La Martiniere College, Calcutta.
	Baksi, Haridas	... Berhampur Collegiate School.
	„ Prasannakumar	... Bankura School.
	Bál, Harischandra	... Dacca Collegiate School.
	Balmakund	... Christ Church School, Cawnpur.
30	Bandyopadhyay, Anathnath	... Sanskrit College.
	„ Annadaprasad	... Ootterparah School.
	„ Asutosh	... Cuttack Collegiate School.
	„ Atulchandra	... Hindu School.
	„ Bamandas	... Konnoger A. School.
	„ Beninath	... St. Peter's College, Allahabad.
	„ Biharilal	... Baluti School.
	„ Chandrabhushan	... Govt. High School, Allahabad.
	„ Chandrakumar	... Mogultuli School.
	„ Dharanidhar	... Burdwan Moharaja's School.
40	„ Dwarkanath	... Pogose School.
	„ Golaknath	... F. C. Institution, Chinsurah.
	„ Gopalchandra	... Cawnpur Zillah School.
	„ Haradhan	... Cossipur Kasinath School.
	„ Haridas	... Ootterparah School.
	„ Haripada	... Kishnaghur A. V. School.
	„ Hiranyakumar	... Jagannath School.
	„ Jadunath	... Metropolitan Institution.
	„ Jadunath	... Monghyr School.
	„ Jadunath	... Sultangacha School.
50	„ Jognesvar	... Metropolitan Institution.
	„ Jyotischandra	... Kishnaghur A. V. School.
	„ Kalipada	... Badla A. V. School.
	„ Kedarnath	... Konnoger A. School.
	„ Kshetramohan	... L. M. S. Institution, Bhowanipur.
	„ Kshetrapada	... South Suburban School, Kalighat.
	„ Kunjavihari	... Ariadaha Association School.
	„ Mahendranath	... Boluti School.
	„ Mahimachandra	... Pogose School.
	„ Manilal	... Sibpur Institution.
60	„ Nagendranath	... Metropolitan Institution.
	„ Nandakisor	... Barrackpur School.
	„ Purnachandra	... Jagannath School.
	„ Saratchandra	... Hindu School.
	„ Saratchandra	... Hazaribagh School.
	„ Sirischandra	... Burdwan Moharaja's School.
	„ Sirischandra	... Furreedpur Zillah School.
	„ Syamacharan	... Benares College.
	Bansidhar	... Bareilly College.
	Banwarilal	... Shajahanpur Mission School.
70	Barál, Thakurlal	... F. C. Institution, Calcutta.
	Barári, Akshaykumar	... Dacca Collegiate School.
	Barma, Ramnarayan	... Agra College.
	Basak, Bipinvihari	... F. C. Institution, Calcutta.

	Basak, Jagadananda	...	Hindu School.
	„ Syamsundar	...	Pogose School.
	Basu, Amritalal	...	Metropolitan Institution, Shampukur Branch.
	„ Bhuvunesvar	...	Patna Collegiate School.
	„ Bishnucharan	...	Berhampur Collegiate School.
	„ Brajasyam	...	Birbhum School.
80	„ Devendranath	...	F. C. Institution, Calcutta.
	„ Gangacharan	...	Barisal School.
	„ Gnanendranath	...	Oriental Seminary.
	„ Haridas	...	General Assembly's Institution.
	„ Haridas	...	Metropolitan Institution, Shampukur Branch.
	„ Jadavkrishna	...	Ditto.
	„ Kalicharan	...	Gonda High School.
	„ Kumadvandhu	...	Mudressa-i-Unwariah.
	„ Lalitmohan	...	Jenkin's School.
	„ Loknath	...	Sanskrit College.
90	„ Manahar	...	Private Student.
	„ Manaranjan	...	Jagannath School.
	„ Nakurchandra	...	Agurparah C. M. S. Institution.
	„ Nityagopal	...	Howrah School.
	„ Prasannakumar	...	F. C. Institution, Calcutta.
	„ Priyanath	..	Metropolitan Institution.
	„ Pulinvihari	...	Hindu School.
	„ Radhikaprasad	...	F. C. Institution, Calcutta.
	„ Rajendranath	...	General Assembly's Institution.
	„ Ramlal	...	Oriental Seminary.
100	„ Saratkisor	...	Dacca Collegiate School.
	„ Sureschandra	...	Delhi Upper School.
	„ Taraknath	...	General Assembly's Institution.
	„ Tejchandra	...	Hindu School.
	„ Umeschandra	...	Metropolitan Institution.
	„ Upendrakumar	...	L. M. S. Institution, Bhowanipur.
	„ Upendranath	...	Bhagalpur School.
	Basudevprasad	...	Shahjahanpur Mission School.
	Bazl-ul-Huq	...	Commillah School.
	Bechulal	...	Govt. High School, Allahabad.
110	Beechey, G.	...	Bishop Cotton School, Simla.
	Bhaduri, Chandrabhushan	...	Kishnaghur A. V. School.
	„ Krishnavandhu	...	General Assembly's Institution.
	„ Rajaninath	...	Pubna School.
	„ Srikrishna	...	Jessore School.
	Bhandári, Bipinvihari	...	Kuchiakole Radhabullabh's Institution.
	Bharani, Sitanath	...	Santipur Municipal School.
	Bhatt, Krishna Rao	...	Benares College.
	Bhatta, Tridharacharan	...	Kishnaghur Collegiate School.
	Bhattacharyya, Basantakumar	...	Seal's Free College.
120	„ Bhupati	...	Santipur Municipal School.
	„ Biharilal	...	Ditto.
	„ Bimalaprasad	...	Sitapur High School.
	„ Devendranath	...	Satkhira P. N. School.
	„ Gurudas	...	Faridpur School.
	„ Heramvachandra	...	Serajgunge School.
	„ Jagadis	...	Sanskrit College.
	„ Purnachandra	...	Barrackpur School.
	„ Saradaprasad	...	South Baharoo School.
	„ Sambhunath	...	Culna Moharaja's School.
130	„ Sasadhar	...	Benares College.
	„ Sasibhushan	...	Metropolitan Institution, Shampukur Branch.
	„ Srinath	...	Kishnaghur A. V. School.
	„ Upendrachandra	...	Ditto.
	Bhaumik, Tarinicharan	...	Faridpur School.
	Bhide, Vinayak Bhikaji	...	City School, Nagpur.
	Bishnuprasad	...	Patna Collegiate School.
	Biswas, Apurvachandra	...	Hindu School.
	„ Banwarilal	...	Burdwan Moharaja's School.
	„ Bipinvihari	...	Mahespur School.
140	„ Goursundar	...	Mymensing School.
	„ Haramohan	...	Barisal School.
	„ Kesavnath	...	Serajgunge School.
	„ Nivaranchandra	...	Baraset School.
	„ Sirischandra	...	Sanskrit College.
	„ Sitanath	...	Bauleah School.
	„ Taraknath	...	Barisal School.
	Bose, Josiah	...	Jessore School.

	Brahma, Upendranath	...	Kishnaghur Collegiate School.
	Bray, A. J.	...	Bishop Cotton's School, Simla.
150	Briant, C.	...	Ditto.
	Brijmohanlal	...	Agra College.
	Budr-ud-duja	...	Doveton College.
	Burward, J. H.	...	Bishop Cotton's School, Simla.
	Campion, J.	...	La Martiniere College, Lucknow.
	Chakravarti, Abhayacharan	...	Pogose School.
	„ Baikantachandra	...	Commillah School.
	„ Bhuvanmohan		Jagannath School.
	„ Bishnuram	...	Kishnaghur Collegiate School.
	„ Durgasundar	...	Mymensing School.
160	„ Grischandra	...	Konnugger A. School.
	„ Harischandra	...	Nizamut School.
	„ Kaliprasanna	...	Dacca Collegiate School.
	„ Kedarnath	...	Naral School.
	„ Kumadnath		General Assembly's Institution.
	„ Rakhaldas	...	Naral School.
	„ Sirischandra	...	Jagannath School.
	„ Tarakchandra	...	Dacca School.
	„ Thakurdas	...	Free Church Institution, Calcutta.
	„ Udaynarayan	...	Andul School.
170	Chandra, Akshaykumar	...	Oriental Seminary.
	„ Haridas	...	Free Church Institution, Calcutta.
	„ Jogneswar	...	Ooterparah School.
	„ Ramanath	...	Free Church Institution, Calcutta.
	Chattopadhyay, Adharchandra	...	Kuchiakole Radhabullabh's Institution.
	„ Akshaykumar	..	Hare School.
	„ Amvikacharan	...	Dacca Collegiate School.
	„ Asutosh	...	Berhampur Collegiate School.
	„ Bisvanath	...	Bankura School.
	„ Chandrakumar	...	Dacca Collegiate School.
180	„ Devendranath	...	Ooterparah School.
	„ Ganeschandra	...	Hare School.
	„ Girindranarayan	...	Kishnaghur Collegiate School.
	„ Gokulchandra	...	F. C. Institution, Calcutta.
	„ Haranchandra	...	Harinavi A. S. School.
	„ Haripada	...	Oriental Seminary.
	„ Jagatvandu	...	Nawab Abdool Gunny's Free School.
	„ Janakinath	...	General Assembly's Institution.
	„ Jogendranath	...	Kishnaghur Collegiate School.
	„ Kailaschandra	...	Pakur School.
190	„ Kaliprasanna	...	Balagarh E. School.
	„ Krishnadhan	...	L. M. S. Institution, Bhowanipur.
	„ Krishnadhan	...	Ooterparah School.
	„ Mahendranath	...	Birbhum School.
	„ Narayanchandra	...	C. M. School, Calcutta.
	„ Nilamvar	...	Patna Collegiate School.
	„ Nivaranchandra	...	Bagnan School.
	„ Prabhatchandra	...	Commillah School.
	„ Purnachandra	...	Calcutta School.
	„ Rajanikanta	...	Hugli Branch School.
200	„ Sankuvihari	...	Useful Arts School.
	Chaudhuri, Bijaygovinda	...	L. M. School, Khagra.
	„ Durgagovinda	...	Bauleah School.
	„ Gopalchandra	...	Serajgunge School.
	„ Jagatchandra	...	Kishnaghur A. V. School.
	„ Janmajay	...	Howrah School.
	„ Jogendralal	...	Hugli Branch School.
	„ Mathuranath	...	Kishnaghur A. V. School.
	„ Navanigopal	...	Hugli Collegiate School.
	„ Saratchandra	...	Bauleah School.
210	„ Srikanta	...	Kishnaghur Collegiate School.
	„ Umeschandra	...	L. M. School, Khagra.
	Chhannulal	...	Canning College.
	Chimote, Balkrishna Nilkanta	...	City School, Nagpur.
	Churiyamal	...	Loodiana Mission School.
	Claudius, J. E.	...	Doveton College.
	Collins, W. C.	...	Wood's Academy.
	Craymer, S.	...	La Martiniere College, Lucknow.
	Daniel Singh	...	F. C. Institution, Nagpur.
	Dás, Adharchandra	...	Serajgunge School.
220	„ Akshaykumar	...	Naral School.

	Dás, Baikantanath	...	Commillah School.
	„ Baranasi	...	St. John's College.
	„ Bhavanisankar	...	Mymensing School.
	„ Bipinvihari	...	Noakhali School.
	„ Bisvambhar	...	Umritsur District School.
	„ Bisvambhar	...	Lahore District School.
	„ Chandrakanta	...	Goalparah School.
	„ Damodar	...	Benares College.
	„ Devendranath	...	Dacca Collegiate School.
230	„ Gangakasi	...	Commillah School.
	„ Ghanasyam	...	Allygurh Government School.
	„ Girischandra	...	Silchar School.
	„ Gopal	...	Lahore District School.
	„ Gourmohan	...	F. C. Institution, Calcutta.
	„ Gurucharan	...	Lahore Mission School.
	„ Harinath	...	Kishnaghur A. V. School.
	„ Hemchandra	...	General Assembly's Institution.
	„ Janakinath	...	Commillah School.
	„ Kaliprasanna	...	Dacca Collegiate School.
240	„ Kasikanta	...	Bauleah School.
	„ Lachman, I	...	Umritsur District School.
	„ Lakshminath	...	Sylhet Government School.
	„ Manahar	...	Azimgurh School.
	„ Manaranjan	...	St. Xavier's College.
	„ Mandirdhar	...	Puri School.
	„ Mohinimohan	...	Jagannath School.
	„ Piyarimohan	...	Faridpur School.
	„ Purnachandra	...	Bogra School.
	„ Rajkumar		Barisal School.
250	„ Rohinikumar	...	Navadwip A. S. School.
	„ Sitanath	...	Commillah School.
	„ Sivchandra	...	General Assembly's Institution.
	„ Sivesvar	...	Barisal School.
	„ Sundar	...	Lahore District School.
	„ Trigunacharan	...	Bengal Institution.
	Datta, Amvikacharan	...	Sanskrit College.
	„ Arunchandra	...	Hare School.
	„ Chunilal	...	Hugli Collegiate School.
	„ Chunilal	...	Naral School.
260	„ Devendranath	...	Patna Collegiate School.
	„ Haramohan	...	Silchar School.
	„ Haricharan	...	Debrugarh School.
	„ Janakinath	...	Faridpur School.
	„ Makhanlal	...	Hindu School.
	„ Matilal	...	L. M. S. Institution, Bhowanipur.
	„ Matilal	...	Jessore School.
	„ Piyarilal	...	Jabalpur School.
	„ Rajkrishna	...	F. C. Institution, Calcutta.
	„ Rasvihari	...	Piljung School.
270	„ Sasibhushan	...	Midnapur School.
	Davies, G. C.	...	Doveton College.
	De, Adharlal	...	General Assembly's Institution.
	„ Annadacharan	...	Silchar School.
	„ Biharilal	...	Patna Collegiate School.
	„ Bisvesvar	...	Hindu School.
	„ Jaychandra	...	Gouhati School.
	„ Matilal	...	Metropolitan Institution.
	„ Priyanath	...	Cossipur Kassinath School.
	„ Radhikaprassad	...	Badla A. V. School.
280	„ Ramanimohan	...	Dacca Collegiate School.
	„ Rammohan	...	Joynarain's College.
	De Run, G. W.	...	St. Thomas' College.
	Dev, Haridas	...	Hugli Branch School.
	„ Radhanath	...	Harinavi A. S. School.
	„ Saratchandra	...	Ditto.
	Dewanchand	...	Umritsur District School.
	Dewanchand	...	Gujrat Government School.
	Dhar, Batavihari	...	Metropolitan Institution.
	„ Maniklal	...	Hindu School.
290	„ Murli	...	Arrah School.
	„ Rajanibhushan	...	Nizamut School.
	Dhol, Amritalal	...	Hindu School.
	D'Silva, J. W.	...	Wesley College, Colombo.
	Dube, Mannulal	...	Cawnpur Zillah School.

	Dube, Ravisankar	...	Jabulpur School.
	„ Ramprasad	...	Hurdui School.
	Dushotar, Ramchandra Govind	...	F. C. Institution, Nagpur.
	Evans, G.	...	St. Peter's College, Agra.
	FitzGerald, P.	...	St. Xavier's College.
300	Flynn, D. J.	...	La Martiniere College, Lucknow.
	Foley, C. N.	...	St. Xavier's College.
	Forsyth, E. F.	...	St. Paul's School, Darjeeling.
	Gadgil, Anantramchandra	...	F. C. Institution, Nagpur.
	Gajadharprasad	...	Patna Collegiate School.
	Gangaprasad	...	Allahabad Government High School.
	Gangaram	...	Roy Bareilly School.
	Gangopadhyay, Amvikacharan	...	Rowile H. C. E. School.
	„ Nagendranath	...	Metropolitan Institution, Shampukur Branch.
	„ Satyaprasad	...	St. Xavier's College.
310	Gasper, S. G.	...	Armenian Phil. Academy.
	Ghasiram	...	Hume's High School, Etawah.
	Ghatak, Kaminikumar	...	Jagannath School.
	„ Sasimohan	...	Santosh Jahnavi School.
	Ghate, Jogneswar Ganesh	...	F. C. Institution, Nagpur.
	Gholam Azam	...	Calcutta Mudrassa.
	Ghosh, Akshaykumar	...	Ranaghat School.
	„ Ashutosh	...	Howrah School.
	„ Bholanath	...	Calcutta School.
	„ Bipinvihari	...	Metropolitan Institution, Shampukur Branch.
320	„ Brajanath	...	Garden Reach School.
	„ Devendranath	...	Calcutta School.
	„ Dhirajkrishna	...	General Assembly's Institution.
	„ Gnanendramohan	...	Faridpur School.
	„ Haridas	...	Sibpur H. C. E. School.
	„ Jagatvandhu	...	Dacca Collegiate School.
	„ Janakivallabh	...	Cuttack Collegiate School.
	„ Jaygopal	...	South Suburban School, Kalighat.
	„ Jogendranath	...	General Assembly's Institution.
	„ Jogendranath	...	Jessore School.
330	„ Kalidayal	...	Teghoria School.
	„ Kalikumar	...	Pakur School.
	„ Kaliprasanna	...	Faridpur Zillah School.
	„ Kánilal	...	Burdwan Moharaja's School.
	„ Kapilchandra	...	Allahabad Government High School.
	„ Kedarnath	...	Konnugger Aided School.
	„ Kesavchandra	...	Metropolitan Institution, Sampooker Branch.
	„ Kherodchandra	...	General Assembly's Institution.
	„ Madanmohan	...	Commillah School.
	„ Mohendranath	...	Hindu School.
340	„ Mahitchandra	...	Joynarain's College.
	„ Mathuranath	...	L. M. S. Institution, Bhowanipur.
	„ Narendrakrishna	...	Doveton College.
	„ Nivaranchandra	...	Hindu School.
	„ Nripendranath	...	Hare School.
	„ Panchanan	...	Midnapur High School.
	„ Panchkari.	...	Chinsurah Hindu School.
	„ Prakaschandra	...	Metropolitan Institution, Shampukur Branch.
	„ Priyanath	...	Cuttack Collegiate School.
	„ Rajanikanta	...	Naral H. C. E. School.
350	„ Rajendralal	...	Hare School.
	„ Ramananda	...	Garden Reach School.
	„ Ramanimohan	...	Hare School.
	„ Sagarchandra	...	Barisal School.
	„ Sasinath	...	Sanskr College.
	„ Satischandra	...	Barrackpur School.
	„ Syamacharan	...	L. M. S. Institution, Bhowanipur.
	„ Taraknath	...	Bhaugulpur H. C. E. School.
	„ Tinkari	...	Metropolitan Institution, Shampukur Branch.
	Ghoshal, Anangamohan	...	Horinavi A. S. School.
360	„ Harinath	...	General Assembly's Institution.
	„ Hariprasad	...	L. M. School, Khagra.
	Gill, A. B.	...	Doveton College.
	Girdhar Lal	...	Lahore District School.
	Giridharilal	...	Upper School, Delhi.
	Gosvami, Satkari	...	Ooterparah School.
	Govind Balwant Pandhripande	...	F. C. Institution, Nagpur.
	Gregory, S.	...	Hugli Collegiate School.
	Guha, Dvarkanath	...	Jenkin's School.
	„ Girischandra	...	Noakhali School.

370	Guha, Haladhar	...	Pogose School.
	„ Janakinath	...	Faridpur Zillah School.
	„ Kasichandra	...	Noakhali School.
	Gupta, Asutosh	...	Howrah School.
	„ Bamacharan	...	Ditto.
	„ Dvarkanath	...	F. C. Institution, Calcutta.
	„ Kunjalal	...	Sanskrit College.
	„ Kunjavihari	...	Andul School.
	„ Sivendranath	...	Barisal School.
	Gurandit	...	Teacher.
380	Haldar, Haricharan	...	Deogurh Zillah School.
	„ Satkari	...	Hare School.
	Harnarayan	...	Bareilly College.
	Hazarilal	...	Lakhimpur High School.
	Hidayet-ullah	...	Gujrat Govt. School.
	Higgs, J.	...	La Martiniere College, Calcutta.
	Hiranand	...	Teacher.
	Housden, F. G.	...	Mussooree School.
	Huku, Niranjannath	...	Victoria School.
	Hushmat Ulla	...	C. M. School, Gorakpur.
390	Indurkar, Balwant Khanda	...	F. C. Institution, Nagpur.
	„ Hari Lakshman	...	Ditto.
	Jaganai Kulu, C.	...	Jubbulpur High School.
	Jagannath	...	Hushyarpur District School.
	Jagannath	...	Jeypur Moharaja's College.
	Jana, Ajodhyalal	...	L. M. School, Midnapur.
	Jayram	...	Gujranwallah Mission School.
	Jebb, N. J.	...	St. Xavier's College.
	Jha, Ramanath	...	Benares College.
	Jitanprasad	...	Arrah School.
400	Jitraj	...	Rawulpindee Mission School.
	Joakim, C. V.	...	Doveton College.
	Joshi, Lakshman Vithal	...	Private Student.
	Kabir-ullah	...	Barisal School.
	Kamptaprasad	...	Balrampur A. School.
	Kamptaprasad	...	Gonda High School.
	Karamchand	...	Rawulpindee Mission School.
	Karmakar, Baikantanath	...	Dacca Collegiate School.
	Khanna, Narottamdas	...	Moradabad Zillah School.
	Kumar, Gajendranarayan	...	Patna Collegiate School.
	„ Purnachandra	...	Hindu School.
	Kundu, Gopalchandra	...	Calcutta School.
	„ Kedarnath	...	Howrah School.
	„ Nilmani	...	F. C. Institution, Calcutta.
	„ Prannath	...	Metropolitan Institution.
	Kushari, Chandkisore	...	Commillah School.
	Laha, Saratchandra	...	Hindu School.
	Lahiri, Bipinchandra	...	Mymensing School.
	„ Dwarkanath	...	Ditto.
	„ Lalitmohan	...	Bauleah High School.
420	„ Mahendrachandra	...	Metropolitan Institution.
	„ Mahendranath	...	Howrah School.
	„ Satyajivan	...	Kishnaghur A. V. School.
	Lajjaram	...	Hurdui School.
	Lala, Baldeo	...	Gya School.
	„ Baniprasad	...	Joynarain's College.
	„ Hari	...	Budaon School.
	„ Syamsundar	...	Ditto.
	Le Blanc, W.	...	St. Xavier's College.
	MacCrea, J.	...	Ditto.
430	Madak, Ramchandra	...	Hugli Collegiate School.
	Madangopal	...	Hushyarpur District School.
	Madhavprasad	...	Government High School, Allahabad.
	Mahadevprasad	...	Gonda High School.
	Mahesprasad	...	Christ Church School, Cawnpur.
	Maitra, Dvarkanath	...	Chatmohar School.
	„ Kaliprasad	...	Berhampur Collegiate School.
	„ Mathuranath	...	Santipur Municipal School.
	„ Sureschandra	...	Bauleah School.
	Majumdar, Akshaykumar	...	Ooterparah School.
440	„ Amvikacharan	...	L. M. S. Institution, Bhowanipur.
	„ Durgacharan	...	Oriental Seminary.
	„ Jogendranath	...	Hindu School.
	„ Jogeschandra	...	Rungpur School.
	„ Khemacharan	...	Patna Collegiate School.
	„ Maheschandra	...	Mogultuli School.
	„ Mathuranath	...	Santosh Johnavi School.

	Majumdar, Parikshitchandra	...	Joynarain's College.
	„ Rakhavesvar	...	Birbhum School.
	„ Rohinikumar	...	Pogose School.
450	„ Srikrishna	...	Behar English School.
	Mallik, Bhagavicharan	...	St. Peter's College, Allahabad.
	„ Lalitmadhav	...	South Suburban School.
	Mandal, Girischandra	...	Birbhum School.
	Manilal	...	Furruckabad Zillah School.
	Manook, G.	...	St. Xavier's College.
	Marik, Akhilchandra	...	Barrackpur School.
	Martin, P. Z.	...	Armenian Phil. Academy.
	Masad Ali	...	Sylhet Government School.
	Mathur, Kedarnath	...	Moradabad Zillah School.
460	Matilal	...	Cawnpur Zillah School.
	Maulik, Jadavchandra	...	Rungpur School.
	„ Mahendrachandra	...	Sarodaprosad Institution, Chukdigi.
	Mayes, J. C.	...	La Martiniere College, Lucknow.
	Mayz-ud-din	...	Rungpur School.
	Misra, Baldeoprasad	...	Hurdui School.
	„ Brahmasankar	...	Benares College.
	„ Harinarayan	...	Birbhum School.
	„ Ishanchandra	...	Pandra School.
	„ Sukhmangal	...	Canning College.
470	„ Surajnarayan	...	Hurdui School.
	Mitra, Abhayacharan	...	Oriental Seminary.
	„ Anandakumar	...	St. Peter's College, Allahabad.
	„ Bhavatosh	...	Hare School.
	„ Charuchandra	...	Patna Collegiate School.
	„ Harendranath	...	F. C. Institution, Chinsurah.
	„ Jogendranath	...	Metropolitan Institution.
	„ Kiransasi	...	Hare School.
	„ Lakshminarayan	...	L. M. School, Midnapur.
	„ Lalchand	...	Shambazar H. G. E. School.
480	„ Netramohan	...	Ooterparah School.
	„ Nimáicharan	...	Cuttack Collegiate School.
	„ Piyarilal	...	Hare School.
	„ Prasannakumar	...	Monghyr Zillah School.
	„ Purnachandra	...	Dacca Collegiate School.
	„ Raicharan	...	Jessore School.
	„ Rajvallabh	...	Hare School.
	„ Srinath	...	Sibpur Institution.
	„ Sureshchandra	...	Hindu School.
	„ Sureshchandra	...	F. C. Institution, Calcutta.
490	„ Sureshchandra	...	Ranchi Government School.
	„ Suryyakumar	...	Jessore School.
	„ Upendrachandra	...	Bankura School.
	„ Upendragopal	...	L. M. S. Institution, Bhowanipur.
	Mohanlal	...	Shahjehanpur Mission School.
	Mohanty, C.	...	Cuttack Collegiate School.
	Moohta, Premraj	...	Durbar School, Jodhpur.
	Muhammad Abul Majid	...	Government High School, Allahabad.
	„ Amjad	...	Calcutta Mudrassa.
	„ Ata	...	Government High School, Allahabad.
500	„ Hafizuddin	...	Lahore Mission School.
	Mukhopadhyay, Adhyanath	...	Gossi Durgapur School.
	„ Akshoykumar	...	Kuchiakole Radhabhallab Institution.
	„ Akshoykumar	...	St. Joseph's School.
	„ Anangamohan	...	South Baharoo School.
	„ Asutosh	...	Ranchi Government School.
	„ Bankavihari	...	Baraset School.
	„ Basantakumar	...	L. M. S. Institution, Bhowanipur.
	„ Bhagavaticharan	...	Ooterparah School.
	„ Bharatchandra	...	Nawab Abdul Gunny's Free School.
	„ Bhavanath	...	Ilsoba Mondlye School.
510	„ Bhushanchandra	...	Goverdangah School.
	„ Biharilal	...	Bankura School.
	„ Chandrakumar	...	Ditto.
	„ Dineschandra	...	Barisal School.
	„ Durgaprasanna	...	Kalipara H. C. E. School.
	„ Haragovinda	...	Behar English School.
	„ Haricharan	...	F. C. Branch School, Culna.
	„ Haridas	...	Santipur Municipal School.
	„ Harilal	...	Barisa School.
	„ Harinath	...	Bankura School.
520	„ Harischandra	...	Pakoor School.
	„		

	Mukhopadhyay, Indubhushan	... Kishnaghur Collegiate School.
	„ Jagadiskumar	... Mozufferpore School.
	„ Jayhari	... Baraset School.
	„ Jogendrachandra	... Bankura School.
	„ Jogendranath	... Kishnaghur A. V. School.
	„ Jogeschandra	... Cuttack Collegiate School.
	„ Krishnajivan	... C. M. School, Calcutta.
	„ Nagendranath	... Bhagulpur School.
530	„ Nivaranchandra	... Jonye Training School.
	„ Panchkari	... Santipur Municipal School.
	„ Priyanath	... F. C. Institution, Calcutta.
	„ Rajendranath	... Konnugger A. School.
	„ Ramsaday	... Burdwan Moharaja's School.
	„ Saradaprasad	... Bhagulpur School.
	„ Sasibhushan	... Burranugger Hindu School.
	„ Satischandra	... Birbhum School.
	„ Satischandra	... Metropolitan Institution.
	„ Srinarayan	... Useful Arts School.
540	„ Srischandra	... Bhagulpur School.
	„ Susilendra	... Faridpur School.
	„ Syamacharan	... Baraset School.
	„ Upendrachandra	... Bauleah School.
	Mulraj	... Jullundur Mission School.
	Munasingha S.	... Private Student.
	Nafre, Makund Rao	... Jubbulpur High School.
	Nag, Bijaykrishna	... Metropolitan Institution.
	„ Chandrakesor	.. Silchar Government School.
	„ Ramcharan	... Doulatpur H. C. E. School.
550	Nandi, Asutosh	... Hindu School.
	„ Hridaychandra	... Calcutta Training Academy.
	„ Purnachandra	... Hare School.
	Nathulal	... Loodianah Mission School.
	Neal, F.	... Allahabad Diocesan High School.
	Niogi, Batavihari	... Metropolitan Institution, Shampooker Branch.
	„ Jadunath	... Cuttack Colleigate School.
	„ Kailaschandra	... Mymensing School.
	Nursimooloo	... High School, Rangoon.
	O'Brien, S. C.	... La Martiniere College, Calcutta.
560	Ollenbach, D. S.	.. Patna Collegiate School.
	Parbi, Damodar	... Cuttack Collegiate School.
	Pakrasi, Devendranath	... Howrah School.
	Pal, Baishnavcharan	... Rungpur School.
	„ Haranchandra	... F. C. Institution, Calcutta.
	„ Satkari	... Hugli Collegiate School.
	„ Syamlal	... Hare School.
	„ Trailokyanath	... Midnapur High School.
	Pant, Gupinath	... Hindu School.
	„ Ramlal	... Ranaghat School.
570	„ Sastidas	... Patna Collegiate School.
	Panchbhai, Govinda Sitaram	... City School, Nagpur.
	„ Madhao Sitaram	... Ditto.
	Pande, Beniram	... Benares College.
	„ Rajaram	... Jubbulpur High School.
	Pandit, Govinda Lakshman	... F. C. Institution, Nagpur.
	„ Navadwipchandra	... Dalal Bazar School.
	„ Sankarnath	... Hare School.
	Pant, Harkishan	... Almorah Mission School.
	Patnaik, Krishnamohan	... Puri School.
580	Patton, L.	... La Martiniere College, Calcutta.
	Peter, D. A.	... C. M. School, Gorakpur.
	Phadnavis, Rajaram Yeshwant	... City School, Nagpur.
	Pirchand	... Ajmere College.
	Piyarelal	... Bareilly College.
	Puranmal	... Allyghur Government School.
	Purnachandra	... Benares College.
	Rabbani, Golam	... Kishnaghur Collegiate School.
	Racburne, H.	... St. Xavier's College.
	Radharaman	... Government High School, Allahabad.
590	Raghuvar Dyal	... Christ Church School, Cawnpore.
	Raha, Amritlal	... Khulna School.
	Rajbahadur	... Fyzabad High School.
	Rajnarayan	... Victoria High School.
	Rakshit, Sridharchandra	... Hare School.
	Rambahadur, Rai	... Sarun School.
	Ramchand	... Upper School, Delhi.

	Ramesvarnath	... Canning College.
	Ramkrishna	... Hushyarpur District School.
	Ramkumar	... Jeypur Moharaja's College.
600	Ramprasad	... L. M. High School, Benares.
	Raoji Navlekar	... C. M. School, Jubbulpur.
	Ray, Asutosh	... Kishnaghur Collegiate School.
	„ Biharilall	... Kandi School.
	„ Chandramohan	... Dacca Collegiate School.
	„ Charuchandra	... Barrackpur Wesleyan Mission School.
	„ Dvarkanath	... Dacca Collegiate School.
	„ Girindrachandra	... Birbhoom School.
	„ Govindacharan	... South Suburban School, Kalighât.
	„ Haridas	... Kishnaghur Collegiate School.
610	„ Harinarayan	... Hare School.
	„ Harinath	... Kishnaghur Collegiate School.
	„ Jagatchandra I	... Mymensing School.
	„ Jogatchandra II	... Ditto.
	„ Jogendranath	... Hare School.
	„ Jogeschandra	... Tumlook Hamilton's English School.
	„ Joguesvar	... Benares College.
	„ Kshetranath	... Kustia School.
	„ Kunjamohan	... Mymensing School.
	„ Kunjavihari	... Garden Reach School.
620	„ Lalvihari	... Hugli Branch School.
	„ Lavanchandra	... L. M. School, Midnapur.
	„ Naphardas	... Berhampur Collegiate School.
	„ Navakrishna	... Midnapur High School.
	„ Phakirchandra	... Ditto.
	„ Prankrishna	... Purulia School.
	„ Prasannakumar	... Bankura School.
	„ Radhavallabh	... Bogra School.
	„ Radhikanath	... F. C. Institution, Calcutta.
	„ Rajanikanta	... Midnapur High School.
630	„ Rajkumar	... F. C. Institution, Calcutta.
	„ Rasvihari	... L. M. S. Institution, Bhowanipur.
	„ Rasvihari	... Dacca Collegiate School.
	„ Saratchandra	... Rungpur School.
	„ Sasibhusan	... Midnapur High School.
	„ Satyanath	... Kishnaghur A. V. School.
	„ Sivgovinda	... General Assembly's Institution.
	„ Sureshchandra	... Kishnaghur Collegiate School.
	„ Syamaprasad	... Calcutta Training Academy.
	„ Taruknath	... Serajgunge School.
640	„ Upendranarayan	... Kandi School.
	Raychaudhuri, Girindranath	... Ramnagur School.
	„ Jogendranath	... Sibpur Institution.
	„ Lalitkisor	... South Suburban School, Kalighat.
	„ Saradaprasad	... Harinavi A. S. School.
	Reilly, E. W.	... Doveton College.
	Rostan, J. F.	... St. Xavier's College.
	Routh, Krishnachandra	... Santosh Jahnavi School.
	Rudra, Kaminibhushan	... Dacca Collegiate School.
	Ruplal	... Umritsur District School.
650	Sadhu, Kunjavihari	... Chundernugger School.
	Saha, Ramlal	... Pakoor School.
	Sahây, Baijnath	... Government High School, Allahabad.
	„ Bhavani	... Ulwar High School.
	„ Chandranath	... Bhagulpur School.
	„ Ganga	... Futtehgurh High School.
	„ Jagannath (junior)	... Bhagulpur School.
	„ Mahadev	... Ranchi School.
	„ Nilkanta	... Purnea School.
	„ Ram	... Canning College.
660	Samanta, Brajanath	... Burdwan E. School.
	„ Kalitaran	... Searsole School.
	Sandal, A. L.	... Doveton College.
	Sankarlal	... Sultanpur School.
	Santram	... Gujrat School.
	Sanyal, Bamacharan	... Metropolitan Institution, Shampooker Branch.
	„ Janakinath	... Government High School, Allahabad.
	„ Kasikanta	... Serajgunge School.
	„ Radhanath	... Santipur Municipal School.
	„ Ramchandra	... Midnapur High School.
670	Sarkar, Amarnath	... Jessore School.
	„ Baradakanta	... Gossydurgapur School.
	„ Basantakumar	... L. M. S. Institution, Bhowanipur.
	„ Ganeschandra	... Culna Moharaja's School.
	„ Haricharan	... Metropolitan Institution, Shampooker Branch.
	„ Hariyadhav	... Beauleah School.

	Sarkar, Kunjavihari	... Maldah School.
	„ Paresnath	... F. C. Institution, Calcutta.
	„ Prasannakumar	... Kishnaghur A. V. School.
	„ Srischandra	... Dacca Collegiate School.
680	„ Sureschandra	... Ilsoba Mondlye School.
	„ Tinkari	... Metropolitan Institution, Shampooker Branch.
	Sarkhel, Gopallal	... Howrah School.
	Sarma, Srinarayan	... Ajmere College.
	Sarvanlal	... Agra College.
	Sekandarkhan	... Ajmere College.
	Sen, Akshaykumar	... Dacca Collegiate School.
	„ Amritalal	... Barisal School.
	„ Amritalal	... Jeypur Moharaja's College.
	„ Amvicacharan	... Jenkin's School.
690	„ Avinaschandra	... Bauleah School.
	„ Bhuvanmohan	... Jagannath School.
	„ Bidhubhusan	... General Assembly's Institution.
	„ Bireshvar	... Patna Collegiate School.
	„ Bisveswar	... Barisal School.
	„ Girischandra (junior)	... Rungpur School.
	„ Girischandra (senior)	... Ditto.
	„ Gopalchandra	... Sanskrit College.
	„ Haralal	... Bankura School.
	„ Jogeschandra	... Calcutta School.
700	„ Kedarnath	... L. M. S. Institution, Bhowanipur.
	„ Nagendrachandra	... Ditto.
	„ Parvaticharan	... Kishnaghur Collegiate School.
	„ Pratapchandra	... Jagannath School.
	„ Purnakam	... L. M. School, Khagra.
	„ Ramchandra	... Calcutta Training Academy.
	„ Ramcharan	... Hugli Collegiate School.
	„ Rishikes	... Monghyr Zillah School.
	„ Sasikumar	... Barisal School.
	„ Satischandra	... Chittagong School.
710	„ Sivesvar	... Barisal School.
	„ Syamacharan	... Metropolitan Institution, Shampooker Branch.
	„ Taraprasanna	... Dacca Collegiate School.
	„ Upenchandra	... General Assembly's Institution.
	Sengupta, Girijananda	... Daulatpur H. C. E. School.
	Seth, E.	... Diocesan High School, Allahabad.
	Sewaram	... Lahore District School.
	Shaik Muhammad Ahmed	... Canning College.
	Shio Baksh	... Jeypur Moharaja's College.
	Shionarainlal	... Gazipur Mission School.
720	Sikdar, Ramkalpa	... Private Student.
	Singh, Gouriprasad	... Monghyr Zillah School.
	„ Manahar	... Baptist Mission School, Monghyr.
	Sinha, Adhar Chandra	... Pogose School.
	„ Gopalchandra	... Midnapur High School.
	„ Gosiandas	... General Assembly's Institution.
	„ Harinath	... Sanskrit College
	„ Jagannath	... Birbhum School.
	„ Janajitlal	... Sanskrit College.
	„ Krishnakumar	... Mymensing School.
730	„ Radhikaprasad	... Hugli Collegiate School.
	„ Ramanimohan	... Calcutta School.
	„ Ramlal	... Teacher.
	„ Sasibhusan	... Chinsurah Hindu School.
	„ Syamlal	... Patna Collegiate School.
	Sitalprasad	... Furruckabad Zillah School.
	Sivadayal	... Lahore District School.
	Sivaprasad	... Jabalpur High School.
	Som, Madanmohan	... Sylhet Govt. School.
	Sripet, Ramchandra	... C. M. School, Jabalpur.
740	Sujjad Hosen	... Canning College.
	Sur, Makanlal	... Metropolitan Institution, Shampooker Branch.
	Surajbhan	... A. P. Mission School, Saharanpur.
	Suriarachchi, A	... Kandy Collegiate School.
	Syed Ahmed Hosen	... Sitapur High School.
	„ Wajah Ullah	... Calcutta Mudrassa.
	Tarachand	... St. John's College.
	Temarnikar, Govind Setaram	... Jabalpur High School.
	Tiwari, Avadhanarayan	... C. M. School, Gorakpur.
	Ticonan, E.	... Bishop Cotton's School.
750	Trikha, Rambhaj	... Lahore District School.
	Twidale, B.	... St. Xavier's College.
	Uhdadar, Narendranath	... Benares College.
	Upadhya, Grishchandra	... Pakoor School.

	Valuppillai, C.	... Wesleyan Central Institution.
	Wahaj, Abdool	... Moradabad Mission High School.
	Wazir Mahommed Khan	... Gonda High School.
	Wazul Haq	... Patna Collegiate School.
	Weeresekere, R.	... St. Thomas College, Colombo.
	Wilson, H. E.	... La Martiniere College, Lucknow.
760	Younan, A. C.	... St. Xavier's College.

THIRD DIVISION.

In Alphabetical Order.

	Abdul Aziz	... Shahjahanpur Zillah School.
	„ Hamid	... Patna Collegiate School.
	Acharyya, Kaliprasanna	... Bauleah School.
	„ Nilratan	... Kishnaghur Collegiate School.
	Ajoodhyaprasad	... Banda Zillah School.
	Ali Hasan	... Benares College.
	„	... Hume's High School, Etawah.
	Anantaram	... Bengalitollah Preparatory School.
	Bajpeyi, Basudev	... Joynarayan's College.
10	Bandyopádhyáy, Bamandás	... Balagar English School.
	„ Banawarilál	... Navadwipa A. S. School.
	„ Baradadás	... Kishnaghur Collegiate School.
	„ Bhudevcharan	... Puri Zillah School.
	„ Bidhubhushan	... Hare School.
	„ Bipinchandra	... Faridpur School.
	„ Bishnuchandra	... Gonda High School.
	„ Dvarkanath	... Chinsurah Free Church Institution.
	„ Girischandra	... Kuchiakole Radhaballabh's Institution.
	„ Haricharan	... Chinsurah Free Church Institution.
20	„ Harikishen	... Maldah School.
	„ Kailaspati	... Seebpur Institution.
	„ Kalipada	... Metropolitan Institution.
	„ Pramathanath	... Berhampur Collegiate School.
	„ Rajendranath	... Ilsoba Mondlye School.
	„ Ramnath	... Kishnaghur Collegiate School.
	„ Saratchandra	... Mirzapur Zillah School.
	„ Sasibhushan	... Hazaribagh School.
	„ Sureschandra	... L. M. School, Khagra.
	„ Tarinicharan	... Purulia School.
30	Baral, Nilratan	... Berhampur Collegiate School.
	Barkatram	... Lahore Mission School.
	Barua, Muktaram	... Sibsagar Zillah School.
	Basak, Anathvandhu	... Nawab Abdul Gunny's Free School.
	„ Devendranath	... Dacca Collegiate School.
	„ Jagadananda	... Dighapatia School.
	Basu, Batakrishna	... Seebpur Institution.
	„ Bidhubhusan	... Daulatpur H. C. E. School.
	„ Haranath	... Barisal School.
	„ Kalinath	... Private Student.
40	„ Lalitkrishna	... Pogose School.
	„ Nandalal	... Hugli Branch School.
	„ Nirodvihari	... Metropolitan Institution.
	„ Nrityagopál	... L. M. S. Institution, Bhowanipore.
	„ Priyagopal	... Burdwan Moharaja's School.
	„ Rajanikanta	... Muragacha School.
	„ Rasiklal	... General Assembly's Institution.
	„ Sadhuprasad	... Puri Zillah School.
	„ Saratchandra	... Upper School, Delhi.
	„ Syamaprasanna	... Dacca Collegiate School.
50	„ Umeschandra	... Behar English School.
	Bhandari, Mangalchand	... Jodhpur Durbar School.
	Bhattacharyya, Aghornath	... Benares College.
	„ Amritalal	... Agarpara C. M. S. Institution.
	„ Binodilal	... Navadwipa A. S. School.
	„ Haranchandra	... Joynarayan's College.
	„ Hemchandra	... Santipur Municipal School.
	„ Jadunath	... Beerbhoom School.
	„ Kalicharan	... Barabanki High School.
	„ Mahendranath	... Baranagar Hindu School.
60	„ Ramchandra	... Chinsurah Free Church Institution.
	Bhaumik, Arjunchandra	... Serajgunge School.
	„ Bamacharan	... Bauleah School.
	„ Sasibhusan	... Kishnaghur Collegiate School.
	Bhavaniprasad	... Bareilly College.
	Bishenlal	... Ajmere College.
	Bitva, Bipradás	... Kishnaghur Collegiate School.

	Bisvas, Bisvanath	... L. M. School, Khagra.
	„ Gopalchandra	... Bauleah School.
	Bisvesvarprasad	... Teacher.
70	Brijpaldás	... Moradabad Zillah School.
	Busaid	... Calcutta Mudressa.
	Chakravarti, Atulchandra	... Sylhet Govt. School.
	„ Chandrakanta	... Fyzabad High School.
	„ Dayalchandra	... L. M. S. Institution, Bhowanipore.
	„ Harilal	... Calna Free Church Branch School.
	„ Isánchandra	... Banda Zillah School.
	„ Madanmohan	... Calcutta School.
	„ Navinchandra	... Commillah School.
	„ Phakirchandra	... P. Gupinathpur School.
80	„ Saradacharan	... Mymensing School.
	„ Saratchandra	... Jagannath School.
	„ Suryyakanta	... Serajgunge School.
	Chandra, Avinasdas	... St. Peter's College, Allahabad.
	Chandragir, Ghanasyam	... Dinagepore School.
	Chattopadhyay, Atulchandra	... Jabalpur High School.
	„ Benimadhav	... Daulatpur H. C. E. School.
	„ Girischandra	... Metropolitan Institution.
	„ Jadunath	... Bankura School.
	„ Jogendranath	... General Assembly's Institution.
90	„ Mahendranath	... L. M. School, Khagra.
	„ Navinchandra	... Hugli Branch School.
	„ Nimáichand	... L. M. S. Institution, Mirzapur.
	„ Panchanan	... Calcutta Free Church Institution.
	„ Phanindrabhushan	... Hindu School.
	„ Priyanath	... Hetampur School.
	„ Siddhesvar	... L. M. S. Institution, Bhowanipur.
	„ Trailokyanath	... L. M. School, Khagra.
	Chaudhuri, Amvikacharan	... Putia School.
	„ Bipinvihari	... Bauleah School.
100	„ Devendranath	... Taki School.
	„ Gyanananda	... Hugli Collegiate School.
	„ Manmathanath	... Kishnaghur Collegiate School.
	„ Pratapchandra	... Bauleah School.
	„ Purnachandra	... Kishnaghur A. V. School.
	„ Rajanikanta	... Barisal School.
	„ Syamsundar	... Burdwan English School.
	„ Tarakchandra	... Bauleah School.
	Chhotelal	... Bareilly College.
	Cleophas, C. D.	... L. M. S. Institution, Mirzapur.
110	D'Abreu, W. F.	... Patna Collegiate School.
	Damodarcharan	... Moradpur School, Bankipur.
	Dás, Bhagwan	... Fyzabad High School.
	„ Dvarkanath	... Dacca Collegiate School.
	„ Harinath	... Calcutta Free Church Institution.
	„ Hridaychandra	... Ananda School, Brahmanbaria.
	„ Jaynarayan	... Cuttack Collegiate School.
	„ Kalikamal	... Mufti School, Sylhet.
	„ Khagendranarayan	... Tushbunder English School.
	„ Krishnachandra	... Pogose School.
120	„ Rajendrachandra	... Sridharpur School.
	„ Ramcharan	... Jagannath School.
	„ Ramkrishna	... Cuttack Collegiate School.
	Datta, Annadaprasad	... Ranchi Government School.
	„ Dakshinaranjan	... Metropolitan School.
	„ Durlabhchandra	... Chundernagar School.
	„ Jadunath	... Shampuker Preparatory School.
	„ Jaykisor	... Mufti School, Sylhet.
	„ Kaminikumar	... Dacca School.
	„ Nagendrachandra	... Hare School.
130	„ Panchkari	... Jehanabad School.
	„ Purnachandra	... Chittagong School.
	„ Saratchandra	... Pogose School.
	„ Srinath	... Barisal School.
	De, Bhagavaticharan	... Church Mission School, Calcutta.
	„ Gopalchandra	... Kishnaghur Collegiate School.
	„ Gopinath	... Cuttack Collegiate School.
	„ Jaduprasad	... Debrugarh School.
	„ Piyaremohan	... Hugli Collegiate School.
	„ Prasannakumar	... Commillah School.
140	„ Prasannakumar	... Bauleah School.
	„ Prasannakumar	... Sylhet Government School.
	„ Saradaprasad	... Hare School.
	Deviprasad	... L. M. High School, Benares.

	Dhanpatlal	... Cawnpur Zillah School.
	Durgaprasad	... Banda Zillah School.
	Durgaprasad	... Cawnpur Zillah School.
	Dvarkaprasad	... L. M. High School, Benares.
	Gajadharprasad	... Ray Bareilly High School.
	Ganes Madho Rao Katesthani	... Jabalpur High School.
150	Gangadhar Sadashiv Gokhale	... City School, Nagpur.
	Gangopadhyay, Biharilal, I	... Jagannath School.
	„ Gopalchandra	... Shambazar H. G. E. School.
	„ Kaminikumar	... Hugli Branch School.
	Gaurisankar	... Hurdui High School.
	Ghatak, Rajkumar	... Pogose School.
	Ghosh, Anujcharan	... Chinsurah Free Church Institution.
	„ Bidhubhusan	... Dacca School.
	„ Dvarikanath	... Barisal School.
	„ Girischandra	... Bhagalpur School.
160	„ Hemchandra	... Sulkea A. S. School.
	„ Jogendrakumar	... Piljung School.
	„ Khudiram	... Nizamat School.
	„ Mahendrachandra	... Jounpur C. M. School.
	„ Nepalchandra	... General Assembly's Institution.
	„ Rajendralal	... Piljung School.
	„ Rakhaldas	... Ilsoba Mondlye School.
	„ Ramlal	... Howrah School.
	„ Tarapada	... Metropolitan Institution.
	Ghoshal, Avinaschandra	... Sodepur H. C. E. School.
170	„ Bipinvihari	... Seal's Free College.
	„ Radhikapada	... Metropolitan Institution, Shampuker Branch.
	Gokulchand	... Guzrat Government School.
	Gokulprasad	... Canning College.
	Gopallal	... Allygurh Govt. School.
	Gosvami, Rajendranath	... Chinsurah Hindu School.
	Greson, J.	... St. Peter's College, Agra.
	Guha, Chandrakumar	... Pogose School.
	„ Umeschandra	... Jenkin's School, Cooch Behar.
	Gupta, Gopalchandra	... Hugli Collegiate School.
180	„ Gourgopal	... Kandi School.
	Hajra, Mihirchandra	... Metropolitan Institution, Shampuker Branch.
	Haldar, Rajendranath	... Calcutta School.
	Harikrisna Kharabi	... Nagpur Free Church Institution.
	Harprasad	... Bareilly College.
	Hpo Myah	... Government High School, Rangoon.
	Hazarilal	... Sarun School.
	Janginath	... St. John's College.
	Jaykaranlal	... Benares College.
	Josi, Jaidatta	... Almora Mission School.
190	Jugalkishore	... Hushiarpur District School.
	Kashiram	... Umritsar Mission School.
	Khalilur Rahman	... Dighapatia School.
	Khan, Haridas	... Kuchiakole Radhaballabh's Institution.
	„ Hariprasanna	... Canning College.
	Khudi Rai	... Gazipur Mission School.
	Krishnananda	... Bareilly College.
	Kukriti, Bala Datta	Ditto.
	Kunjavihari	... Hume's High School, Etawah.
	Lahiri, Gopalchandra	... L. M. High School, Benares.
200	„ Prasannanath	... Nizamat School.
	Lálá, Ramananda	... Joynarain's College.
	Liládhar	Bareilly College.
	Loorindamal	... Peshawar Mission School.
	Madak, Avinaschandra	... Seal's Free College.
	Madanmohanlal	... Bareilly College.
	Madanvibarilal	... Bhagalpur School.
	Mahanti, Bansidhar	... Puri Zillah School.
	Mahomed, Faseeh	... L. M. High School, Benares.
	„ Ibrahim Khan	... Bareilly College.
210	„ Isa	... Mirzapur Zillah School.
	„ Ismail	... Nizamat School.
	„ Nesarul Haq	... Monghyr Zillah School.
	„ Shamsul Haq	... Private Student.
	Majumdar, Kunjavihari	... Gauhati School.
	„ Manindramohan	... Hindu School.
	„ Srischandra	... Harinavi A. S. School.
	„ Srischandra	... Bauleah School.
	Mallik, Bamacharan	... Kishnaghur A. V. School.
	„ Chunilal	... Ariadaha Association School.
220	„ Devendranath	... Hooghly Branch School.
	„ Navagopal	... Sanskrit College.
	Mátáprasad	... Allygurh Government School.

	Miah, Khairati	...	Chittagong School.
	Misra, Hariprasad	...	Monghyr Zillah School.
	,, Kashinath	...	Benares College.
	,, Mahendranath	...	Tumlook Hamilton's English School.
	,, Murlidhar	...	Govt. High School, Allahabad.
	,, Sivaprasad	...	Roy Bareilly High School.
	Mitra, Baninath	...	Naral H. C. E. School.
230	,, Ganeschandra	...	Gya School.
	,, Gopallal	...	Calcutta Institution.
	,, Haranchandra	...	Patna Collegiate School.
	,, Jogendranarayan	...	Berhampore Collegiate School.
	,, Matilal	...	Metropolitan Institution.
	,, Rajkumar	...	Campbell Medical School.
	,, Tulsicharan	...	Seal's Free College.
	,, Umeschandra	...	Culna Maharaja's School.
	Mukhopádhyáy, Amirtalal	...	L. M. S. Institution, Bhowanipore.
	,, Avilashchandra	...	Gossaidurgapur School.
240	,, Bankavihari	...	Chybassa Govt. School.
	,, Bijaykhrishna	...	Oriental Seminary.
	,, Devendranath	...	Behala Mission School.
	,, Dvarkanath	...	Joynarain's College.
	,, Harihar	...	Ootterparah School.
	,, Kaliprasanna	...	Beerbhoom School.
	,, Lálgopál	...	Fyzabad High School.
	,, Prasannakumar	...	Borah H. C. E. School.
	Mulchand Badkur	...	Jabalpur High School.
	Munshar Ali, Shakh	...	Benares College.
250	Nageshvarprasad	...	Gorakpur C. M. School.
	Nainsookh	...	Christ Church School, Cawnpur.
	Nandanprasad	...	Arrah School.
	Nandi, Bamacharan	...	Burdwan Maharaja's School.
	Narayanprasad	...	Allahabad Govt. High School.
	Narayan Rao	...	Jabalpur High School.
	Narvadaprasad	...	Ditto.
	Niogi, Trailokyanath	...	Bauleah School.
	Pohlo Mal	...	Ludiana Mission School.
	Páin, Brajanath	...	Hugli Branch School.
260	,, Kailaschandra	...	Dighapatia School.
	Pál, Binadvihari	...	Hugli Branch School.
	,, Khirodchandra	...	Dacca School.
	,, Navadwipachandra	...	Chittagong School.
	,, Ramgopal	...	Dighapatia School.
	Pandit, Kanwarkrishna	...	Hushiarpur District School.
	Pánja, Banawarilal	...	Private Student.
	,, Dvarkanath	...	Howrah School.
	Parsottam Atmaram Kahte	...	Jabalpur High School.
	Patnaik, Udaynath	...	Cuttack A. V. School.
270	Pramanik, Gopivallabh	...	Kandi School.
	,, Manmathanath	...	Ranaghat School.
	Prayagdatt	...	Hurdui High School.
	Pribhudyal	...	Gonda High School.
	Price, E. A.	...	Diocesan High School, Allahabad.
	Priestley, N. G.	...	Bishop Cotton School, Simla.
	Rabisankar Mahata	...	Jabalpur High School.
	Raghuvansnarayan	...	Bareilly College.
	Raghunandan	...	L. M. High School, Benares.
	Rai, Badriprasad	...	Agra College.
280	,, Dewanganput	...	Lahore District School.
	,, Salamut	...	Ditto.
	Rajkumarlal	...	Victoria School, Gazipur.
	Ramcharan	...	Bareilly College.
	Ramkumar	...	Arrah School.
	Ramnath	...	Canning College.
	Rashid Uddin	...	Beerbhoom School.
	Ray, Bhuvanchandra	...	Pogose School.
	,, Binaychandra	...	Santipur Municipal School.
	,, Biswatosh	...	Jagannath School.
290	,, Ganesh	...	Bareilly College.
	,, Govindavandhu	...	Bogra Zillah School.
	,, Kisarilál	...	Chinsurah Free Church Institution.
	,, Paranchandra	...	Bankurah School.
	,, Pramathanath	...	Culna Maharajah's School.
	,, Prasannanath	...	Dinagepur School.
	,, Priyanath	...	Church Mission School, Calcutta.
	,, Rajaninath	...	L. M. School, Khagra.
	,, Ramanimohan	...	Bauleah School.
	,, Ramgopal	...	Ula H. C. E. School.
300	,, Ratikanta	...	Kishnaghur Collegiate School.

	Ray, Saratchandra	...	Barisal School.
	,, Srischandra	...	Mahespur H. C. E. School.
	,, Udhavchandra	...	Sylhet Govt. School.
	,, Umeschandra	...	Searsole H. C. E. School.
	Raychaudhuri, Bishnupada	...	Private Student.
	,, Prasannachandra	...	Chinsurah Free Church Institution.
	Riazuddin	...	Chittagong School.
	Riyasat Ullah	...	Seebpur Institution.
	Rudraprasad	...	Gorakpur Govt. Zillah School.
310	Saha, Baikuntanath	...	Bogra Zillah School.
	,, Hiralal	...	L. M. School, Khagra.
	,, Srikrishna	...	Kustea School.
	Sahay, Baldeo	...	Moradpore School, Bankipore.
	,, Jaduvans	...	Arrah School.
	,, Jagannath (Senior)	...	Bhagalpur School.
	,, Kuldip	...	Mozufferpur School.
	,, Lachmi	...	Unao High School.
	,, Ram	...	Ditto.
	Sankarlal	...	Allygurh Govt. School.
320	Sántram	...	Umritsur District School.
	Sanyal, Bhushanchandra	...	Bareilly College.
	,, Sureschandra	...	Culna Moharajah's School.
	,, Suryyakanta	...	Kishnaghur A. V. School.
	Sarkar, Brindavanchandra	...	Comillah School.
	,, Ditto	...	L. M. School, Khagra.
	,, Jogendranath	...	St. John's College.
	,, Nilratan	...	South Baharoo School.
	Sarma, Badan Singh	...	Allygurh Govt. School.
	,, Rajchandra	...	Sylhet Govt. School.
330	Sattar Bux	...	L. M. S. Institution, Bhowanipore.
	Sayyad Sadaddin	...	Comillah School.
	Sen, Avinaschandra	...	Howrah School.
	,, Baikuntanath	...	Bagnan School.
	,, Bijaykanta	...	Bauleah School.
	,, Chandrakumar	...	Comillah School.
	,, Durgacharan	...	Calcutta Free Church Institution.
	,, Harakisar	...	Mymensing Zillah School.
	,, Harischandra	...	Jagannath School.
	,, Jogendranath	...	Monghyr Zillah School.
340	,, Kalidás	...	Jaynarayan's College.
	,, Kantichandra	...	Calcutta Free Church Institution.
	,, Kshetramohan	...	Hugli Collegiate School.
	,, Maheschandra	...	Cuttack Collegiate School.
	,, Manmohan	...	Hugli Collegiate School.
	,, Prasannakumar	...	Comillah School.
	,, Priyanath	...	Kishnaghur College.
	,, Rajanikanta	...	Chittagong School.
	,, Ditto	...	Jagannath School.
	,, Saradaprasad	...	Barisal School.
350	,, Saratchandra	...	Konnagur Aided School.
	,, Satischandra	...	Hazaribagh School.
	Seth, Bisvesvarnath	...	Ditto.
	Shigogal	...	Upper School, Delhi.
	Singh, Chhedi	...	Gonda High School.
	,, Gurdatt		Sitapur High School.
	,, Ram	...	Azimgurh Mission School.
	,, Udaybhan Narayan	...	Ditto.
	Sinha, Devendranarayan	...	Hindu School.
	,, Jagrup	...	Benares College.
360	,, Janakinath	...	Kishnaghur Collegiate School.
	,, Nandalal	...	Hugli Branch School.
	,, Pratapchandra	...	Bhagalpur School.
	,, Priyanath	...	Bhastara School.
	,, Ramraj	...	L. M. High School, Benares.
	,, Sasibhusan	...	Pogose School.
	Sobharam	...	Upper School, Delhi.
	Som, Manmathanath	...	Metropolitan Institution.
	,, Saradacharan	...	Pogose School.
	Somadhar, Gurucharan	...	Teacher.
370	Sukul, Girijadatta	...	Canning College.
	,, Jagatnarayan	...	Hurdui High School.
	Surajmal	...	Upper School, Delhi.
	Surui, Umeschandra	...	Calcutta Free Church Institution.
	Syam Sujah	...	Seebpore Institution.
	Tivari, Mulraj	...	Jodhpur Durbar School.
	,, Tulsiram	...	Bhagalpur School.
377	Wilson, L.	...	St. Joseph's School.

SENATE HOUSE,
The 27th December 1876.

A. W. CROFT,
Offg. Registrar.

Statement of the Affairs of the Bank of Bengal for the week ending 23rd December 1876.

LIABILITIES.			Rs.	A.	P.
Capital paid up ...		...	2,00,00,000	0	0
Reserve Fund ...		...	16,72,689	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	66,86,590	0 5			
Public Deposits at Branches ...	1,07,35,647	1 7	1,74,22,237	2	0
Other Deposits at Head Office and Branches			2,29,09,382	1	4
Bank Post Bills, &c.		...	2,69,101	0	8
Sundries		...	8,06,493	12	3
TOTAL		...	6,30,79,903	2	8

ASSETS.			Rs.	A.	P.
Government Securities ...		...	1,34,51,523	15	6
Loans on Government Securities, &c., at Head Office and Branches ...			68,15,554	3	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches			53,27,560	3	4
Bills discounted and purchased at Head Office and Branches			1,69,79,658	15	11
Balances with other Banks ...			4,62,605	4	10
Bullion			10,082	0	9
Dead Stock			10,39,151	2	7
Stamps			9,765	4	4
Sundries			1,56,232	8	3
			4,42,52,133	10	10
	Rs.	A. P.			
Cash and Currency Notes at Head Office ...	61,58,040	8 11	1,88,27,769	7	10
Cash and Currency Notes at Branches ...	1,26,69,728	14 11			
TOTAL		...	6,30,79,903	2	8

By order of the Directors,

BANK OF BENGAL; *Calcutta, 28th December* 1876.

J. GORDON, *Chief Acctt. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Lucknow, the 22nd December 1876.

With reference to Government of India, Public Works Department, Gazette Notification No. 460, dated 16th November 1876, Captain T. B. B. Savi, R.E., Deputy Consulting Engineer to Government of India for Guaranteed Railways, Lucknow, made over charge of his duties on the afternoon of the 30th November 1876.

R. DEBOURBEL, *Lieut.-Col., R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 19th December 1876.

No. 158.—Mr. W. S. Haig, Assistant Engineer, 2nd Grade, posted to this line by the Director of State Railways, reported his arrival at Mooltan on the forenoon of this date, and is posted to the Mooltan District.

The 20th December 1876.

No. 159.—Mr. J. R. Scott, Assistant Engineer, 1st Grade, transferred to this line by the Director of State Railways, by his Notification 163, dated 24th October 1876, reported his arrival at Mooltan on the forenoon of this date, and is posted to the Mooltan District.

No. 160.—Mr. M. C. Mackinnon, Assistant Engineer, 1st Grade, and Mr. C. H. C. Bickerton, Assistant Engineer, 2nd Grade, are transferred from the Western Extension Survey Districts, to the Lower Sind and Mooltan Districts respectively.

No. 161.—Mr. E. C. Hawkes, Assistant Engineer, 1st Grade, is transferred from the Mooltan to the Upper Sind District.

No. 162.—That part of this Office Notification No. 150, dated 8th December 1876, transferring Baboo Jogindronath Sircar, Overseer, 2nd Grade, from the Mooltan to the Western Extension Survey District, is cancelled.

The 21st December 1876.

No. 163.—With reference to the Director of State Railways' Notification No. 193, dated 27th November 1876, Sergeant C. Wickens, Supervisor, 2nd Grade, reported his arrival at Mooltan, on the forenoon of this date, and is posted to the Upper Sind District.

No. 164.—Mr. W. Dorton, Accountant, 2nd Grade, Central Office of Accounts, has been granted by the Examiner of Accounts fifteen days' privilege leave, with effect from the 9th January 1877, or such subsequent date as he may be permitted to avail himself of it.

No. 165.—Mr. J. A. D. Lloyd, Assistant Engineer, 1st Grade, is transferred from the Mooltan District to the Office of the Engineer-in-Chief, for special duty.

The 22nd December 1876.

No. 166.—The following postings have been made by the Superintending Engineer, Mooltan District:—

Mr. J. R. Scott, Assistant Engineer, 1st Grade, to the Khanpur Division.

Mr. W. S. Haig, Assistant Engineer, 2nd Grade, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 20th December 1876.

No. 252.—Mr. J. Barron, Executive Engineer, 4th Grade, is granted one month's privilege leave from the 8th January 1877, in extension of the leave already granted him in Notification No. 230 of 26th October 1876.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 22nd December 1876.

No. 88.—Mr. F. B. Walker, Executive Engineer, 2nd Grade, availed himself of the subsidiary leave granted in Director's Notification No. 183, dated 13th November 1876, on the 19th of December 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

BANK OF BENGAL.

Calcutta, the 29th December 1876.

Notice is hereby given that the Transfer Books of the Bank will be closed from 3rd to 15th January 1877, both days inclusive.

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 29th December 1876.

Mails for Rangoon, Moulmein, Straits, Port Blair and Camorta, for transmission per Steamer *Burmah*, will be closed at the General Post Office on Sunday, the 31st December 1876, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer *Kurrachee*, will be closed at the General Post Office on Sunday, the 31st December 1876, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 2nd January 1877, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 3rd January 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Malda*, will be closed at the General Post Office on Wednesday, the 3rd January 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 5th January 1877.

2. Book-post and pattern packets must be posted on the 4th January 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 29th December 1876.

Andrews & Sons, F. C., Messrs.	Lincolhism, Jas.
Barnes, S. K.	Lee, Mrs. A. J.
Baring and Co., Messrs.	Mahony, Mrs.
Bose, Mr.	McGrath, Mrs. H.
Birch, Mrs. A. G. C.	Nickels, J.
Biss, Monsieur.	Palmer, Mrs. C.
Blair, Robert.	Pott, Genl. S.
Canuel and Co., Messrs.	Peter, J.
Capper, Mrs. W. C.	Pinson, T. H.
Castle, Chas.	Reed, Mrs.
Conday, Mr.	S., Mrs.
Congam, Sam.	Saupin, E.
Davis, A. J., Sergt.	Saunders, J. H.
Downell, B.	Smith, Jams.
Ellis, J. E. S.	Stephan, C.
Fowler, F. B.	Stratford, W.
Ferran, Mr.	Williams, F.
Higgins, J.	Williamson, Misses A. & A.
Hogg, W. S.	Winscom, Miss K.
Jackson, Mrs. H. N.	Watson, Mrs.
LeGrand, W. J.	Wallis and Lloyd, Messrs.
	Wright, H.

Letters marked "Care of Post Office, to be kept till called for."

Austin, R. H.	Mitchell, J. W.
Andrew, Walter G. G.	Morgan, Mrs. Milton.
Ball, V.	Moseley, Capt. W. H.
Barlow, H. E.	Munro, Major C. A.
Berlowitz, H. W.	Nemo.
Borthwick, Mrs.	Nicholson, John S.
Browne, J., Mrs.	O'Brien, T. H.
Bruse, Mr.	Oxenham, T. H.
Buckley, C. W.	Penny, P.
C. A. P.	Pierce, Mrs J. O.
Cavanagh, Jas.	Ragg, W. L.
Christian, A.	Reed, J.
Cohen, M. B.	Reed, J. V. C.
Court, John,	Regamey, Monsieur F.
Crentzberg, Chas., Monsieur.	Reid, J. R.
E. F. W.	Richardson, Geo.
E. M.	Roberts, A.
Esse.	Rose, J. G.
Findlay, Alfred.	Rowell, H. R.
Forker, H.	Scolfi, A. L.
Galloway, John.	Scott, Walter.
Gilling, Capt.	Shutz, J.
Graham, C., Mrs.	Sinclair, A.
Godby, Mrs.	Skeldrake, Miss Hannah.
Guimet, Emile, Monsieur.	Slaweeki, Monsieur T.
Hindmarsh, William.	Stephens, Dr.
Huguenot, M.	Stroesko, Michel.
Haymes, Mrs.	Tipping, Lieut. R. G.
Johnson, Henry.	Travis, Miss Ida.
Jones, B. F.	Trotter, Capt.
Jussawallah, E. C.	Watt, Capt. J. R.
Kelly, W. P.	Webb, A.
Lewis, Chas.	Whyte, W. P.
Liddiard, Mr.	Wilkinson, M.
Lovering, Geo. L.	Williams, T.
Mandslay, Lieut. E. R.	Wilson, G. A.
Mazzaline, Mrs. J.	Wilson, J. S.
Milner, W. H.	

Papers.

Cayton, Geo.	Mandslay, Lieut. E.
Galloway, John.	Munro, Major C. A.
Holland, Capt.	Roberts, A.
Kelly, W. P.	

Registered Letters.

Cooper, R.	Oxenham, T. H.
Mandslay, E. R.	Russell, Thos. R.
O'Brien, C.	

Parcels.

McGrath, Mrs.

W. ALPIN,
Offg. Post Master of Calcutta.

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Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper, with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs.* 8; *postage,* 11 *annas.*

A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs.* 3; *postage,* 6 *annas.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re.* 1; *postage,* 3 *annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs.* 5; *postage,* 8 *annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs.* 5; *postage,* 12 *annas.*

Selections from the Supplement to the *Calcutta Gazette,* 1871 to 1874. *Price, Rs.* 2-8; *postage,* 6 *annas.*

Report on the Effects of Artificial Respi- ration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs.* 3; *postage,* 7 *annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st October 1876. *Price, Rs.* 3; *postage,* 8 *annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Re.* 3; *postage,* 4 *annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs.* 6; *postage,* 5 *annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs.* 3-8; *postage,* 11 *annas.*

The Books named below having been de- clared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

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Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs.* 3.

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re.* 1 *per copy.*

Apply to Mr. E. M. LEWIS, *Bengal Secretariat Press,* 28, *Chowringhee Road, Calcutta.*

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THE STATISTICAL REPORTER,

Vol. II, No. 7, *for December* 1876.

Trade Centres of Bengal, No. VIII, Midnapore.—Seaborne Trade of Calcutta, October 1876.—The export of Gunny Bags from Calcutta, 1873-74, 1874-75, 1875-76.—Bengal Provincial and Local Finance, 1871 to 1876.—The Port of Chandbally.—The Bhubooah Sub-Division of the Shahabad District.—The Beerbhoom Iron Works.—Agricultural Statistics of Thana Lalpore, in the District of Beerbhoom.—Traffic on the Diamond Harbour and Baraset Road, No. IV.—Traffic on the Bankipore and Gya Road, No. IV.—River Steamer Traffic in Bengal, No. III.—Trade of Buxar.—Darjeeling Frontier Trade with Sikkim, Nepal, and Bhootan.—Trade between Bengal and Nepal, third quarter of 1876.—Statements of River Traffic in Bengal, District by District, during September 1876.—Statements of Bengal Railway Traffic, during September 1876.—Vital Statistics, Bengal, during the month of September 1876.—Vital Statistics of the Town of Calcutta, October 1876.—Vital Statistics of the Suburbs of Calcutta, October 1876.—The Progress of Indian Trade.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 1, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE

Is hereby given that George Timins, formerly a Lieutenant-Colonel in Her Majesty's Army, but late of Newstead House in the town of Torquay in the County of Devon in England, deceased, died on the 2nd day of March 1875, at Newstead House aforesaid, and Letters of Administration of his property and credits in India were, **on the 22nd day of June 1876, granted by the High Court of Judicature at Bombay to Lancelot Fletcher, one of the Solicitors of the said Court, for the use and benefit of Jane Maria Timins, the widow and Administratrix of the abovenamed George Timins deceased. All persons having any claim against the estate of the said George Timins are required to send in particulars of the same in writing within one month from the date hereof to us at our office at 12, Rampart Row, within the Fort of Bombay, at the expiration of which period the said Lancelot Fletcher will remit the assets of the estate of the said George Timins deceased to the said Jane Maria Timins, the Administratrix, in England, and no claims sent in subsequently will be recognized.**

FLETCHER & SMITH,

Attornies to the Administratrix, Bombay.

Dated this 26th day of June 1876.

NOTICE.

(In the Goods of GEORGE JAMES HERVEY GLINN, C. E., deceased.)

Pursuant to Act XXVIII of 1866, Section 42, all persons claiming debts or liabilities affecting the above Estate are required on or before the first day of August next to send a statement of their claims to the undersigned, to whom Letters of Administration have been granted by the Chief Court of the Punjab. After that date the undersigned will proceed to distribute the assets of the Estate to the persons entitled to the same, having regard only to those claims of which he has received notice.

JOSEPH L. GALLOT, *M. Inst. C. E.,*
Supdy. Engr., Upper Sind District,
I. V. S. Ry., Sukkur, Sind.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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PROMISSORY NOTES.

Lost

A Government Promissory Note, No. 39615 of 1856-57, for rupees three thousand, issued in favour of the Commissioner of Burdwan.

Rajah Gajendronarain Roy is applying to the Government of India for payment.

M. T. PEARSON,
Solicitor.

Dated 16th June 1876.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 8, 1876. { Register No. 33.

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PART III.

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CHANGE OF NAME.

I, John Skinner, a member of the firm of Jardine, Skinner & Co., hereby give notice that, in compliance with the Will of my late grandfather, Hope Steuart, of Ballechin, I have assumed and shall hereafter on all occasions be designated by the name of John Steuart, in lieu of the name of John Skinner, which I have hitherto borne.

BALLECHIN HOUSE, BALLINLING, N. B., *The 9th June* 1876. } JOHN STEUART.

NOTICE.

(In the Goods of GEORGE JAMES HERVEY GLINN, C. E., deceased.)

Pursuant to Act XXVIII of 1866, Section 42, all persons claiming debts or liabilities affecting the above Estate are required on or before the first day of August next to send a statement of their claims to the undersigned, to whom Letters of Administration have been granted by the Chief Court of the Punjab. After that date the undersigned will proceed to distribute the assets of the Estate to the persons entitled to the same, having regard only to those claims of which he has received notice.

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Dated 16th June 1876.

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MOULVI DIN MAHOMED,
General Attorney of Kulsoom Begum, of Lucknow.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 15, 1876. { Register No. 33.

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BALLECHIN HOUSE,
BALLINLUIG, N. B.,
The 9th June 1876. } JOHN STEUART.

NOTICE.

The interest and responsibility of Mr. CHARLES BINNY SKINNER in our Firm ceased on the 30th April last.

JARDINE, SKINNER & Co.

CALCUTTA,
8th July 1876. }

NOTICE.

(In the Goods of GEORGE JAMES HERVEY GLINN, C. E., deceased.)

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FLETCHER & SMITH,
Attornies to the Administratrix, Bombay.

Dated this 26th day of June 1876.

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PROMISSORY NOTES.

Lost

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MOULVI DIN MAHOMED,
General Attorney of Kulsoom Begum, of Lucknow.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 22, 1876. { Register No. 33.

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PART III.

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NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

NOTICE.

(In the Goods of GEORGE JAMES HERVEY GLINN, C. E., deceased.)

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FLETCHER & SMITH,
Attornies to the Administratrix, Bombay.
Dated this 26th day of June 1876.

NOTICE.

The interest and responsibility of Mr. John Edward Radcliffe as a partner in our Firm, ceased on 31st March last.

ANDREW YULE & Co.

CALCUTTA,
The 15th July 1876. }

Central Provinces Gazetteer—Edition of 1870 in one Vol.

A limited number of the above work, strongly bound in cloth, octavo size, for sale at Rs. 12 per Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to Superintendent, Chief Commissioner's Office, Nagpur.

PROMISSORY NOTES.

Lost

Five 5 per cent. Government Promissory Note for Rs. 2,000, No. 1473 of 43546 of 1856-57.

MOULVI DIN MAHOMED,
General Attorney of Kulsoom Begum, of Lucknow.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 29, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost or Destroyed.

Government Promissory Note No. 9346 of 5th September 1827, for Sicca Rupees 1,100. Application for a duplicate will be made to Government by the undersigned.

HURRYMOHUN DUTT.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*
Dated this 17th day of July 1876.

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(In the Goods of GEORGE JAMES HERVEY GLINN, C. E., deceased.)

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JOSEPH L. GALLOT, *M. Inst. C. E.,*
Supdg. Engr., Upper Sind District,
I. V. S. Ry., Sukkur, Sind.

NOTICE.

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ANDREW YULE & Co.

CALCUTTA,
The 15th July 1876.

NOTICE.

We hereby give notice that the under-noted Trade-marks, the property of the proprietors of the Berhampore Silk Filatures, have been registered under the Trade-marks Registration Act, 1875, in respect of the description of goods contained in Clauses 30, 31, and 32. Any one using the said marks, or in any way infringing on the rights conferred by such registration, will at once be prosecuted.

Marks referred to.

No. 1 ... GGMP J.A. ... Rangamatty.

No. 2 ... GGMP J.A. ... Cossimbazar.

No. 3 ... GGMP J.A. ... Chandpore.

No. 4 ... GGMP J.A. ... Suctipore.

No. 5 ... GGMP J.A. ... Banjetty.

No. 6 ... GGMP J.A. ... Cheretty.

No. 7 ... J L & Co ... Gonatea.

No. 8 ... J. W.

No. 9 ... G. M. J.

No. 10 ... H. R.

LYALL, [illegible]NNIE & Co.,
Agents for Proprietors of Berhampore Filatures.

BENGAL CIVIL FUND.

At a Half-yearly General Meeting of Subscribers to the Bengal Civil Fund, held at the Town Hall, Calcutta, on Wednesday, the 26th July 1876.

PRESENT:—E. F. Harrison, Esq.; The Hon'ble W. F. McDonell, V. C.; J. A. Crawford, Esq.; H. A. Cockerell, Esq.; The Hon'ble H. J. Reynolds, B.A.; The Hon'ble H. Bell, M.A.; H. Beverley, Esq., M.A.; J. O'Kinealy, Esq.; R. H. Wilson, Esq., B.A.; W. H. Grimley, Esq., B.A.; W. M. Souttar, Esq., M.A.; and T. D. Beighton, Esq.

J. A. Crawford, Esq., in the chair.

Read the following Report submitted by the Managers:—

REPORT.

1. The Managers submit their Proceedings for the past half-year for the consideration and sanction of the Meeting.

Subject to the approval of subscribers they have admitted to the benefits of the Fund the following families:—

Mrs. Stainforth	... £ 300	The widow of the late Mr. H. Stainforth (an annuitant of 1862) who died at Chota Nagpore on the 20th January last.
Mrs. Pollen Two daughters	... £ 300 ... „ 60	
	£ 360	
Less ⅓ under Rule 7	... „ 60	The widow and two daughters of the late Mr. F. Pollen, who died at Boolundshuhur on the 11th February last.
	£ 300	
Mrs. Light or Lyte (formerly Sargent)	£ 400	The widow of the late Revd. W. M. Light, formerly an incumbent on the full allowance from the Fund as the widow of Mr. Henry Sargent, a subscriber, who died in 1834, re-admitted under the old Rules from the date of decease of her late husband, 2nd April 1875, to the allowance noted on the margin. This lady's original incumbency lasted from 24th April 1834 to the end of 1837. She was married to the Revd. W. M. Light on the 26th August 1837.
Less private income	... £ 306-18	
	£ 93-2	
Mrs. Falcon Six children	... £ 300 ... „ 380	The widow and six children (three daughters and three sons) of the late Mr. A. B. Falcon, who died at sea on the 5th May last, provisionally pending the receipt of the certificate of baptism of the widow and the certificates of the first and second marriage of Mr. Falcon.
	£ 680	
Less ⅓ under Rule 7	... „ 113	
	£ 567	

Mr. Heeley having incurred the penalty specified under Article XXXVII (38) of the Rules by having neglected for more than a year to pay the necessary subscriptions from his furlough allowance, was reminded of the fact, and immediately on the receipt of the letter paid the subscription, and at the same time represented that severe illness had caused the unintentional omission. The Managers informed him that they had resolved to recommend his re-admission on the Fund to the General Meeting. They have since heard of Mr. Heeley's death and received an application for the admission of the widow and two children (one son and one daughter) to the benefits of the Fund. A General Meeting is alone competent to admit to the benefits of the Fund the family of Mr. Heeley, and as good and sufficient cause has been shown for the omission, and the arrears of subscription with interest have been paid up, they submit the case to the favourable consideration of this Meeting.

Mrs. Heeley	... £ 300
Two children	... „ 140
	£ 440

2. The votes of subscribers have affirmed the resolution passed at the Meeting of 26th January last, *viz.*, "that Mrs. Morris, formerly Mrs. Drew, be allowed on special grounds to bequeath to her daughter £50 per annum without entailing a reduction in the pension allowed from the Fund." The votes in favour were 138 and 1 against.

3. Under the special circumstances now affecting the Fund, the Managers on departure of Mr. Verner on leave appointed Mr. J. O'Kinealy to officiate as Secretary for three months or such time as might be required to prepare the circular explaining the position of the Fund with respect to the Government. They have since nominated Mr. C. P. L. Macaulay as Secretary. He will assume the duties of the office on Mr. O'Kinealy's work being completed.

4. The following resolution was passed at the last General Meeting of subscribers:—"that the Managers be desired to prepare and circulate in a popular form a complete note explaining the facts of the case under discussion and showing how far the Managers differ from the opinions expressed by the Government of India in the despatch of the 28th October last." The statement of the case has been prepared by Mr. O'Kinealy, and the Managers hope very shortly to call a special General Meeting to consider the plan of action to be adopted.

Proposed by *Mr. W. H. Grimley*, seconded by *Mr. R. H. Wilson*, and carried "that the proceedings of the Managers, in admitting to the benefits of the Fund the families of the late Messrs. H. Stainforth, F. Pollen, W. M. Light, and A. B. Falcon, be confirmed."

Proposed by *Mr. T. D. Beighton*, seconded by *Mr. W. H. Grimley*, and carried "that the interest of the late Mr. W. L. Heeley to the contingent benefits of the Fund be restored, and that as good and sufficient cause has been shown for the unintentional omission of contributions, and that the arrears of subscription with interest has been paid up, his family be admitted to the benefits of the Fund."

Proposed by *Mr. H. A. Cockerell*, seconded by *Mr. W. H. Grimley*, and carried "that Mr. A. Money be elected a Manager in the place of Hon'ble W. F. McDonell, who leaves Calcutta."

A vote of thanks was passed to the Chairman.

BENGAL CIVIL FUND OFFICE,
The 26th July 1876.

J. A. CRAWFORD,
Chairman.

The Gazette of India.

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CALCUTTA, SATURDAY, AUGUST 5, 1876. { Register No. 33.

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All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17*th day of July* 1876.

PROMISSORY NOTES.

Lost or Destroyed.

Government Promissory Note No. 9346 of 5th September 1827, for Sicca Rupees 1,100. **Application for a duplicate will be made to Government by the undersigned.**

HURRYMOHUN DUTT.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 12, 1876. { Register No. 33.

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PART III.

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BENGAL CIVIL FUND.

NOTICE.—A Special General Meeting of the Subscribers will be held at the Town Hall, Calcutta, at 4-30 P. M., on Wednesday, 1st November, to consider the action to be taken with reference to the letter from the Government of India No. 4377, dated 28th October 1875.

By order of the Managers,

COLMAN MACAULAY,
Secretary.

CIVIL FUND OFFICE,
The 10th August 1876.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

PROMISSORY NOTES.

Lost or Destroyed.

Government Promissory Note No. 9346 of 5th September 1827, for Sicca Rupees 1,100. Application for a duplicate will be made to Government by the undersigned.

HURRYMOHUN DUTT.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

A limited number of the above work, strongly bound in cloth, octavo size, for sale at Rs. 12 per Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to rintendent, Supe Chief Commissioner's Office, Nagpur.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 19, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

NOTICE.

Mr. Frank Forbes Adam is authorized to sign our firm as from 1st August 1876.

GRAHAM & Co.

PROMISSORY NOTES.

Lost

The upper half of the Government Promissory Note No. 075609 of the 4 per cent. interest of 1st May 1865, for Rs. 500, originally standing in the name of Gopaul Chander Sreemany and last endorsed to Rangalal Banerjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

RUNGALAL BANERJEE,
Depy. Magte. and Depy. Collr., Cuttack.

Lost.

The Government Promissory Notes Nos. 000252, 000758, 13187, and 15285 of the Loan of 1842-43, dated 1st February 1843 for Rs. 1,000 each, of the (4) four per cent., last endorsed to late Ram Tonoo Chatterjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and the application is about to be made for the issue of Duplicates in favor of the proprietor.

SHIBA SHOHAY CHATTERJEE,
Son of late Ram Tonoo Chatterjee,
and Certificate-holder, Mondlye, vid Pandooa.

Lost or Stolen

The following Government Promissory Notes, *viz.* :—

1 Government Promissory Note No. $\frac{0692402}{0688925}$ for Rs. 5,700, of the 4 per cent. loan of 1865, dated 1st May, originally standing in the name of Ram Lall Mookerjee and endorsed to Bank of Bengal, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{0692393}{0688916}$ for Rs. 1,200, of the 4 per cent. loan of 1865, dated 1st May, originally standing in the name of Ram Lall Mookerjee and endorsed to Bank of Bengal, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{0692732}{0728720}$ for Rs. 6,000, of the 4 per cent. loan of 1865, dated 1st May, originally standing in the name of Ram Lall Mookerjee and endorsed to Subordinate Judge of Hooghly, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{082310}{039394}$ for Rs. 3,000, of the 4 per cent loan of 1865, dated 1st May, originally standing in the name of Juggutmohinee Dabee and never endorsed to any one.

Payment of the above Notes and the interests thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicates in favour of the Proprietor.

TRAN NATH CHATTERJEE,
Agent for Baboo Ram Lall Mookerjee,
22, Noyan Chand Dutt's Lane, Calcutta.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

A limited number of the above work, strongly bound in cloth, octavo size, for sale at Rs. 12 per Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to Superintendent, Chief Commissioner's Office, Nagpur.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 26, 1876. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

PROMISSORY NOTES.

Lost.

Five per cent. Government Promissory Note for Rs. 6,000, No. 2473 of 1327 of 1829-30, which was last endorsed to me but never endorsed away by me.

DEEN MOHUMMAD.

Lost.

The upper half of the Government Promissory Note No. 075609 of the 4 per cent. interest of 1st May 1865, for Rs. 500, originally standing in the name of Gopaul Chander Sreemany and last endorsed to Rangalal Banerjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

RUNGALAL BANERJEE,
Depy. Magte. and Depy. Collr., Cuttack.

Lost.

The Government Promissory Notes Nos. 000252, 000758, 13187, and 15285 of the Loan of 1842-43, dated 1st February 1843 for Rs. 1,000 each, of the (4) four per cent., last endorsed to late Ram Tonoo Chatterjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and the application is about to be made for the issue of Duplicates in favor of the proprietor.

SHIBA SHOHAY CHATTERJEE,
Son of late Ram Tonoo Chatterjee,
and Certificate-holder, Mondlye, viâ Pandooa.

Lost or Stolen.

The following Government Promissory Notes, *viz.*:—

1 Government Promissory Note No. $\frac{069402}{068929}$ for Rs. 5,700, of the 4 per cent. loan of 1865, dated 1s May, originally standing in the name of Ram Lall Mookerjee and endorsed to Bank of Bengal, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{069393}{068930}$ for Rs. 1,200, of the 4 per cent. loan of 1865, dated 1st May, originally standing in the name of Ram Lall Mookerjee and endorsed to Bank of Bengal, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{082732}{072720}$ for Rs. 6,000, of the 4 per cent. loan of 1865, dated 1st May, originally standing in the name of Ram Lall Mookerjee and endorsed to Subordinate Judge of Hooghly, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{082310}{039394}$ for Rs. 3,000, of the 4 per cent loan of 1865, dated 1st May, originally standing in the

name of Juggutmohinee Dabee and never endorsed to any one.

Payment of the above Notes and the interests thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicates in favour of the Proprietor.

TRAN NATH CHATTERJEE,
Agent for Baboo Ram Lall Mookerjee,
22, Noyan Chand Dutt's Lane, Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 2, 1876. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

Office for Privy Council, Parliamentary and Secretary of State Appeals.

(ESTABLISHED 1869.)

With reference to the notice in the issues of the *Gazette of India* for June, July and August 1870, Mr. Saunders begs to notify that he continues to conduct appeals and other legal business from India. A list of successfully conducted cases on application.

Address—R. C. SAUNDERS, Esq.,
Enrolled Privy Council Appeal Agent,
17 A, Great George Street, Westminster,
ENGLAND.

London, 24th July 1876.

NOTICE.

CHANGE OF NAME.

Notice is hereby given that I the undersigned Frederic Roome de Marsac, at present residing at Bellary in the Presidency of Madras, in British India, Assistant Superintendent, Government Telegraphs, formerly residing at No. 7, Chowringhee Road, in the Town of Calcutta, and previously thereto at No. 23, Garden Reach, Calcutta, have abandoned my former name of "Frederick Roome Brown," and in lieu thereof have adopted and assumed the name of "Frederic Roome de Marsac."

Dated the 18th day of August 1876.

F. DEMARSAC.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

PROMISSORY NOTES.

Lost.

Five per cent. Government Promissory Note for Rs. 6,000, No. 2473 of 1327 of 1829-30, which was last endorsed to me but never endorsed away by me.

DEEN MOHUMMAD,
General Attorney of Mirza Khorrum Bakht Bahadur, of Lucknow.

Lost.

The upper half of the Government Promissory Note No. 075609 of the 4 per cent. interest of 1st May 1865, for Rs. 500, originally standing in the name of Gopaul Chander Sreemany and last endorsed to Rangalal Banerjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

RUNGALAL BANERJEE,
Depy. Magte. and Depy. Collr., Cuttack.

Lost.

The Government Promissory Notes Nos. 000252, 000758, 18187, and 15285 of the Loan of 1842-43, dated 1st February 1843 for Rs. 1,000 each, of

the (4) four per cent., last endorsed to late Ram Tonoo Chatterjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and the application is about to be made for the issue of Duplicates in favor of the proprietor.

SHIBA SHOHAY CHATTERJEE,
Son of late Ram Tonoo Chatterjee,
and Certificate-holder, Mondlye, viâ Pandooa.

Lost or Stolen.

The following Government Promissory Notes, *viz.* :—

1 Government Promissory Note No. $\frac{0694402}{0695999}$ for Rs. 5,700, of the 4 per cent. loan of 1865, dated 1s May, originally standing in the name of Ram Lall Mookerjee and endorsed to Bank of Bengal, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{0693993}{0695930}$ for Rs. 1,200, of the 4 per cent. loan of 1865, dated 1st May, originally standing in the name of Ram Lall Mookerjee and endorsed to Bank of Bengal, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{0827738}{0727730}$ for Rs. 6,000, of the 4 per cent. loan of 1865, dated 1st May, originally standing in the name of Ram Lall Mookerjee and endorsed to Subordinate Judge of Hooghly, by whom re-endorsed to Ram Lall Mookerjee.

1 Government Promissory Note No. $\frac{0823310}{0395994}$ for Rs. 3,000, of the 4 per cent loan of 1865, dated 1st May, originally standing in the name of Juggutmohinee Dabee and never endorsed to any one.

Payment of the above Notes and the interests thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicates in favour of the Proprietor.

TRAN NATH CHATTERJEE,
Agent for Baboo Ram Lall Mookerjee,
22, Noyan Chand Dutt's Lane, Calcutta.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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Office for Privy Council, Parliamentary and Secretary of State Appeals.

(ESTABLISHED 1869.)

With reference to the notice in the issues of the *Gazette of India* for June, July and August 1870, Mr. Saunders begs to notify that he continues to conduct appeals and other legal business from India. A list of successfully conducted cases on application.

Address—R. C. SAUNDERS, ESQ.,
Enrolled Privy Council Appeal Agent,
17 A, Great George Street, Westminster,
ENGLAND.

London, 24th July 1876.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

PROMISSORY NOTES.

Lost.

Five per cent. Government Promissory Note for Rs. 6,000, No. 2473 of 1327 of 1829-30, which was last endorsed to me but never endorsed away by me.

DEEN MOHUMMAD,
General Attorney of Mirza Khorrum Bakht Bahadur, of Lucknow.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 9, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 16, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

Office for Privy Council, Parliamentary and Secretary of State Appeals.

(ESTABLISHED 1869.)

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Address—R. C. SAUNDERS, Esq.,
Enrolled Privy Council Appeal Agent,
17 A, Great George Street, Westminster,
ENGLAND.

London, 24th July 1876.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

PROMISSORY NOTES.

Lost or Stolen

On or about the 19th day of March 1874 at Shahebgunge Railway Station, the under-mentioned Government Promissory Notes belonging to and standing in the name of Babu Khetter Gopaul Sen. Payment of the said Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favor of the proprietor:—

1 (one) piece of Government Promissory Note No. 021160 of 4 per cent. loan, and dated the 30th day of June 1854 for Rs. 500.

1 (one) piece of Government Promissory Note No. 028408 of 4 per cent. loan, and dated the 1st day of May 1865 for Rs. 500.

DENONATH BOSE,
Attorney-at-Law and Attorney for Babu Khetter Gopaul Sen.

CALCUTTA,
5, OLD POST OFFICE ST.,
The 8th September 1876.

Stolen.

The Government Promissory Note No. 007874 of the four and a half per cent. of 1870 for Rs. 800, originally standing in the name of Henry Sevestre, the proprietor, by whom it was never endorsed to any other person, has been stolen. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favor of the proprietor.

Apply to A. A. Sevestre, Calcutta High Court.

HENRY SEVESTRE,
At Mayo Cottage, Simla.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 23, 1876. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

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(ESTABLISHED 1869.)

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Enrolled Privy Council Appeal Agent,
17 A, Great George Street, Westminster,
ENGLAND.

London, 24th July 1876.

NOTICE.

Re HAMILTON BROWN & Co.

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DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

PROMISSORY NOTES.

Lost.

The Government Promissory Note No. 089107 of the 4 per cent. of 1st May 1865, for Rs. 500, originally standing in the name of Gopal Chunder Auddy, and last endorsed to undersigned, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicate in favor of the proprietor.

SREEMUTTY HURYMUTTY DABEE,
Chandernagore.

Lost.

Notice is hereby given that the under-mentioned Promissory Note was lost on the 1st August 1876, between Lascar's Lines and Imambowdy Street, Secunderabad:—

No. of Promissory Note.	Amount.	Owner's name.
056978 / 000714	Rs. 500, at 4½ per cent., of 1872.	Charconda Ramachendriah, Sowcar, of Secunderabad.

SECUNDERABAD, 14*th August* 1876. } CHARCONDA RAMACHENDRIAH.

Lost or Stolen

On or about the 19th day of March 1874 at Shahebgunge Railway Station, the under-mentioned Government Promissory Notes belonging to and standing in the name of Babu Khetter Gopaul Sen. Payment of the said Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application

is about to be made for the issue of duplicates in favor of the proprietor :—

1 (one) piece of Government Promissory Note No. 021160 of 4 per cent. loan, and dated the 30th day of June 1854 for Rs. 500.

1 (one) piece of Government Promissory Note No. 028408 of 4 per cent. loan, and dated the 1st day of May 1865 for Rs. 500.

DENONATH BOSE,
Attorney-at-Law and Attorney for Babu Khetter Gopaul Sen.

CALCUTTA,
5, OLD POST OFFICE ST.,
The 8th September 1876.

Stolen.

The Government Promissory Note No. 007874 of the four and a half per cent. of 1870 for Rs. 800, originally standing in the name of Henry Sevestre, the proprietor, by whom it was never endorsed to any other person, has been stolen. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favor of the proprietor.

Apply to A. A. Sevestre, Calcutta High Court.

HENRY SEVESTRE,
At Mayo Cottage, Simla.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 30, 1876. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

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Address—R. C. SAUNDERS, ESQ.,
Enrolled Privy Council Appeal Agent,
17 A, Great George Street, Westminster,
ENGLAND.

London, 24th July 1876.

PUBLIC AUCTION SALE

At the Official Assignee's Office, No. 3, Old Post Office Street, on Monday, the 9th October 1876, *at 3 o'clock* P. M.

Estate JOHN PHILLIPS.

The Equity of redemption and such right, title and interest of JOHN PHILLIPS, the insolvent, as is vested in the Official Assignee in the following lots :—

Lot No. 1.—All that grant No. 11, situate in Mouzah Baliguri in Assam, said to contain about 1,122 acres of land more or less.

Lot No. 2.—All that grant No. 17, situate in Mouzah Baliguri aforesaid, said to contain about 2,146 acres of land more or less. For further particulars and conditions of sale, apply at the Office of the undersigned.

E. B. GOODALL,
Attorney-at-Law,
High Court, Calcutta,
10, *Old Post Office Street.*

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17th day of July 1876.

PROMISSORY NOTES.

Lost.

The Government Promissory Note No. 089107 of the 4 per cent. of 1st May 1865, for Rs. 500, originally standing in the name of Gopal Chunder Auddy, and last endorsed to undersigned, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicate in favor of the proprietor.

SREEMUTTY HURYMUTTY DABEE,
Chandernagore.

Lost.

Notice is hereby given that the under-mentioned Promissory Note was lost on the 1st August

1876, between Lascar's Lines and Imambowdy Street, Secunderabad:—

No. of Promissory Note.	Amount.	Owner's name.
056278 / 000714	Rs. 500, at 4½ per cent., of 1872.	Charconda Ramachendriah, Sowcar, of Secunderabad.

SECUNDERABAD, *14th August* 1876. } CHARCONDA RAMACHENDRIAH.

Stolen.

The Government Promissory Note No. 007874 of the four and a half per cent. of 1870 for Rs. 800, originally standing in the name of Henry Sevestre, the proprietor, by whom it was never endorsed to any other person, has been stolen. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favor of the proprietor.

Apply to A. A. Sevestre, Calcutta High Court.

HENRY SEVESTRE,
At Mayo Cottage, Simla.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 7, 1876. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

PUBLIC AUCTION SALE

At the Official Assignee's Office, No. 3, Old Post Office Street, on Monday, the 9th October 1876, *at* 3 *o'clock* P. M.

Estate JOHN PHILLIPS.

The Equity of redemption and such right, title and interest of JOHN PHILLIPS, the insolvent, as is vested in the Official Assignee in the following lots:—

Lot No. 1.—All that grant No. 11, situate in Mouzah Baliguri in Assam, said to contain about 1,122 acres of land more or less.

Lot No. 2.—All that grant No. 17, situate in Mouzah Baliguri aforesaid, said to contain about 2,146 acres of land more or less. For further particulars and conditions of sale, apply at the Office of the undersigned.

E. B. GOODALL,
Attorney-at-Law,
High Court, Calcutta,
10, *Old Post Office Street.*

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17*th day of July* 1876.

PROMISSORY NOTES.

Lost.

The Government Promissory Note No. 089107 of the 4 per cent. of 1st May 1865, for Rs. 500, originally standing in the name of Gopal Chunder Auddy, and last endorsed to undersigned, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicate in favor of the proprietor.

SREEMUTTY HURYMUTTY DABEE,
Chandernagore.

Lost.

Notice is hereby given that the under-mentioned Promissory Note was lost on the 1st August 1876, between Lascar's Lines and Imambowdy Street, Secunderabad:—

No. of Promissory Note.	Amount.	Owner's name.
056278 / 000714	Rs. 500, at 4½ per cent., of 1872.	Charconda Ramachendriah, Sowcar, of Secunderabad.

SECUNDERABAD, *14th August* 1876. } CHARCONDA RAMACHENDRIAH.

NOTICE

Is hereby given that the under-mentioned Government Promissory Notes belonging to the undersigned have been lost on the night of the 10th

September 1876 near Combaconum, Tanjore District, Madras Presidency.

A reward at the rate of Rs. 10 for each Note discovered will be given to any person who may discover any of the following Notes :—

1. Of the 4 per cent. loan of 1854-55, No. 012572 / 43361 for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. 012559 / 31701 for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. 012560 / 31699 for Rs. 1,000.
4. Of the 4 per cent. loan of 1854-55, No. 012561 / 31678 for Rs. 1,000.
5. Of the 4 per cent. loan of 1854-55, No. 012562 / 31697 for Rs. 1,000.
6. Of the 4 per cent. loan of 1854-55, No. 012563 / 31696 for Rs. 1,000.
7. Of the 4 per cent. loan of 1854-55, No. 012564 / 31690 for Rs. 1,000.
8. Of the 4 per cent. loan of 1854-55, No. 012565 / 31688 for Rs. 1,000.
9. Of the 4 per cent. loan of 1854-55, No. 012566 / 31689 for Rs. 1,000.
10. Of the 4 per cent. loan of 1854-55, No. 012567 / 7732 for Rs. 1,000.
11. Of the 4 per cent. loan of 1854-55, No. 012568 / 23920 for Rs. 1,000.
12. Of the 4 per cent. loan of 1854-55, No. 012569 / 31693 for Rs. 1,000.
13. Of the 4 per cent. loan of 1854-55, No. 012571 / 24311 for Rs. 1,500.
14. Of the 4 per cent. loan of 1854-55, No. 012570 / 23866 for Rs. 2,500.

TOTAL Rs. 15,000.

J. GUNDAPPAH,
Pensioned Head Sheristedar.

COMBACONUM,
18*th Sept.* 1876.

NOTICE

Is hereby given that the under-mentioned Government Promissory Notes belonging to the undersigned have been lost on the night of the 10th September 1876 near Combaconum, Tanjore District, Madras Presidency.

A reward at the rate of Rs. 10 for each Note discovered will be given to any person who may discover any of the following Notes :—

1. Of the 4 per cent. loan of 1854-55, No. 012558 / 31700 for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. 012573 / 26423 for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. 012574 / 26424 for Rs. 500.

TOTAL Rs. 1,500.

G. SETHOO ROW,
Pensioned Sheristedar.

COMBACONUM,
18*th Sept.* 1876.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 14, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

Re HAMILTON BROWN & Co.

All persons claiming to be creditors of the late firm of Hamilton Brown & Co., of Mirzapore, Merchants and Agents, are requested to send in particulars of their claims, with vouchers in support thereof, to the undersigned Trustees appointed under or by virtue of a Deed of Assignment of the property and effects of the said firm, dated the 24th August 1874, on or before the 20th day of October next, after which date the assets divisible amongst the creditors of the said firm will be distributed.

DAVID COWIE,
J. R. BULLEN SMITH, } *Trustees.*

Dated this 17*th day of July* 1876.

PROMISSORY NOTES.

NOTICE

Is hereby given that the under-mentioned Government Promissory Notes belonging to the undersigned have been lost on the night of the 10th September 1876 near Combaconum, Tanjore District, Madras Presidency.

A reward at the rate of Rs. 10 for each Note discovered will be given to any person who may discover any of the following Notes :—

1. Of the 4 per cent. loan of 1854-55, No. 012572 / 43361 for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. 012559 / 31701 for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. 012560 / 31699 for Rs. 1,000.
4. Of the 4 per cent. loan of 1854-55, No. 012561 / 31678 for Rs. 1,000.
5. Of the 4 per cent. loan of 1854-55, No. 012562 / 31697 for Rs. 1,000.
6. Of the 4 per cent. loan of 1854-55, No. 012563 / 31696 for Rs. 1,000.
7. Of the 4 per cent. loan of 1854-55, No. 012564 / 31690 for Rs. 1,000.
8. Of the 4 per cent. loan of 1854-55, No. 012565 / 31688 for Rs. 1,000.
9. Of the 4 per cent. loan of 1854-55, No. 012566 / 31689 for Rs. 1,000.
10. Of the 4 per cent. loan of 1854-55, No. 012567 / 7732 for Rs. 1,000.
11. Of the 4 per cent. loan of 1854-55, No. 012568 / 23920 for Rs. 1,000.
12. Of the 4 per cent. loan of 1854-55, No. 012569 / 31693 for Rs. 1,000.
13. Of the 4 per cent. loan of 1854-55, No. 012571 / 24311 for Rs. 1,500.
14. Of the 4 per cent. loan of 1854-55, No. 012570 / 23866 for Rs. 2,500.

TOTAL Rs. 15,000.

J. GUNDAPPAH,
Pensioned Head Sheristedar.

COMBACONUM,
18*th Sept.* 1876.

NOTICE

Is hereby given that the under-mentioned Government Promissory Notes belonging to the undersigned have been lost on the night of the 10th September 1876 near Combaconum, Tanjore District, Madras Presidency.

A reward at the rate of Rs. 10 for each Note discovered will be given to any person who may discover any of the following Notes :—

1. Of the 4 per cent. loan of 1854-55, No. $\frac{012558}{31700}$ for Rs. 500.

2. Of the 4 per cent. loan of 1854-55, No. $\frac{012573}{26423}$ for Rs. 500.

3. Of the 4 per cent. loan of 1854-55, No. $\frac{012574}{26422}$ for Rs. 500.

TOTAL Rs. 1,500.

G. SETHOO ROW,
Pensioned Sheristedar.

COMBACONUM,
18th Sept. 1876.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 21, 1876. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

NOTICE

Is hereby given that the under-mentioned Government Promissory Notes belonging to the undersigned have been lost on the night of the 10th September 1876 near Combaconum, Tanjore District, Madras Presidency.

A reward at the rate of Rs. 10 for each Note discovered will be given to any person who may discover any of the following Notes :—

1. Of the 4 per cent. loan of 1854-55, No. $\frac{012579}{43561}$ for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. $\frac{012559}{31701}$ for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. $\frac{012560}{31699}$ for Rs. 1,000
4. Of the 4 per cent. loan of 1854-55, No. $\frac{012561}{31678}$ for Rs. 1,000.
5. Of the 4 per cent. loan of 1854-55, No. $\frac{012562}{31697}$ for Rs 1,000.
6. Of the 4 per cent. loan of 1854-55, No. $\frac{012563}{31696}$ for Rs. 1,000.
7. Of the 4 per cent. loan of 1854-55, No. $\frac{012564}{31690}$ for Rs. 1,000.
8. Of the 4 per cent. loan of 1854-55, No. $\frac{012565}{31688}$ for Rs. 1,000.
9. Of the 4 per cent. loan of 1854-55, No. $\frac{012566}{31689}$ for Rs. 1,000.
10. Of the 4 per cent. loan of 1854-55, No. $\frac{012567}{7734}$ for Rs. 1,000.
11. Of the 4 per cent. loan of 1854-55, No. $\frac{012568}{23920}$ for Rs. 1,000.
12. Of the 4 per cent. loan of 1854-55, No. $\frac{012569}{31695}$ for Rs. 1,000.
13. Of the 4 per cent. loan of 1854-55, No. $\frac{012571}{24311}$ for Rs. 1,500.
14. Of the 4 per cent. loan of 1854-55, No. $\frac{012570}{23866}$ for Rs. 2,500.

TOTAL Rs. 15,000.

J. GUNDAPPAH,
Pensioned Head Sheristedar.

COMBACONUM,
18*th Sept.* 1876.

NOTICE

Is hereby given that the under-mentioned Government Promissory Notes belonging to the undersigned have been lost on the night of the 10th September 1876 near Combaconum, Tanjore District, Madras Presidency.

A reward at the rate of Rs. 10 for each Note discovered will be given to any person who may discover any of the following Notes :—

1. Of the 4 per cent. loan of 1854-55, No. $\frac{012558}{31700}$ for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. $\frac{012573}{20423}$ for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. $\frac{012574}{20422}$ for Rs. 500.

TOTAL Rs. 1,500.

G. SETHOO ROW,
Pensioned Sheristedar.

COMBACONUM,
18*th Sept.* 1876.

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UNCOVENANTED SERVICE FAMILY PENSION FUND.

Abstract Statement of the Uncovenanted Service Family Pension Fund for the 4th Quarter ending 30th April 1876, compared with the corresponding quarter of the year 1874-75.

PARTICULARS.	In the 4th quarter ending 30th April 1876.	In the 4th quarter ending 30th April 1875.	Increase.	Decrease.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Balance at credit of the Fund in the Government Books at the end of the previous quarter ...	49,45,039 10 9	46,21,081 13 9	3,23,957 13 0	0 0 0
ADD RECEIPTS.				
Subscriptions from February to April 1876 in the Widows' Fund	94,375 0 3	87,425 5 0	6,949 11 3	.....
Subscriptions from February to April 1876 in the Children's Fund	63,686 0 9	58,965 2 8	4,720 14 1	.....
Entrance fees, &c., from February to April 1876 in the Children's Fund	723 2 0	790 9 8	.....	67 7 8
Amount received from Government of India for sums advanced to Widows and Children on account of the late Mutiny of 1857	3,754 1 8	3,754 1 8	.....	.....
Interest on Reserve Fund (C.F.) and Divisible Surplus (C.F.) by a transfer to debit of one subscriber ...	129 0 0	174 0 0	.....	45 0 0
TOTAL RECEIPTS ...	1,62,667 4 8	1,51,109 3 0	11,070 9 4	112 7 8
GRAND TOTAL ...	51,07,706 15 5	47,72,191 0 9	a 3,35,628 6 4	112 7 8
DEDUCT PAYMENTS.				
Pensions paid to incumbents in the Widows' Fund ...	53,662 2 1	48,946 1 8	4,716 0 5	.....
Ditto Ditto Children's Fund...	37,183 8 9	32,979 15 6	4,203 9 3	.....
Cost of office establishment, including house-rent and contingencies	16,458 7 10	10,248 5 1	6,210 2 9	.....
TOTAL PAYMENTS ...	1,07,304 2 8	92,174 6 3	15,129 12 5	.....
Net balance in favor of the Fund, exclusive of interest upon capital	50,00,402 12 9	46,80,016 10 6	b 3,20,498 9 11	112 7 8
ADD.				
Interest received from Government of India for the year 1875-76	3,02,911 14 6	2,82,434 10 1	20,477 4 5	.....
Net balance in favor of the Fund on 30th April ...	53,03,314 11 3	49,62,451 4 7	c 3,40,975 14 4	112 7 8
Proportion of interest on Reserve Fund payable to subscribers of over five years' standing ...	26,336 13 0	23,601 15 0	2,734 14 0	.....
Proportion of Divisible Surplus as per votes of subscribers	20,599 8 0	17,710 14 0	2,888 10 0	.....
TOTAL ...	46,936 5 0	41,312 13 0	5,623 8 0	.....

	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
Number of subscribers	1,216	812	1,128	752	88	60	...	...
Number of incumbents	269	407	250	356	19	51	...	...
Number of subscribers sharing interest on Reserve Funds	635	423	586	421	49	2	...	...
Number of subscribers sharing interest on Divisible Surplus	823	657	747	519	76	138	...	...

a Net increase ... Rs. 3,35,515 14 8
b Net increase ... Rs. 3,20,386 2 3
c Net increase ... Rs. 3,40,863 6 8

H. ANDREWS,
Accountant and Collector.

E. E.
E. W. KELLNER, } *Auditors.*
G. W. MACLEOD, }

FUND OFFICE,
The 21st September 1876.

Published by order of the Directors,
W. H. RYLAND,
Secretary.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 28, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

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In the Court of the Deputy Commissioner, Rangoon.

Revenue Mis. No. 15 *of* 1876-77.

TO THE REVD. W. H. CROFTON.

Whereas land tax Rs. 46-11-3 and five per cent. cess thereon Rs. 2-5-5 total Rs. 49-0-8 for the year 1875-76 on 3rd Class Extra Suburban allotment No. 535 situated in the Kondan Circle, Hmaubee township, Rangoon District, and which stands registered in your name, has been demanded and the same has not been paid;

Notice is hereby given that if the said sum of Rs. 49-0-8 is not now paid within one month from this date the said land will be resumed by the Government.

Given under my hand this 20th day of October 1876.

for *Offg. Depy. Commr., Rangoon.*

NOTICE.

Mr. Joseph Hudson having resigned his appointment in our firm, the power of attorney granted to him is hereby cancelled.

ATKINSON BROTHERS.

14, CHOWRINGHEE ROAD, }
24th October 1876. }

NOTICE.

We have authorised Messrs. R. O'Flaherty and J. A. Savi to sign our firm per procuration in accordance with powers of attorney registered on the 23rd October 1876.

All powers of attorney granted by us before that date are hereby cancelled.

ATKINSON BROTHERS.

14, CHOWRINGHEE ROAD, }
24th October 1876. }

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 4, 1876. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

In the Court of the Deputy Commissioner, Rangoon.

Revenue Mis. No. 15 *of* 1876-77.

To the Revd. W. H. Crofton.

Whereas land tax Rs. 46-11-3 and five per cent. cess thereon Rs. 2-5-5 total Rs. 49-0-8 for the year 1875-76 on 3rd Class Extra Suburban allotment No. 535 situated in the Kondan Circle, Hmaubee township, Rangoon District, and which stands registered in your name, has been demanded and the same has not been paid;

Notice is hereby given that if the said sum of Rs. 49-0-8 is not now paid within one month from this date the said land will be resumed by the Government.

Given under my hand this 20th day of October 1876.

for *Offg. Depy. Commr., Rangoon.*

NOTICE.

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14, Chowringhee Road, }
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We have authorised Messrs. R. O'Flaherty and J. A. Savi to sign our firm per procuration in accordance with powers of attorney registered on the 23rd October 1876.

All powers of attorney granted by us before that date are hereby cancelled.

ATKINSON BROTHERS.

14, Chowringhee Road, }
24*th October* 1876. }

PROMISSORY NOTES.

NOTICE.

The under-mentioned Government Promissory Notes having been lost by, or stolen from, the late Mahommed Fazl-ullah Khan of Delhi, notice is hereby given that the undersigned have applied for duplicates thereof and have stopped payment of the interest due on them.

Mahommed Inamullah Khan.

Jani Khanum.

Sakina Begum.

Mubarik Begum.

Jafri Begum.

Year.	Number.	Amount.
1835-36	003995 C.J. 14409	1,000.
„	003996 C.J. 14410	1,000.
„	008891 004603	1,000.
„	009761 008870	1,000.
1842-43	025594 C.J. 19694	1,000.
„	018357 012956	3,000.
„	025595 C.J. 13440	1,500.
1854-55	016023 003009	1,000.
1865	058031 035224	10,000.
„	034989	10,000.
„	036201 035002	3,000.
„	010396	1,000.
„	010398	1,000.
„	010397	1,000.
„	010395	1,000.
„	017803	1,000.
„	017802	1,000.
„	017801	1,000.
„	042975 017808	1,000.
„	058032 008326	1,000.
1870	003516	2,000.
1872	012583	5,000.
„	012584	2,000.

Clarence Karkpatrick,

Pleader of High Court, N. W. P.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 11, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

The undersigned beg to announce that they have entered into partnership from the 1st November (instant) as Ship and Freight Brokers, under the style of Eck and Ionides.

OTTO ECK.
C. E. IONIDES.

102, CLIVE STREET,
Calcutta, the 9th November 1876.

In the Court of the Deputy Commissioner, Rangoon.

Revenue Mis. No. 15 *of* 1876-77.

To THE REVD. W. H. CROFTON.

Whereas land tax Rs. 46-11-3 and five per cent. cess thereon Rs. 2-5-5 total Rs. 49-0-8 for the year 1875-76 on 3rd Class Extra Suburban allotment No. 535 situated in the Kondan Circle, Hmaubee township, Rangoon District, and which stands registered in your name, has been demanded and the same has not been paid;

Notice is hereby given that if the said sum of Rs. 49-0-8 is not now paid within one month from this date the said land will be resumed by the Government.

Given under my hand this 20th day of October 1876.

for *Offg. Depy. Commr., Rangoon.*

NOTICE.

Mr. Joseph Hudson having resigned his appointment in our firm, the power of attorney granted to him is hereby cancelled.

ATKINSON BROTHERS.

14, CHOWRINGHEE ROAD,
24th October 1876.

NOTICE.

We have authorised Messrs. R. O'Flaherty and J. A. Savi to sign our firm per procuration in accordance with powers of attorney registered on the 23rd October 1876.

All powers of attorney granted by us before that date are hereby cancelled.

ATKINSON BROTHERS.

14, CHOWRINGHEE ROAD,
24th October 1876.

PROMISSORY NOTES.

Lost.

The under-mentioned Government Promissory Notes standing in the name of Goondappa, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and of interest thereupon has been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favor of the proprietor:—

1. Of the 4 per cent. loan of 1854-55, No. $\frac{012572}{43361}$ for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. $\frac{012559}{31701}$ for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. $\frac{012560}{31699}$ for Rs, 1,000.
4. Of the 4 per cent. loan of 1854-55, No. $\frac{012561}{31698}$ for Rs. 1,000.
5. Of the 4 per cent. loan of 1854-55, No. $\frac{012562}{31697}$ for Rs. 1,000.
6. Of the 4 per cent. loan of 1854-55, No. $\frac{012563}{31696}$ for Rs. 1,000.
7. Of the 4 per cent. loan of 1854-55, No. $\frac{012564}{31690}$ for Rs. 1,000.
8. Of the 4 per cent. loan of 1854-55, No. $\frac{012565}{31688}$ for Rs. 1,000.

9. Of the 4 per cent. loan of 1854-55, No. 012566/31689 for Rs. 1,000.

10. Of the 4 per cent. loan of 1854-55, No. 012567/7752 for Rs. 1,000.

11. Of the 4 per cent. loan of 1854-45, No. 012568/23920 for Rs. 1,000.

12. Of the 4 per cent. loan of 1854-55, No. 012569/31693 for Rs. 1,000.

13. Of the 4 per cent. loan of 1854-55, No. 012571/24311 for Rs. 1,500.

14. Of the 4 per cent. loan of 1854-55, No. 012570/23866 for Rs. 2,500.

TOTAL Rs. 15,000.

GOONDAPPA,
Pensioned Head Sheristadar.

No. 99, KAMATCHI JOSIER STREET,
COMBACONUM, MADRAS,
2nd November 1876.

Lost.

The under-mentioned Government Promissory Notes originally standing in the name of Goondappa and last endorsed to Sethu Row, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and of interest thereupon has been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favor of the proprietor :—

1. Of the 4 per cent. loan of 1854-55, No. 012558/51700 for Rs. 500.

2. Of the 4 per cent. loan of 1854-55, No. 012573/26123 for Rs. 500.

3. Of the 4 per cent. loan of 1854-55, No. 012574/26122 for Rs. 500.

TOTAL Rs. 1,500.

SETHU ROW,
Pensioned Sheristadar.

No. 99, KAMATCHI JOSIER STREET,
COMBACONUM, MADRAS,
2nd November 1876.

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The Gazette of India.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

In the Court of the Deputy Commissioner, Rangoon.

Revenue Mis. No. 15 *of* 1876-77.

TO THE REVD. W. H. CROFTON.

Whereas land tax Rs. 46-11-3 and five per cent. cess thereon Rs. 2-5-5 total Rs. 49-0-8 for the year 1875-76 on 3rd Class Extra Suburban allotment No. 535 situated in the Kondan Circle, Hmaubee township, Rangoon District, and which stands registered in your name, has been demanded and the same has not been paid;

Notice is hereby given that if the said sum of Rs. 49-0-8 is not now paid within one month from this date the said land will be resumed by the Government.

Given under my hand this 20th day of October 1876.

for *Offg. Depy. Commr., Rangoon.*

PROMISSORY NOTES.

Lost.

The under-mentioned Government Promissory Notes standing in the name of Goondappa, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and of interest thereupon has been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favor of the proprietor :—

1. Of the 4 per cent. loan of 1854-55, No. 012572/23561 for Rs. 500.

2. Of the 4 per cent. loan of 1854-55, No. 012559/51701 for Rs. 500.

3. Of the 4 per cent. loan of 1854-55, No. 012560/31699 for Rs. 1,000.

4. Of the 4 per cent. loan of 1854-55, No. 012564/31698 for Rs. 1,000.

5. Of the 4 per cent. loan of 1854-55, No. 012562/31697 for Rs. 1,000.

6. Of the 4 per cent. loan of 1854-55, No. 012563/31696 for Rs. 1,000.

7. Of the 4 per cent. loan of 1854-55, No. 012564/31690 for Rs. 1,000.

8. Of the 4 per cent. loan of 1854-55, No. 012565/31688 for Rs. 1,000.

9. Of the 4 per cent. loan of 1854-55, No. 012566/31689 for Rs. 1,000.

10. Of the 4 per cent. loan of 1854-55, No. 012567/7752 for Rs. 1,000.

11. Of the 4 per cent. loan of 1854-45, No. 012568/23920 for Rs. 1,000.

12. Of the 4 per cent. loan of 1854-55, No. 012569/31693 for Rs. 1,000.

13. Of the 4 per cent. loan of 1854-55, No. 012571/24311 for Rs. 1,500.

14. Of the 4 per cent. loan of 1854-55, No. 012570/23866 for Rs. 2,500.

TOTAL Rs. 15,000.

GOONDAPPA,
Pensioned Head Sheristadar.

No. 99, KAMATCHI JOSIER STREET,
COMBACONUM, MADRAS,
2nd November 1876.

Lost.

The under-mentioned Government Promissory Notes originally standing in the name of Goondappa and last endorsed to Sethu Row, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and of interest thereupon has been stopped at the Loan Office, and application is about to be made to

Government for the issue of duplicates in favor of the proprietor :—

1. Of the 4 per cent. loan of 1854-55, No. $\frac{012558}{31700}$ for Rs. 500.

2. Of the 4 per cent. loan of 1854-55, No. $\frac{012573}{20423}$ for Rs. 500.

3. Of the 4 per cent. loan of 1854-55, No. $\frac{012574}{20422}$ for Rs. 500.

TOTAL Rs. 1,500.

SETHU ROW,
Pensioned Sheristadar.

No. 99, KAMATCHI JOSIER STREET,
COMBACONUM, MADRAS,
2nd November 1876.

Lost

Four per cent. Government Promissory Note No. 002175 of 1st May 1865, for Rs. 2,000, originally standing in the name of Brojonauth Mullick and others, Executors of Tarrucknauth Mullick, and purchased by me on the 29th May 1876. Payment of the above note and the interest thereupon have been stopped in the Public Debt Office, Bank of Bengal, and the application is to be made for the issue of a duplicate in favor of myself.

SHAIK NOKORI MONDUL.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 25, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL CIVIL FUND.

At a Special General Meeting of Subscribers to the Bengal Civil Fund, held at the Town Hall on Wednesday, the 1st November 1876.

PRESENT :

A. Money, Esq., C.B.; the Hon'ble H. Bell; R. Taylor, Esq.; H. Beveridge, Esq.; E. G. Glazier, Esq.; J. O'Kinealy, Esq.; R. H. Wilson, Esq.; W. H. Grimley, Esq.; W. M. Souttar, Esq.; C. F. Magrath, Esq.; J. G. Charles, Esq.; and C. P. L. Macaulay, Esq.

R. Taylor, Esq., in the chair.

Read the notice convening the meeting.

Proposed by *Mr. Grimley* and seconded by *Mr. Charles*, that the members present, having read the note by Mr. O'Kinealy, are of opinion that the facts and quotations he brings forward, and the arguments he uses, afford the basis of a satisfactory answer to the letter of the Government of India No. 4377 of 28th October 1875, and request the Managers to prepare and forward an answer accordingly.

Carried (Messrs. Beveridge and Magrath not voting).

Proposed by *Mr. Bell*, and seconded by *Mr. Magrath*, that this meeting is of opinion that Mr. O'Kinealy deserves the best thanks of the service for his great labor, and for the care and ability displayed, in selecting the papers and preparing the note laid before the meeting.

Carried, Mr. O'Kinealy dissenting.

A vote of thanks to the Chairman was proposed by Mr. Souttar and seconded by Mr. Beveridge and carried unanimously. The meeting then separated.

R. TAYLOR,
Chairman.

CIVIL FUND OFFICE,
The 1st November 1876.

BENGAL CIVIL FUND.

NOTICE.—The Half-yearly General Meeting of Subscribers to the Bengal Civil Fund will be held at the Town Hall on Wednesday, the 31st January next, at 4½ P. M., for the election of Managers for the ensuing year and for the consideration of any other business that may be brought forward. The Managers propose to submit for the consideration of the meeting the following addition to Art. 25 of the Rules:—

"Provided that a declaration on oath by not less than two eye-witnesses will be considered sufficient proof of marriage in the cases of Messrs. Romesh Chunder Dutt and Behari Lal Gupta."

By order of the Managers,

CIVIL FUND OFFICE,
The 24th Nov. 1876.

COLMAN MACAULAY,
Secretary.

PROMISSORY NOTES.

Lost

Four per cent. Government Promissory Note No. 002175 of 1st May 1865, for Rs. 2,000, originally standing in the name of Brojonauth Mullick and others, Executors of Tarrucknauth Mullick, and purchased by me on the 29th May 1876. Payment of the above note and the interest thereupon have been stopped in the Public Debt Office, Bank of Bengal, and the application is to be made for the issue of a duplicate in favor of myself.

SHAIK NOKORI MONDUL.

Lost.

The under-mentioned Government Promissory Notes standing in the name of Goondappa, the proprietor, by whom they were never endorsed to

any other person. Payment of the above notes and of interest thereupon has been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favor of the proprietor:—

1. Of the 4 per cent. loan of 1854-55, No. $\frac{012572}{43561}$ for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. $\frac{012559}{31701}$ for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. $\frac{012560}{31699}$ for Rs. 1,000.
4. Of the 4 per cent. loan of 1854-55, No. $\frac{012561}{31698}$ for Rs. 1,000.
5. Of the 4 per cent. loan of 1854-55, No. $\frac{012562}{31697}$ for Rs. 1,000.
6. Of the 4 per cent. loan of 1854-55, No. $\frac{012563}{31696}$ for Rs. 1,000.
7. Of the 4 per cent. loan of 1854-55, No. $\frac{012564}{31695}$ for Rs. 1,000.
8. Of the 4 per cent. loan of 1854-55, No. $\frac{012565}{31688}$ for Rs. 1,000.
9. Of the 4 per cent. loan of 1854-55, No. $\frac{012566}{31689}$ for Rs. 1,000.
10. Of the 4 per cent. loan of 1854-55, No. $\frac{012567}{7732}$ for Rs. 1,000.
11. Of the 4 per cent. loan of 1854-55, No. $\frac{012568}{23920}$ for Rs. 1,000.
12. Of the 4 per cent. loan of 1854-55, No. $\frac{012569}{31693}$ for Rs. 1,000.
13. Of the 4 per cent. loan of 1854-55, No. $\frac{012571}{24311}$ for Rs. 1,500.
14. Of the 4 per cent. loan of 1854-55, No. $\frac{012570}{23866}$ for Rs. 2,500.

TOTAL Rs. 15,000.

GOONDAPPA,
Pensioned Head Sheristadar.

No. 99, KAMATCHI JOSIER STREET,
COMBACONUM, MADRAS,
2nd November 1876.

Lost.

The under-mentioned Government Promissory Notes originally standing in the name of Goondappa and last endorsed to Sethu Row, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and of interest thereupon has been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favor of the proprietor:—

1. Of the 4 per cent. loan of 1854-55, No. $\frac{012558}{31700}$ for Rs. 500.
2. Of the 4 per cent. loan of 1854-55, No. $\frac{012573}{26425}$ for Rs. 500.
3. Of the 4 per cent. loan of 1854-55, No. $\frac{012574}{26422}$ for Rs. 500.

TOTAL Rs. 1,500.

SETHU ROW,
Pensioned Sheristadar.

No. 99, KAMATCHI JOSIER STREET,
COMBACONUM, MADRAS,
2nd November 1876.

NOTICE.

The under-mentioned Government Promissory Notes having been lost by, or stolen from, the late Mahommed Fazl-ullah Khan of Delhi, notice is hereby given that the undersigned have applied for duplicates thereof and have stopped payment of the interest due on them.

MAHOMMED INAMULLAH KHAN.
JANI KHANUM.
SAKINA BEGUM.
MUBARIK BEGUM.
JAFRI BEGUM.

Year.	Number.	Amount.
1835-36	003995 C.J. 14409	1,000.
"	003996 C.J. 14410	1,000.
"	008891 004603	1,000.
"	009761 008870	1,000.
1842-43	025594 C.J. 19694	1,000.
"	018357 012956	3,000.
"	025595 C.J. 13440	1,500.
1854-55	016023 003009	1,000.
1865	058031 035224	10,000.
"	034989	10,000.
"	036201 035002	3,000.
"	010396	1,000.
"	010398	1,000.
"	010397	1,000.
"	010395	1,000.
"	017803	1,000.
"	017802	1,000.
"	017801	1,000.
"	042975 017808	1,000.
"	058032 008326	1,000.
1870	003516	2,000.
1872	012583	5,000.
"	012584	2,000.

CLARENCE KARKPATRICK,
Pleader of High Court, N. W. P.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 2, 1876. { Register No. 33.

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PART III.

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ILLUSTRATIONS OF ANCIENT BUILDINGS IN KASHMIR, prepared at the India Museum, London, under the authority of the Secretary of State for India in Council, from Photographs, Plans, and Drawings taken by order of the Government of India by Henry Hardy Cole, Lieutenant, R. E., to be obtained from Messrs. Thacker, Spink & Co., Calcutta; Messrs. Higginbotham & Co., Madras; and of Messrs. Thacker, Vining & Co., Bombay.

The Illustrations in this work have been produced in Carbon from the original negatives, and are therefore permanent.

PROMISSORY NOTES.

Lost

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SHAIK NOKORI MONDUL.

NOTICE.

The under-mentioned Government Promissory Notes having been lost by, or stolen from, the late Mahommed Fazl-ullah Khan of Delhi, notice is hereby given that the undersigned have applied for duplicates thereof and have stopped payment of the interest due on them.

MAHOMMED INAMULLAH KHAN.
JANI KHANUM.
SAKINA BEGUM.
MUBARIK BEGUM.
JAFRI BEGUM.

Year.	Number.	Amount.
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"	025595 C.J. 13440	1,500.
1854-55	016023 003009	1,000.
1865	058031 035224	10,000.
"	034989	10,000.
"	036201 035002	3,000.
"	010396	1,000.
"	010398	1,000.
"	010397	1,000.
"	010395	1,000.
"	017803	1,000.
"	017802	1,000.
"	017801	1,000.
"	042975 017808	1,000.
"	058032 008326	1,000.
1870	003516	2,000.
1872	012583	5,000.
"	012584	2,000.

CLARENCE KARKPATRICK,
Pleader of High Court, N. W. P.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 9, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

THE CALCUTTA JUTE MILLS COMPANY, "Limited."

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, "Limited," will be held at the Company's Office, No. 104, Clive Street, Calcutta, on the 8th day of February 1877, at 3 o'clock in the afternoon, at which meeting the following Resolution, which it is intended to confirm at a subsequent meeting, as a Special Resolution, will be proposed :—

That the 74th Article of the present Articles of Association of the Company be amended and, as amended, do stand as follows :—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept and give Bills of Exchange and Promissory Notes, on behalf, and for the purposes, of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company subject to the now existing mortgage charge of £30,000, created by certain debentures and by an indenture of mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a trust deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof, in cash or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By Order of the Board,

BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET, CALCUTTA,
The 6th December 1876.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 16, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The lower half of the Government Promissory Note No. $\frac{056565}{028320}$ of the four and a half per cent. of 16th January 1879 for Rs. 10,000, originally standing in the name of the Bank of Madras and endorsed by the Agent at Negapatam for the Bank of Madras to V. Thanasu Muthu Nadau, the proprietor, by whom it was never endorsed to any other person. There is the transfer endorsement only on the upper half of the Government Promissory Note now existing, and there is no endorsement on the lower half of it. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicates in favour of the proprietor.

V. THANASU MUTHU NADAU.

Poriar Company Garden, near Tranquebar, Mayaveram Taluq, Tanjore District.

CAMP MANNARGOODY,
The 30th November 1876.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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By Order of the Board,
BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET, CALCUTTA,
The 6th December 1876.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 23, 1876. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the above-named deceased, late Manager of the Coochela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

THE CALCUTTA JUTE MILLS COMPANY, "Limited."

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, "Limited," will be held at the Company's Office, No. 104, Clive Street, Calcutta, on the 8th day of February 1877, at 3 o'clock in the afternoon, at which meeting the following Resolution, which it is intended to confirm at a subsequent meeting, as a Special Resolution, will be proposed:—

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PROMISSORY NOTES.

Lost

The lower half of the Government Promissory Note No. $\frac{056565}{028320}$ of the four and a half per cent. of 16th January 1872, for Rs. 10,000, originally standing in the name of the Bank of Madras and endorsed by the Agent at Negapatam for the Bank of Madras to V. Thanasu Muthu Nadau, the proprietor, by whom it was never endorsed to any other person. There is the transfer endorsement only on the upper half of the Government Promissory Note now existing, and there is no endorsement on the lower half of it. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicates in favour of the proprietor.

V. THANASU MUTHU NADAU.
Poriar Company Garden, near Tranquebar, Mayaveram Taluq, Tanjore District.

CMP MANNARGOODY,
The 30th November 1876.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 1, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 29th June 1876, and is hereby promulgated for general information:—

ACT No. XIII OF 1876.

An Act to amend the law relating to Merchant Seamen.

Preamble. Whereas it is expedient to amend the law relating to Merchant Seamen in manner hereinafter appearing; It is hereby enacted as follows:—

Preliminary.

Short title. 1. This Act may be called "The Indian Merchant Seamen's Act, 1876:"

Local extent. It extends to the whole of British India;

Commencement. And it shall come into force at once.

Interpretation-clause. 2. In this Act—"seaman" includes every person (except Masters, pilots, and apprentices duly indentured and registered) employed or engaged in any capacity to serve at sea for the purposes of any ship.

Distressed Seamen.

Evidence of distress of seamen. 3. A certificate signed by a Secretary to the Local Government, or by such other officer as it appoints in this behalf, to the effect that any seaman named therein is distressed, shall, in all proceedings under sections 211, 212 and 213 of the Merchant Shipping Act, 1854, be conclusive evidence that such seaman is distressed within the meaning of the same sections; and any Master of a British ship refusing to accept such seaman as a distressed seaman under the provisions of the said sections shall, for each seaman with respect to whom he so refuses, be liable to a fine which may extend to one thousand rupees.

Penalty for refusing to accept distressed seamen.

Discharge of Seamen.

Discharge of seamen. 4. No seaman or apprentice not shipped in British India shall be discharged without the previous sanction in writing of such officer as the Local Government appoints in this behalf: and such sanction shall be given or withheld at the discretion of the officer so appointed; but whenever it is withheld, the reasons for so withholding it shall be recorded by him in writing.

Any person discharging a seaman or apprentice in wilful disobedience to the prohibition contained in this section, shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Engagement of Seamen.

Engagement of Native seamen. 5. The Local Government, or such officer as it appoints in this behalf, may, by order in writing signed by its Secretary or by such officer, prohibit any person from engaging in the territories subject to the said Government, or in any specified portion of such territories, any Native of India to serve as a seaman on board any ship specified in such order; but in all such cases the reasons for the prohibition shall be stated in writing.

Whoever wilfully disobeys the prohibition contained in this section shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Deserters.

Deserters.

6. Whenever any seaman or apprentice not shipped in British India deserts or otherwise absents himself without leave from any ship in which he is engaged to serve, the Master of the ship shall, within forty-eight hours of discovering such desertion or absence, report the same to such officer as the Local Government appoints in this behalf, unless in the meantime the deserter or absentee returns.

Any Master wilfully neglecting to comply with the provisions of this section, may be punished with fine not exceeding one hundred rupees, or imprisonment for a term which may extend to one month, or with both.

Imprisoned Seamen.

Power to deal with imprisoned seamen in accordance with section 88, Act I of 1859.

7. If any seaman or apprentice not shipped in British India is imprisoned for any offence for which he has been sentenced to imprisonment for a term not exceeding one month, any Magistrate may deal with him in the same way as he may deal with a seaman or apprentice imprisoned on any of the grounds mentioned in section 88 of Act No. I of 1859 *(for the amendment of the law relating to Merchant Seamen)*.

Rules as to imprisoned seamen.

8. If any seaman or apprentice not shipped in British India is imprisoned on a complaint made by or on behalf of the Master or owner of the ship in which he is engaged to serve, on any of the grounds mentioned in the said Act No. I of 1859, section 88, or for any offence for which he has been sentenced to imprisonment for a term not exceeding one month, the following rules shall be observed:—

(*a*) No person shall, while such imprisonment lasts, without the previous sanction in writing of the Local Government or of such officer as it appoints in this behalf, engage any Native of India to serve as a seaman on board such ship;

(*b*) the Local Government, or such officer as it appoints in this behalf, may tender such seaman or apprentice to the Master or owner of the ship in which he is engaged to serve, and if such Master or owner, without assigning reasons satisfactory to the Local Government or to such officer as aforesaid, refuse to receive him on board, may require such Master or owner to deposit in the local Shipping Office (1) the wages due to such seaman or apprentice, and his money, clothes and other effects, and (2) such sum as may in the opinion of the Local Government or of such officer as aforesaid be sufficient to defray the cost of the passage of the said seaman or apprentice to the port at which he was shipped, according to the scale of cost usual in the case of distressed seamen.

Whoever wilfully disobeys the prohibition contained in clause (*a*) of this section shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Any Master or owner refusing or neglecting to deposit such wages, money, clothes and other effects, or such sum as aforesaid, may be punished with fine not exceeding five hundred rupees, and in default of payment of such fine, to imprisonment for a term which may extend to three months.

Accommodation of Seamen.

Amendment of Act I of 1859, sec. 70.

9. And whereas it is expedient to increase the space required by the said Act No. I of 1859, section 70, to be allowed for European seamen and apprentices and for lascars or Native seamen; It is hereby further enacted as follows:—

Such section shall be read as if for the expressions "nine superficial feet," "fifty-four cubic feet," and "four superficial feet," the expressions "ten superficial feet," "sixty cubic feet," and "six superficial feet" were respectively substituted, and as if in the third paragraph of the same section, after the word "superficial," the words "and thirty-six cubic" were inserted.

Meaning of 'established par value.'

Meaning of expression 'established par value' in Act I of 1859, section 54.

10. And whereas doubts have been raised as to the meaning of the expression "established par value" in the said Act No. I of 1859, section 54, for the purpose of removing such doubts, it is hereby enacted as follows:—

For section 54 of Act No. I of 1859, the following shall be substituted (that is to say):

"54. When any monies are payable in India to any seaman or apprentice for wages or otherwise under any agreement wherein such monies are expressed to be payable in British currency, the seaman or apprentice shall be entitled to demand and recover in the current coin of India the amount due to him estimated according to the rate of exchange for the time being fixed by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, for the adjustment of financial transactions between the Imperial and the Indian Governments."

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 8, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 29th June 1876, and is hereby promulgated for general information:—

ACT No. XIII OF 1876.

An Act to amend the law relating to Merchant Seamen.

Preamble.

Whereas it is expedient to amend the law relating to Merchant Seamen in manner hereinafter appearing; It is hereby enacted as follows:—

Preliminary.

Short title.

1. This Act may be called "The Indian Merchant Seamen's Act, 1876:"

Local extent.

It extends to the whole of British India;

Commencement.

And it shall come into force at once.

Interpretation-clause.

2. In this Act—"seaman" includes every person (except Masters, pilots, and apprentices duly indentured and registered) employed or engaged in any capacity to serve at sea for the purposes of any ship.

Distressed Seamen.

Evidence of distress of seamen.

3. A certificate signed by a Secretary to the Local Government, or by such other officer as it appoints in this behalf, to the effect that any seaman named therein is distressed, shall, in all proceedings under sections 211, 212 and 213 of the Merchant Shipping Act, 1854, be conclusive evidence that such seaman is distressed within the meaning of the same sections; and any Master of a British ship refusing to accept such seaman as a distressed seaman under the provisions of the said sections shall, for each seaman with respect to whom he so refuses, be liable to a fine which may extend to one thousand rupees.

Penalty for refusing to accept distressed seamen.

Discharge of Seamen.

Discharge of seamen.

4. No seaman or apprentice not shipped in British India shall be discharged without the previous sanction in writing of such officer as the Local Government appoints in this behalf: and such sanction shall be given or withheld at the discretion of the officer so appointed; but whenever it is withheld, the reasons for so withholding it shall be recorded by him in writing.

Any person discharging a seaman or apprentice in wilful disobedience to the prohibition contained in this section, shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Engagement of Seamen.

Engagement of Native seamen.

5. The Local Government, or such officer as it appoints in this behalf, may, by order in writing signed by its Secretary or by such officer, prohibit any person from engaging in the territories subject to the said Government, or in any specified portion of such territories, any Native of India to serve as a seaman on board any ship specified in such order; but in all such cases the reasons for the prohibition shall be stated in writing.

Whoever wilfully disobeys the prohibition contained in this section shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Deserters.

6. Whenever any seaman or apprentice not shipped in British India deserts or otherwise absents himself without leave from any ship in which he is engaged to serve, the Master of the ship shall, within forty-eight hours of discovering such desertion or absence, report the same to such officer as the Local Government appoints in this behalf, unless in the meantime the deserter or absentee returns.

Deserters.

Any Master wilfully neglecting to comply with the provisions of this section, may be punished with fine not exceeding one hundred rupees, or imprisonment for a term which may extend to one month, or with both.

Imprisoned Seamen.

7. If any seaman or apprentice not shipped in British India is imprisoned for any offence for which he has been sentenced to imprisonment for a term not exceeding one month, any Magistrate may deal with him in the same way as he may deal with a seaman or apprentice imprisoned on any of the grounds mentioned in section 88 of Act No. I of 1859 *(for the amendment of the law relating to Merchant Seamen)*.

Power to deal with imprisoned seamen in accordance with section 88, Act I of 1859.

8. If any seaman or apprentice not shipped in British India is imprisoned on a complaint made by or on behalf of the Master or owner of the ship in which he is engaged to serve, on any of the grounds mentioned in the said Act No. I of 1859, section 88, or for any offence for which he has been sentenced to imprisonment for a term not exceeding one month, the following rules shall be observed:—

Rules as to imprisoned seamen.

(*a*) No person shall, while such imprisonment lasts, without the previous sanction in writing of the Local Government or of such officer as it appoints in this behalf, engage any Native of India to serve as a seaman on board such ship;

(*b*) the Local Government, or such officer as it appoints in this behalf, may tender such seaman or apprentice to the Master or owner of the ship in which he is engaged to serve, and if such Master or owner, without assigning reasons satisfactory to the Local Government or to such officer as aforesaid, refuse to receive him on board, may require such Master or owner to deposit in the local Shipping Office (1) the wages due to such seaman or apprentice, and his money, clothes and other effects, and (2) such sum as may in the opinion of the Local Government or of such officer as aforesaid be sufficient to defray the cost of the passage of the said seaman or apprentice to the port at which he was shipped, according to the scale of cost usual in the case of distressed seamen.

Whoever wilfully disobeys the prohibition contained in clause (*a*) of this section shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Any Master or owner refusing or neglecting to deposit such wages, money, clothes and other effects, or such sum as aforesaid, may be punished with fine not exceeding five hundred rupees, and in default of payment of such fine, to imprisonment for a term which may extend to three months.

Accommodation of Seamen.

9. And whereas it is expedient to increase the space required by the said Act No. I of 1859, section 70, to be allowed for European seamen and apprentices and for lascars or Native seamen; It is hereby further enacted as follows:—

Amendment of Act I of 1859, sec. 70.

Such section shall be read as if for the expressions "nine superficial feet," "fifty-four cubic feet," and "four superficial feet," the expressions "ten superficial feet," "sixty cubic feet," and "six superficial feet" were respectively substituted, and as if in the third paragraph of the same section, after the word "superficial," the words "and thirty-six cubic" were inserted.

Meaning of 'established par value.'

10. And whereas doubts have been raised as to the meaning of the expression "established par value" in the said Act No. I of 1859, section 54, for the purpose of removing such doubts, it is hereby enacted as follows:—

Meaning of expression 'established par value' in Act I of 1859, section 54.

For section 54 of Act No. I of 1859, the following shall be substituted (that is to say):

"54. When any monies are payable in India to any seaman or apprentice for wages or otherwise under any agreement wherein such monies are expressed to be payable in British currency, the seaman or apprentice shall be entitled to demand and recover in the current coin of India the amount due to him estimated according to the rate of exchange for the time being fixed by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, for the adjustment of financial transactions between the Imperial and the Indian Governments."

WHITLEY STOKES,
Secy. to the Govt. of India.

DIEU ET MON DROIT

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 15, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 29th June 1876, and is hereby promulgated for general information:—

ACT No. XIII OF 1876.

An Act to amend the law relating to Merchant Seamen.

Whereas it is expedient to amend the law relating to Merchant Seamen in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

Preliminary.

1. This Act may be called "The Indian Merchant Seamen's Act, 1876:"

Short title.

It extends to the whole of British India;

Local extent.

And it shall come into force at once.

Commencement.

2. In this Act—"seaman" includes every person (except Masters, pilots, and apprentices duly indentured and registered) employed or engaged in any capacity to serve at sea for the purposes of any ship.

Interpretation-clause.

Distressed Seamen.

3. A certificate signed by a Secretary to the Local Government, or by such other officer as it appoints in this behalf, to the effect that any seaman named therein is distressed, shall, in all proceedings under sections 211, 212 and 213 of the Merchant Shipping Act, 1854, be conclusive evidence that such seaman is distressed within the meaning of the same sections; and any Master of a British ship refusing to accept such seaman as a distressed seaman under the provisions of the said sections shall, for each seaman with respect to whom he so refuses, be liable to a fine which may extend to one thousand rupees.

Evidence of distress of seamen.

Penalty for refusing to accept distressed seamen.

Discharge of Seamen.

4. No seaman or apprentice not shipped in British India shall be discharged without the previous sanction in writing of such officer as the Local Government appoints in this behalf: and such sanction shall be given or withheld at the discretion of the officer so appointed; but whenever it is withheld, the reasons for so withholding it shall be recorded by him in writing.

Discharge of seamen.

Any person discharging a seaman or apprentice in wilful disobedience to the prohibition contained in this section, shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Engagement of Seamen.

5. The Local Government, or such officer as it appoints in this behalf, may, by order in writing signed by its Secretary or by such officer, prohibit any person from engaging in the territories subject to the said Government or in any specified portion of such territories, a Native of India to serve as a seaman on board any ship specified in such order; but in all such cases the reasons for the prohibition shall be stated in writing.

Engagement of Native seamen.

Whoever wilfully disobeys the prohibition contained in this section shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Deserters.

6. Whenever any seaman or apprentice not shipped in British India deserts or otherwise absents himself without leave from any ship in which he is engaged to serve, the Master of the ship shall, within forty-eight hours of discovering such desertion or absence, report the same to such officer as the Local Government appoints in this behalf, unless in the meantime the deserter or absentee returns.

Deserters.

Any Master wilfully neglecting to comply with the provisions of this section, may be punished with fine not exceeding one hundred rupees, or imprisonment for a term which may extend to one month, or with both.

Imprisoned Seamen.

7. If any seaman or apprentice not shipped in British India is imprisoned for any offence for which he has been sentenced to imprisonment for a term not exceeding one month, any Magistrate may deal with him in the same way as he may deal with a seaman or apprentice imprisoned on any of the grounds mentioned in section 88 of Act No. I of 1859 *(for the amendment of the law relating to Merchant Seamen)*.

Power to deal with imprisoned seamen in accordance with section 88, Act I of 1859.

8. If any seaman or apprentice not shipped in British India is imprisoned on a complaint made by or on behalf of the Master or owner of the ship in which he is engaged to serve, on any of the grounds mentioned in the said Act No. I of 1859, section 88, or for any offence for which he has been sentenced to imprisonment for a term not exceeding one month, the following rules shall be observed:—

Rules as to imprisoned seamen.

(*a*) No person shall, while such imprisonment lasts, without the previous sanction in writing of the Local Government or of such officer as it appoints in this behalf, engage any Native of India to serve as a seaman on board such ship;

(*b*) the Local Government, or such officer as it appoints in this behalf, may tender such seaman or apprentice to the Master or owner of the ship in which he is engaged to serve, and if such Master or owner, without assigning reasons satisfactory to the Local Government or to such officer as aforesaid, refuse to receive him on board, may require such Master or owner to deposit in the local Shipping Office (1) the wages due to such seaman or apprentice, and his money, clothes and other effects, and (2) such sum as may in the opinion of the Local Government or of such officer as aforesaid be sufficient to defray the cost of the passage of the said seaman or apprentice to the port at which he was shipped, according to the scale of cost usual in the case of distressed seamen.

Whoever wilfully disobeys the prohibition contained in clause (*a*) of this section shall be liable to imprisonment for a term which may extend to three months, or to fine not exceeding one thousand rupees, or to both.

Any Master or owner refusing or neglecting to deposit such wages, money, clothes and other effects, or such sum as aforesaid, may be punished with fine not exceeding five hundred rupees, and in default of payment of such fine, to imprisonment for a term which may extend to three months.

Accommodation of Seamen.

9. And whereas it is expedient to increase the space required by the said Act No. I of 1859, section 70, to be allowed for European seamen and apprentices and for lascars or Native seamen; It is hereby further enacted as follows:—

Amendment of Act I of 1859, sec. 70.

Such section shall be read as if for the expressions "nine superficial feet," "fifty-four cubic feet," and "four superficial feet," the expressions "ten superficial feet," "sixty cubic feet," and "six superficial feet" were respectively substituted, and as if in the third paragraph of the same section, after the word "superficial," the words "and thirty-six cubic" were inserted.

Meaning of 'established par value.'

10. And whereas doubts have been raised as to the meaning of the expression "established par value" in the said Act No. I of 1859, section 54, for the purpose of removing such doubts, it is hereby enacted as follows:—

Meaning of expression 'established par value' in Act I of 1859, section 54.

For section 54 of Act No. I of 1859, the following shall be substituted (that is to say):

"54. When any monies are payable in India to any seaman or apprentice for wages or otherwise under any agreement wherein such monies are expressed to be payable in British currency, the seaman or apprentice shall be entitled to demand and recover in the current coin of India the amount due to him estimated according to the rate of exchange for the time being fixed by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, for the adjustment of financial transactions between the Imperial and the Indian Governments."

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 16, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th September 1876, and is hereby promulgated for general information:—

ACT No. XIV OF 1876.

THE SINDH INCUMBERED ESTATES ACT, 1876.

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Act to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh.

Preamble. Whereas many Jágírdárs and Zamíndárs in Sindh are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

I.—PRELIMINARY.

Short title. **1.** This Act may be called "The Sindh Incumbered Estates Act, 1876":

Commencement. And it shall come into force on the passing thereof.

Interpretation-clause. **2.** In this Act—

"Jágír-land." "Jágír-land" includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *mámul* or garden-grants:

"Jágírdár." "Jágírdár" means a person who, or whose ancestor, was found in possession of jágír-land in Sindh on the seventeenth day of February 1843, and to whom the said land, or a portion of the same, or other land in lieu thereof, has been continued by the British Government, and to whom, or to whose ancestor, a sanad has been, or hereafter may be, granted confirming such continuance:

"Zamíndár." "Zamíndár" means a person holding lands in Sindh on the aggregate of which he has been assessed by the Government, on account of land-revenue for any one of the five revenue years next before the passing of this Act, a sum not less than three hundred rupees:

"Commissioner." "Commissioner" means the Commissioner in Sindh.

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for the benefit of this Act. **3.** At any time within twelve months after the passing of this Act, any jágírdár or zamíndár,

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities, other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person or by the legally constituted administrator or manager of his estate.

Order to enquire. **4.** When any such application is made by or on behalf of a jágírdár or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

Verified statement to be submitted. **5.** When an enquiry has been directed under section four, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

False averments in statement. If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

Report of enquiry and proceedings thereon. **6.** The officer so appointed, after making enquiry, shall submit a report of his proceedings to the Commissioner.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the Manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

"Order of management" to what it extends. **7.** Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

Commencement of management. The management shall be deemed to commence from the date on which the order is published.

Effect of order of management. **8.** On the publication of the order of management the following consequences shall ensue:

Stay of pending proceedings, &c. *First*, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section seven shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Bar of fresh proceedings. *Secondly*, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

The debtor incompetent to contract debts, *Thirdly*, so long as the management continues, the debtor shall be incompetent

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property under management, (*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent thereof. (*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the Manager from letting and the debtor from taking the whole or any part of such property on such terms consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the Manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

Manager to have powers of owner and to receive rents and profits, **9.** The Manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

to have powers of a Collector for their recovery. and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector, under the law for the time being in force, for the recovery of land-revenue due to Government:

Provided that he shall not before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

Manager to pay therefrom **10.** From the sums received or recovered under section nine, the Manager shall pay

Costs of management and repairs, *First*, the costs of the management, including the costs of necessary repairs,

Government revenue, &c., *Secondly*, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management,

rent due to superior holder, *Thirdly*, the rent (if any) due to the jágírdár or other superior holder, in respect of the said property;

allowance for maintenance of debtor, *Fourthly*, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family,

cost of improvements, &c. *Fifthly*, the cost of such improvements of the said property as be necessary, and are approved by the Commissioner.

Residue how disposed of. The residue shall be retained by the Manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section seven other than those so due or incurred to Government.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

Notice to claimants against debtor. **11.** On the publication of the order of management, the Manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhí, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such Manager within six months from the date of the publication.

Copies of notice to be exhibited. He shall also cause copies of such notice to be exhibited at the Mukhtiárkárs' kachahrís in the district in which the property lies, and at such other places as he thinks fit.

Claim to contain full particulars. **12.** Every such claimant shall, along with his claim, present full particulars thereof.

Documents to be given up. Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the Manager along with the claim.

If the document be an entry in any book, the claimant shall produce the book to the Manager, together with a copy of the entry on which he relies. The Manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the Manager along with the claim, the Manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

13. Every such claim (other than claims of the Government) not notified to the Manager within the time and in the manner required by such notice shall, except as provided in section eighteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the Manager that the claimant was unable to comply with the provisions of section eleven, the Manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

14. The Manager shall inquire into the history and merits of every claim received under sections eleven and thirteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Determination of debts and liabilities.

15. If such amount cannot be paid at once, the Manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively from the date of the final decision thereon to the date of the payment and discharge thereof.

Power to rank debts and to fix interest.

16. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the Manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide for the continuance of the payments to be made by the Manager under section ten, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Provisions of scheme.

17. The Commissioner may

Proceedings of Commissioner on submission of scheme.

(*a*) as often as he thinks fit send back such scheme to the Manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him either as it stands, or subject to such modifications as he may deem expedient.

18. At any time before he has sanctioned a liquidation-scheme under section seventeen, the Commissioner may by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section nine;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section ten shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section eight, and the debts and liabilities barred by section thirteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

19. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Local Government may from time to time by rule direct; and thereupon—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section eight shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the Manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

20. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the Manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the Manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive under the liquidation-scheme the amount (if any) awarded to him under Part IV of this Act.

21. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the Manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the Manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

22. Subject to the rules made under section thirty, the Manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions as may be agreed upon.

Power to lease.

23. At any time after the liquidation-scheme has been sanctioned as aforesaid, the Manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme,

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the Manager thinks fit, such portion of the said property as may appear expedient.

24. The Manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

25. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the Manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the Manager under the power conferred by section twenty-three, but subject to the leases and mortgages (if any) granted and made by the Manager under the powers conferred by sections nine, twenty-two and twenty-three.

Restoration of owner.

26. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided,

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section eight; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

27. When a jágírdár or zamíndár has been restored under section twenty-five to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jágírdár or zamíndár, shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

VI.—OF APPEAL AND REVISION.

28. An appeal against any decision or order under sections thirteen, fourteen, fifteen and twenty-one and imposing a fine or imprisonment in exercise of the powers conferred by section thirty-four, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

29. The Commissioner may of his own motion, or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon, consistent with the provisions of this Act, as he thinks fit.

Power to call for proceedings and pass order thereon.

VII.—MISCELLANEOUS.

30. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities;

(*d*) for investing any moneys received or raised by the Manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and when so published shall have the force of law.

31. Whenever the Commissioner thinks fit, be may suspend or remove any Manager and may appoint any officer in the stead of any Manager appointed under this Act; and thereupon the management then vested under this Act in the former Manager shall become vested in the new Manager.

Power to appoint new Manager.

Every such new Manager shall have the same powers as if he had been originally appointed.

32. Every Manager appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Managers to be public servants.

33. Every investigation conducted by the Manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

34. For the purposes of this Act, the Manager may summon and enforce the attendance of witnesses and compel them to give evidence and compel the production of documents by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Civil Procedure.

Power to summon witnesses and compel production of documents.

35. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Bar of suits.

36. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act, from entertaining and disposing of such suits; but to all such suits the Manager of such property shall be made a party.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

THE following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th September 1876, and is hereby promulgated for general information:—

ACT No. XV OF 1876.

An Act to amend the law relating to the tranefer of Bombay Municipal Debentures, and to provide for their consolidation.

Whereas under the Bombay Municipal Act of 1865, the Justices of the Peace for the City of Bombay were empowered to mortgage for the purposes therein mentioned the rates and taxes imposed and levied under that Act:

Preamble.

And whereas by section 255 of the same Act it was enacted that any person entitled to any such mortgage might transfer his right and interest therein to any other person, and that every such transfer should be by deed duly stamped, wherein the consideration should be truly stated, and that every such transfer might be according to the form in Schedule K to the said Act annexed or to the like effect:

And whereas in exercise of the said power divers mortgages of the said rates and taxes have been made, and the mortgagees have purported to transfer their mortgages to other persons, but such transfers have been by simple indorsement and not by deed duly stamped:

And whereas it is expedient to provide that such transfers may hereafter be made by indorsement, and to confirm the said transfers heretofore made, and to exempt the parties thereto from the penalties which they have incurred by reason of their failure to comply with the provisions of the said section and of the law relating to stamp-duties for the time being in force:

And whereas it is also expedient to provide for consolidating such mortgages in manner hereinafter mentioned and for renewing and subdividing mortgages so consolidated;

It is hereby enacted as follows:

1. This Act may be called "The Bombay Municipal Debentures Act, 1876."

Short title.

2. Every mortgage of rates and taxes, authorized to be made under the said Bombay Municipal Act of 1865, or any subsequent Act, shall be transferable by indorsement on the instrument of mortgage, and no such indorsement shall be chargeable with any stamp-duty.

Transfers of Bombay Municipal debentures to be by indorsement and free from stamp-duty.

3. Every transfer of any such mortgage heretofore made by indorsement shall be, and be deemed to have been, as valid as if this Act had been in force at the date of such transfer; and no stamp-duty shall be, or be deemed to have been, chargeable in respect of any such transfer; and no penalty shall be deemed to have been incurred by reason of any failure to comply with the provisions of the said section 255 or of the law relating to stamp-duties for the time being in force.

Validation of former transfers by indorsement.

4. Any holder of two or more such instruments of mortgage may surrender them to the Municipal Corporation of the City of Bombay, and such Corporation shall accept the same, and shall (on receipt for each such instrument of such fee as the said Corporation may from time to time prescribe) grant to such holder, under the seal of the said Corporation, an instrument of mortgage in which the consideration stated shall be the aggregate amount of the considerations respectively stated in the instruments so surrendered.

Power to consolidate such debentures.

Every instrument so granted may be in the form in the schedule hereto annexed or to the like effect.

5. The said Corporation shall, on the application of the holder of any instrument granted under the said Bombay Municipal Act of 1865 or under this Act, and on receipt of such fees as the said Corporation may from time to time prescribe in this behalf, renew or subdivide the same.

Power to renew and subdivide.

THE SCHEDULE ABOVE REFERRED TO.

Whereas *A B* of has surrendered to us, the Municipal Corporation of the City of Bombay, mortgages issued under the Bombay Municipal Act of 1865, bearing respectively the following numbers and dates (namely) [*set them out*] and securing sums amounting in the whole to Rs. . In consideration of the premises, we, the said Corporation, do hereby grant and assign unto the said *A B*, his representatives and assigns, such proportion of the rates and taxes comprised in the said mortgages as the said sum of Rs. bears to the whole sum for the time being borrowed upon the credit of the said rates and taxes. TO HOLD to the said *A B*, his representatives and assigns, from this day, until the said sum of Rs. with interest at the rate of per cent. per annum shall be fully paid and satisfied.

Given under our corporate seal this day of 187 .

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 23, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th September 1876, and is hereby promulgated for general information:—

ACT No. XIV OF 1876.

THE SINDH INCUMBERED ESTATES ACT, 1876.

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An Act to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh.

Preamble.

Whereas many Jágírdárs and Zamíndárs in Sindh are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

I.—PRELIMINARY.

Short title.

1. This Act may be called "The Sindh Incumbered Estates Act, 1876":

Commencement.

And it shall come into force on the passing thereof.

Interpretation-clause.

2. In this Act—

"Jágír-land." "Jágír-land" includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *mámul* or garden-grants:

"Jágírdár." "Jágírdár" means a person who, or whose ancestor, was found in possession of jágír-land in Sindh on the seventeenth day of February 1843, and to whom the said land, or a portion of the same, or other land in lieu thereof, has been continued by the British Government, and to whom, or to whose ancestor, a sanad has been, or hereafter may be, granted confirming such continuance:

"Zamíndár." "Zamíndár" means a person holding lands in Sindh on the aggregate of which he has been assessed by the Government, on account of land-revenue for any one of the five revenue years next before the passing of this Act, a sum not less than three hundred rupees:

"Commissioner." "Commissioner" means the Commissioner in Sindh.

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for the benefit of this Act.

3. At any time within twelve months after the passing of this Act, any jágírdár or zamíndár,

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities, other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person or by the legally constituted administrator or manager of his estate.

Order to enquire.

4. When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

Verified statement to be submitted.

5. When an enquiry has been directed under section four, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

False averments in statement.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

Report of enquiry and proceedings thereon.

6. The officer so appointed, after making enquiry, shall submit a report of his proceedings to the Commissioner.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the Manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

"Order of management" to what it extends.

7. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

Commencement of management.

The management shall be deemed to commence from the date on which the order is published.

Effect of order of management.

8. On the publication of the order of management the following consequences shall ensue:

Stay of pending proceedings, &c.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section seven shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Bar of fresh proceedings.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

The debtor incompetent

Thirdly, so long as the management continues, the debtor shall be incompetent

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property under management,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent thereof.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the Manager from letting and the debtor from taking the whole or any part of such property on such terms consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the Manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

Manager to have powers of owner and to receive rents and profits,

9. The Manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

to have powers of a Collector for their recovery.

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector, under the law for the time being in force, for the recovery of land-revenue due to Government:

Provided that he shall not before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

Manager to pay therefrom

10. From the sums received or recovered under section nine, the Manager shall pay

Costs of management and repairs,

First, the costs of the management, including the costs of necessary repairs,

Government revenue, &c.,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management,

rent due to superior holder,

Thirdly, the rent (if any) due to the jágírdár or other superior holder, in respect of the said property;

allowance for maintenance of debtor,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family,

cost of improvements, &c.

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

Residue how disposed of.

The residue shall be retained by the Manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section seven other than those so due or incurred to Government.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

Notice to claimants against debtor.

11. On the publication of the order of management, the Manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhí, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such Manager within six months from the date of the publication.

Copies of notice to be exhibited.

He shall also cause copies of such notice to be exhibited at the Mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Claim to contain full particulars.

12. Every such claimant shall, along with his claim, present full particulars thereof.

Documents to be given up.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the Manager along with the claim.

If the document be an entry in any book, the claimant shall produce the book to the Manager, together with a copy of the entry on which he relies. The Manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the Manager along with the claim, the Manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

13. Every such claim (other than claims of the Government) not notified to the Manager within the time and in the manner required by such notice shall, except as provided in section eighteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the Manager that the claimant was unable to comply with the provisions of section eleven, the Manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

14. The Manager shall inquire into the history and merits of every claim received under sections eleven and thirteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Determination of debts and liabilities.

15. If such amount cannot be paid at once, the Manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively from the date of the final decision thereon to the date of the payment and discharge thereof.

Power to rank debts and to fix interest.

16. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the Manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide for the continuance of the payments to be made by the Manager under section ten, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Provisions of scheme.

17. The Commissioner may

Proceedings of Commissioner on submission of scheme.

(*a*) as often as he thinks fit send back such scheme to the Manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him either as it stands, or subject to such modifications as he may deem expedient.

18. At any time before he has sanctioned a liquidation-scheme under section seventeen, the Commissioner may by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section nine;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section ten shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section eight, and the debts and liabilities barred by section thirteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

19. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Local Government may from time to time by rule direct; and thereupon—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section eight shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the Manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

20. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the Manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the Manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive under the liquidation-scheme the amount (if any) awarded to him under Part IV of this Act.

21. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the Manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the Manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

22. Subject to the rules made under section thirty, the Manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions as may be agreed upon.

Power to lease.

23. At any time after the liquidation-scheme has been sanctioned as aforesaid, the Manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme,

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the Manager thinks fit, such portion of the said property as may appear expedient.

24. The Manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

25. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the Manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the Manager under the power conferred by section twenty-three, but subject to the leases and mortgages (if any) granted and made by the Manager under the powers conferred by sections nine, twenty-two and twenty-three.

Restoration of owner.

26. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided,

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section eight; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

27. When a jágírdár or zamíndár has been restored under section twenty-five to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jágírdár or zamíndár, shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

VI.—OF APPEAL AND REVISION.

28. An appeal against any decision or order under sections thirteen, fourteen, fifteen and twenty-one and imposing a fine or imprisonment in exercise of the powers conferred by section thirty-four, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

29. The Commissioner may of his own motion, or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon, consistent with the provisions of this Act, as he thinks fit.

Power to call for proceedings and pass order thereon.

VII.—MISCELLANEOUS.

30. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities;

(*d*) for investing any moneys received or raised by the Manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and when so published shall have the force of law.

31. Whenever the Commissioner thinks fit, he may suspend or remove any Manager and may appoint any officer in the stead of any Manager appointed under this Act; and thereupon the management then vested under this Act in the former Manager shall become vested in the new Manager.

Power to appoint new Manager.

Every such new Manager shall have the same powers as if he had been originally appointed.

32. Every Manager appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Managers to be public servants.

33. Every investigation conducted by the Manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

34. For the purposes of this Act, the Manager may summon and enforce the attendance of witnesses and compel them to give evidence and compel the production of documents by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Civil Procedure.

Power to summon witnesses and compel production of documents.

35. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Bar of suits.

36. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act, from entertaining and disposing of such suits; but to all such suits the Manager of such property shall be made a party.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

THE following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th September 1876, and is hereby promulgated for general information:—

ACT No. XV OF 1876.

An Act to amend the law relating to the tranefer of Bombay Municipal Debentures, and to provide for their consolidation.

Whereas under the Bombay Municipal Act of 1865, the Justices of the Peace for the City of Bombay were empowered to mortgage for the purposes therein mentioned the rates and taxes imposed and levied under that Act:

Preamble.

And whereas by section 255 of the same Act it was enacted that any person entitled to any such mortgage might transfer his right and interest therein to any other person, and that every such transfer should be by deed duly stamped, wherein the consideration should be truly stated, and that every such transfer might be according to the form in Schedule K to the said Act annexed or to the like effect:

And whereas in exercise of the said power divers mortgages of the said rates and taxes have been made, and the mortgagees have purported to transfer their mortgages to other persons, but such transfers have been by simple indorsement and not by deed duly stamped:

And whereas it is expedient to provide that such transfers may hereafter be made by indorsement, and to confirm the said transfers heretofore made, and to exempt the parties thereto from the penalties which they have incurred by reason of their failure to comply with the provisions of the said section and of the law relating to stamp-duties for the time being in force:

And whereas it is also expedient to provide for consolidating such mortgages in manner hereinafter mentioned and for renewing and subdividing mortgages so consolidated;

It is hereby enacted as follows:

1. This Act may be called "The Bombay Municipal Debentures Act, 1876."

Short title.

2. Every mortgage of rates and taxes, authorized to be made under the said Bombay Municipal Act of 1865, or any subsequent Act, shall be transferable by indorsement on the instrument of mortgage, and no such indorsement shall be chargeable with any stamp-duty.

Transfers of Bombay Municipal debentures to be by indorsement and free from stamp-duty.

3. Every transfer of any such mortgage heretofore made by indorsement shall be, and be deemed to have been, as valid as if this Act had been in force at the date of such transfer; and no stamp-duty shall be, or be deemed to have been, chargeable in respect of any such transfer; and no penalty shall be deemed to have been incurred by reason of any failure to comply with the provisions of the said section 255 or of the law relating to stamp-duties for the time being in force.

Validation of former transfers by indorsement.

4. Any holder of two or more such instruments of mortgage may surrender them to the Municipal Corporation of the City of Bombay, and such Corporation shall accept the same, and shall (on receipt for each such instrument of such fee as the said Corporation may from time to time prescribe) grant to such holder, under the seal of the said Corporation, an instrument of mortgage in which the consideration stated shall be the aggregate amount of the considerations respectively stated in the instruments so surrendered.

Power to consolidate such debentures.

Every instrument so granted may be in the form in the schedule hereto annexed or to the like effect.

5. The said Corporation shall, on the application of the holder of any instrument granted under the said Bombay Municipal Act of 1865 or under this Act, and on receipt of such fees as the said Corporation may from time to time prescribe in this behalf, renew or subdivide the same.

Power to renew and subdivide.

THE SCHEDULE ABOVE REFERRED TO.

Whereas *A B* of has surrendered to us, the Municipal Corporation of the City of Bombay, mortgages issued under the Bombay Municipal Act of 1865, bearing respectively the following numbers and dates (namely) [*set them out*] and securing sums amounting in the whole to Rs. . In consideration of the premises, we, the said Corporation, do hereby grant and assign unto the said *A B*, his representatives and assigns, such proportion of the rates and taxes comprised in the said mortgages as the said sum of Rs. bears to the whole sum for the time being borrowed upon the credit of the said rates and taxes. TO HOLD to the said *A B*, his representatives and assigns, from this day, until the said sum of Rs. with interest at the rate of per cent. per annum shall be fully paid and satisfied.

Given under our corporate seal this day of 187 .

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 30, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th September 1876, and is hereby promulgated for general information:—

ACT No. XIV OF 1876.

THE SINDH INCUMBERED ESTATES ACT, 1876.

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An Act to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh.

Preamble.

Whereas many Jágírdárs and Zamíndárs in Sindh are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

I.—PRELIMINARY.

Short title.

1. This Act may be called "The Sindh Incumbered Estates Act, 1876":

Commencement.

And it shall come into force on the passing thereof.

Interpretation-clause.

2. In this Act—

"Jágír-land." "Jágír-land" includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *mámul* or garden-grants:

"Jágírdár." "Jágírdár" means a person who, or whose ancestor, was found in possession of jágír-land in Sindh on the seventeenth day of February 1843, and to whom the said land, or a portion of the same, or other land in lieu thereof, has been continued by the British Government, and to whom, or to whose ancestor, a sanad has been, or hereafter may be, granted confirming such continuance:

"Zamíndár." "Zamíndár" means a person holding lands in Sindh on the aggregate of which he has been assessed by the Government, on account of land-revenue for any one of the five revenue years next before the passing of this Act, a sum not less than three hundred rupees:

"Commissioner." "Commissioner" means the Commissioner in Sindh.

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for the benefit of this Act.

3. At any time within twelve months after the passing of this Act, any jágírdár or zamíndár,

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities, other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person or by the legally constituted administrator or manager of his estate.

Order to enquire.

4. When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

Verified statement to be submitted.

5. When an enquiry has been directed under section four, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

False averments in statement.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

Report of enquiry and proceedings thereon.

6. The officer so appointed, after making enquiry, shall submit a report of his proceedings to the Commissioner.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the Manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

"Order of management" to what it extends.

7. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

Commencement of management.

The management shall be deemed to commence from the date on which the order is published.

Effect of order of management.

8. On the publication of the order of management the following consequences shall ensue:

Stay of pending proceedings, &c.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section seven shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Bar of fresh proceedings.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

The debtor incompetent

Thirdly, so long as the management continues, the debtor shall be incompetent

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property under management,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent thereof.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the Manager from letting and the debtor from taking the whole or any part of such property on such terms consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the Manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

Manager to have powers of owner and to receive rents and profits,

9. The Manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

to have powers of a Collector for their recovery.

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector, under the law for the time being in force, for the recovery of land-revenue due to Government:

Provided that he shall not before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

Manager to pay therefrom

10. From the sums received or recovered under section nine, the Manager shall pay

Costs of management and repairs,

First, the costs of the management, including the costs of necessary repairs,

Government revenue, &c.,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management,

rent due to superior holder,

Thirdly, the rent (if any) due to the jágírdár or other superior holder, in respect of the said property;

allowance for maintenance of debtor,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family,

cost of improvements, &c.

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

Residue how disposed of.

The residue shall be retained by the Manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section seven other than those so due or incurred to Government.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

Notice to claimants against debtor.

11. On the publication of the order of management, the Manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhí, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such Manager within six months from the date of the publication.

Copies of notice to be exhibited.

He shall also cause copies of such notice to be exhibited at the Mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Claim to contain full particulars.

12. Every such claimant shall, along with his claim, present full particulars thereof.

Documents to be given up.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the Manager along with the claim.

If the document be an entry in any book, the claimant shall produce the book to the Manager, together with a copy of the entry on which he relies. The Manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the Manager along with the claim, the Manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

13. Every such claim (other than claims of the Government) not notified to the Manager within the time and in the manner required by such notice shall, except as provided in section eighteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the Manager that the claimant was unable to comply with the provisions of section eleven, the Manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

14. The Manager shall inquire into the history and merits of every claim received under sections eleven and thirteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Determination of debts and liabilities.

15. If such amount cannot be paid at once, the Manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively from the date of the final decision thereon to the date of the payment and discharge thereof.

Power to rank debts and to fix interest.

16. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the Manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide for the continuance of the payments to be made by the Manager under section ten, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Provisions of scheme.

Proceedings of Commissioner on submission of scheme.

17. The Commissioner may

(*a*) as often as he thinks fit send back such scheme to the Manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him either as it stands, or subject to such modifications as he may deem expedient.

18. At any time before he has sanctioned a liquidation-scheme under section seventeen, the Commissioner may by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section nine;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section ten shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section eight, and the debts and liabilities barred by section thirteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

19. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Local Government may from time to time by rule direct; and thereupon—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section eight shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the Manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

20. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the Manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the Manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive under the liquidation-scheme the amount (if any) awarded to him under Part IV of this Act.

21. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the Manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the Manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

22. Subject to the rules made under section thirty, the Manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions as may be agreed upon.

Power to lease.

23. At any time after the liquidation-scheme has been sanctioned as aforesaid, the Manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme,

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the Manager thinks fit, such portion of the said property as may appear expedient.

24. The Manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

25. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the Manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the Manager under the power conferred by section twenty-three, but subject to the leases and mortgages (if any) granted and made by the Manager under the powers conferred by sections nine, twenty-two and twenty-three.

Restoration of owner.

26. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided,

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section eight; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

27. When a jágírdár or zamíndár has been restored under section twenty-five to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jágírdár or zamíndár, shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

VI.—OF APPEAL AND REVISION.

28. An appeal against any decision or order under sections thirteen, fourteen, fifteen and twenty-one and imposing a fine or imprisonment in exercise of the powers conferred by section thirty-four, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

29. The Commissioner may of his own motion, or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon, consistent with the provisions of this Act, as he thinks fit.

Power to call for proceedings and pass order thereon.

VII.—MISCELLANEOUS.

30. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities;

(*d*) for investing any moneys received or raised by the Manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and when so published shall have the force of law.

31. Whenever the Commissioner thinks fit, be may suspend or remove any Manager and may appoint any officer in the stead of any Manager appointed under this Act; and thereupon the management then vested under this Act in the former Manager shall become vested in the new Manager.

Power to appoint new Manager.

Every such new Manager shall have the same powers as if he had been originally appointed.

32. Every Manager appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Managers to be public servants.

33. Every investigation conducted by the Manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

34. For the purposes of this Act, the Manager may summon and enforce the attendance of witnesses and compel them to give evidence and compel the production of documents by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Civil Procedure.

Power to summon witnesses and compel production of documents.

35. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Bar of suits.

36. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act, from entertaining and disposing of such suits; but to all such suits the Manager of such property shall be made a party.

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WHITLEY STOKES,
Secy. to the Govt. of India.

[Third publication.]

THE following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th September 1876, and is hereby promulgated for general information:—

ACT No. XV OF 1876.

An Act to amend the law relating to the transfer of Bombay Municipal Debentures, and to provide for their consolidation.

Whereas under the Bombay Municipal Act of 1865, the Justices of the Peace for the City of Bombay were empowered to mortgage for the purposes therein mentioned the rates and taxes imposed and levied under that Act:

Preamble.

And whereas by section 255 of the same Act it was enacted that any person entitled to any such mortgage might transfer his right and interest therein to any other person, and that every such transfer should be by deed duly stamped, wherein the consideration should be truly stated, and that every such transfer might be according to the form in Schedule K to the said Act annexed or to the like effect:

And whereas in exercise of the said power divers mortgages of the said rates and taxes have been made, and the mortgagees have purported to transfer their mortgages to other persons, but such transfers have been by simple indorsement and not by deed duly stamped:

And whereas it is expedient to provide that such transfers may hereafter be made by indorsement, and to confirm the said transfers heretofore made, and to exempt the parties thereto from the penalties which they have incurred by reason of their failure to comply with the provisions of the said section and of the law relating to stamp-duties for the time being in force:

And whereas it is also expedient to provide for consolidating such mortgages in manner hereinafter mentioned and for renewing and subdividing mortgages so consolidated;

It is hereby enacted as follows:

1. This Act may be called "The Bombay Municipal Debentures Act, 1876."

Short title.

2. Every mortgage of rates and taxes, authorized to be made under the said Bombay Municipal Act of 1865, or any subsequent Act, shall be transferable by indorsement on the instrument of mortgage, and no such indorsement shall be chargeable with any stamp-duty.

Transfers of Bombay Municipal debentures to be by indorsement and free from stamp-duty.

3. Every transfer of any such mortgage heretofore made by indorsement shall be, and be deemed to have been, as valid as if this Act had been in force at the date of such transfer; and no stamp-duty shall be, or be deemed to have been, chargeable in respect of any such transfer; and no penalty shall be deemed to have been incurred by reason of any failure to comply with the provisions of the said section 255 or of the law relating to stamp-duties for the time being in force.

Validation of former transfers by indorsement.

4. Any holder of two or more such instruments of mortgage may surrender them to the Municipal Corporation of the City of Bombay, and such Corporation shall accept the same, and shall (on receipt for each such instrument of such fee as the said Corporation may from time to time prescribe) grant to such holder, under the seal of the said Corporation, an instrument of mortgage in which the consideration stated shall be the aggregate amount of the considerations respectively stated in the instruments so surrendered.

Power to consolidate such debentures.

Every instrument so granted may be in the form in the schedule hereto annexed or to the like effect.

5. The said Corporation shall, on the application of the holder of any instrument granted under the said Bombay Municipal Act of 1865 or under this Act, and on receipt of such fees as the said Corporation may from time to time prescribe in this behalf, renew or subdivide the same.

Power to renew and subdivide.

THE SCHEDULE ABOVE REFERRED TO.

Whereas *A B* of has surrendered to us, the Municipal Corporation of the City of Bombay, mortgages issued under the Bombay Municipal Act of 1865, bearing respectively the following numbers and dates (namely) [*set them out*] and securing sums amounting in the whole to Rs. . In consideration of the premises, we, the said Corporation, do hereby grant and assign unto the said *A B*, his representatives and assigns, such proportion of the rates and taxes comprised in the said mortgages as the said sum of Rs. bears to the whole sum for the time being borrowed upon the credit of the said rates and taxes. TO HOLD to the said *A B*, his representatives and assigns, from this day, until the said sum of Rs. with interest at the rate of per cent. per annum shall be fully paid and satisfied.

Given under our corporate seal this day of 187 .

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 7, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

(First publication.)

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 5th October 1876, and is hereby promulgated for general information:—

Act No. XVI of 1876.

An Act to amend the Stage Carriages Act.

Preamble.

Whereas Act No. XVI of 1861 (*for licensing and regulating Stage Carriages*) does not apply to carriages drawn by camels or oxen, and it is expedient to render it applicable to such carriages; It is hereby enacted as follows:—

Amendment of Act XVI of 1861, s. 21.

1. For the third sentence of section 21 of the said Act, the following shall be substituted (that is to say):

"All expressions and provisions which in this Act are applied to horses shall also apply to all other animals employed in drawing any carriage ordinarily used for the purpose of conveying passengers for hire to or from any place in British India."

Local extent of Act XVI of 1861.

2. The said Act, as amended by this Act, applies to the whole of British India, but not so as to supersede or contravene the provisions of any local law dealing with the same subject.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 14, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 5th October 1876, and is hereby promulgated for general information:—

ACT No. XVI OF 1876.

An Act to amend the Stage Carriages Act.

Preamble. Whereas Act No. XVI of 1861 (*for licensing and regulating Stage Carriages*) does not apply to carriages drawn by camels or oxen, and it is expedient to render it applicable to such carriages; It is hereby enacted as follows:—

Amendment of Act XVI of 1861, s. 21. 1. For the third sentence of section 21 of the said Act, the following shall be substituted (that is to say):

"All expressions and provisions which in this Act are applied to horses shall also apply to all other animals employed in drawing any carriage ordinarily used for the purpose of conveying passengers for hire to or from any place in British India."

Local extent of Act XVI of 1861. 2. The said Act, as amended by this Act, applies to the whole of British India, but not so as to supersede or contravene the provisions of any local law dealing with the same subject.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October 1876, and is hereby promulgated for general information:—

ACT No. XVII OF 1876.

THE OUDH LAND-REVENUE ACT, 1876.

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An Act to consolidate and define the law relating to Land-Revenue in Oudh.

Preamble. Whereas it is expedient to consolidate and define the law relating to land-revenue in Oudh; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Oudh Land Revenue Act, 1876":

Local extent. It extends only to the territories now under the administration of the Chief Commissioner of Oudh;

Commencement. And it shall come into force on the passing thereof.

But all rules now in force and relating to any of the matters hereinafter dealt with shall, so far as they are consistent with this Act, continue in force until they are superseded by rules made in exercise of the powers hereinafter conferred.

Interpretation-clause. **2.** In this Act, unless there be something repugnant in the subject or context—

"Incumbrance." "incumbrance" means a charge upon or claim against land arising out of contract between private persons:

"Agricultural year." "agricultural year" means a year commencing on the first day of July and ending on the thirtieth day of June:

"Revenue officer." "revenue officer" means any officer empowered by or under this Act to dispose of any matter connected with the land-revenue:

"Revenue-free." "Free of revenue." "revenue-free" or "free of revenue" applies to land whereof the revenue has been wholly or in part released, compounded for, redeemed or assigned.

CHAPTER II.

REVENUE OFFICERS.

Chief Controlling Revenue Authority in revenue matters. **3.** The Chief Controlling Revenue Authority in all matters connected with land-revenue in Oudh shall be the Chief Commissioner.

Commissioners of Division. **4.** Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner shall—

(*a*) appoint in each Division a Commissioner, who shall, subject to the control of the Chief Commissioner, exercise authority over all the Revenue Officers in his Division:

Deputy Commissioner of the District. (*b*) appoint in each district an officer who shall be the Deputy Commissioner of the District:

Assistant Commissioner. (*c*) appoint to each district as many other persons as he thinks fit to be Assistant Commissioners of the first or of the second class.

Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner may suspend or remove any officer appointed under this section.

Subordination of Assistant Commissioners and other Revenue Officers. **5.** All such Assistant Commissioners, and all other persons employed in maintaining revenue-records or otherwise in or about the business of the land-revenue, shall be subordinate to the Deputy Commissioner of the District.

Assistant Commissioner in charge of Sub-division of District. **6.** The Chief Commissioner may place any Assistant Commissioner of the first class in charge of one or more Sub-divisions of a District, and may at any time remove him therefrom.

Such Assistant Commissioner shall be called an Assistant Commissioner in charge of a Sub-division of a District, and shall exercise the powers and discharge the duties conferred and imposed upon him by this Act or by any other law for the time being in force, subject to the control of the Deputy Commissioner of the District.

The Chief Commissioner may, from time to time, delegate his powers under this section to the Deputy Commissioner of the District, and may revoke such delegation.

Power to invest certain Assistant Commissioners with powers of Deputy Commissioner. **7.** Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer on any Assistant Commissioner in charge of a Sub-division of a District all or any of the powers of a Deputy Commissioner; and all powers so conferred shall be exercised subject to the control of the Deputy Commissioner of the District.

Subordination of Revenue Officers. **8.** Every officer of a Sub-division of a District employed in maintaining revenue-records or otherwise in or about the business of the land-revenue shall be subordinate to the Assistant Commissioner (if any) in charge of such Sub-division, subject to the general control of the Deputy Commissioner of the District.

9. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer upon any person all or any of the powers of an Assistant Commissioner of the first or of the second class, and may, in conferring those or any other powers under this Act, empower persons by name, or classes of officials generally by their official titles, and may vary or cancel any order conferring powers under this Act.

Conferring of powers.

Power to vary and cancel orders conferring powers.

10. The Deputy Commissioner of the District, or any Assistant Commissioner in charge of a Subdivision of a District, may make over any case, or class of cases, arising under the provisions of this Act or otherwise, for enquiry or decision, from his own file to any of his subordinates competent to deal with such case or class,

Transfer of cases to subordinates.

or may withdraw any such case, or class of cases from any Revenue Officer subordinate to him, and may deal with such case or class himself, or refer the same for disposal to any other such Revenue Officer competent to deal therewith.

Power to withdraw cases from subordinates.

11. If the Deputy Commissioner of the District dies, or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the District in revenue matters shall be held to be the Deputy Commissioner of the District under this Act until the Chief Commissioner appoints a successor to the Deputy Commissioner so dying or disabled, and such successor takes charge of his appointment.

Deputy Commissioner of the District in case of temporary vacancy.

12. Whenever any person holding an office in the service of Government, who has been invested with any powers under this Act in any District, is transferred to an equal or higher office of the same nature within another District, he shall, unless the Chief Commissioner otherwise directs, be held to be invested with the same powers in the District to which he is so transferred.

Powers of officers transferred to another district.

13. Tahsíldárs shall be appointed by the Chief Commissioner, subject to such rules as to qualification or otherwise as the Chief Commissioner may from time to time make under section 220.

Appointment of Tahsíldárs.

CHAPTER III.

SETTLEMENT.

14. Whenever the Chief Commissioner thinks that any District or other local area liable to be brought under settlement should be so brought, he shall, with the previous sanction of the Governor General in Council, publish a notification to that effect.

Notification as to settlement.

And if he thinks that a settlement record should be prepared for any District or other local area, he shall, with the like sanction, publish a notification to that effect.

Notification as to settlement record.

15. The Chief Commissioner shall, from time to time, with the previous sanction of the Governor General in Council, frame and issue rules regarding the mode in which the revenue demand in respect of any local area is to be assessed; and may from time to time make rules prescribing the manner in which Settlement Officers shall report for sanction the rates and method of assessment and the amounts they propose to assess.

Chief Commissioner to issue rules as to mode of assessment.

16. The Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what documents shall form the settlement-record, and frame and issue rules regarding (*a*) the mode in which such record is to be prepared, (*b*) the facts to be therein entered, and (*c*) the manner in which the entries shall be attested.

Settlement record.

The Chief Commissioner may from time to time, with the same sanction, alter such rules.

17. Every entry in such settlement record duly made and attested shall, until the contrary is proved, be presumed to be a correct record of the fact entered.

Presumption as to entries in settlement record.

18. Every local area shall be held to be under settlement from the date of any notification published under section 14, and relating thereto, until the issue of another notification declaring settlement operations to be closed therein.

Settlement to be deemed in progress until closing notified.

Every local area under settlement at the time of the passing of this Act shall be held to be under settlement within the meaning of this section without the issue of either of the notifications prescribed by section 14.

Settlements now in progress brought under operation of Act.

19. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, appoint an officer to be in charge of the settlement of any local area and as many Assistant Settlement Officers as the Chief Commissioner thinks fit; and such officers shall exercise the powers conferred on them respectively under this Act so long as such area is under settlement.

Appointment and powers of Settlement Officers.

20. In any local area in which a settlement of the land-revenue is in progress, the Chief Commissioner, with the previous sanction of the Governor General in Council, may by order confer on any officer making or controlling such settlement the powers of a Civil Court of any specified grade for the purpose of trying suits and appeals, or any specified class of suits and appeals, relating to property in land assessed or assessable to revenue, in such District, and may revoke any such order; and so long as such order remains in force the jurisdiction of the Civil Courts of the same grade shall be excluded in respect of such suits and appeals.

Power to invest Settlement Officers with powers of Civil Courts in certain cases.

21. Notwithstanding the existence of any such order, the Chief Commissioner may from time to time direct that any cases pending before the Settlement Officers invested with the powers mentioned in section nineteen, shall be transferred to the ordinary Civil Courts of the

Power to transfer cases from Settlement Officers to Civil Courts.

District if the state of business in his opinion requires such transfer.

22. If a suit relating as well to such land as other property be instituted before any officer so invested, he shall make a reference regarding the disposal of such suit to the Commissioner of the Division in which the District wherein the suit was instituted is included, who shall determine by what Court the suit shall be tried.

Trial of suit relating to land and to other property.

23. When any local area is under settlement, the Settlement Officer shall have power to call upon all proprietors, by proclamation to be stuck up in some conspicuous place in each village, to erect, within fifteen days from a date to be fixed in the proclamation, such boundary-marks as he may think necessary to define the limits of that village, or the maháls or fields contained therein; and in default of their compliance within the time specified in the notice, he may cause such boundary-marks to be erected, and he shall recover the cost of such erection from the proprietors as if it were an arrear of land-revenue.

Powers of Settlement Officers as to erection of boundary-marks and decision of disputes.

In case of dispute concerning any boundary-marks, the Settlement Officer shall decide such dispute on the basis of possession, or may refer it to arbitration, for decision on the merits as provided for in sections 191 to 202, both inclusive.

24. All Settlement Officers, and all officers in charge of a survey made in connection with the revenue, and their assistants, servants, agents and workmen, may do all acts necessary for any purpose connected with the settlement or survey, as the case may be.

Power of Settlement and Survey Officers to do necessary acts.

25. The Settlement Officer may order all persons whose presence is, in his opinion, necessary for any of the purpose of this chapter, to attend at any specified time and place, and to produce any written document in their possession or power; and all such persons shall be legally bound to obey such order.

Power to require attendance of persons concerned, and production of documents.

26. The settlement shall be made

With whom settlement to be made.

(*a*) in the case of a taluqdárí mahál with the taluqdár,

(*b*) in the case of other mahals with the proprietor of the mahál; or if in any such mahál there are two classes of proprietors, superior and inferior, with either of such classes as the Chief Commissioner directs,

or if the taluqdár or proprietor has transferred possession of his mahál to a mortgagee or conditional vendee, then with such mortgagee or vendee.

If, at the time of settlement, a mahál, or any share thereof, be in the possession of a lunatic, minor or other person incapable of making a contract, the settlement shall be made on his behalf with his guardian or with the manager of his property.

Settlement of estate in possession of lunatic or minor.

27. When several persons are in possession of a mahál, not being a taluqdárí mahál, the Settlement Officer shall have power to make a joint settlement with all such persons, or with their representatives.

Power to make joint settlement with several proprietors or their elected representatives.

28. The Settlement Officer shall, in accordance with the rules made under section fifteen, frame general proposals of assessment for any local area or any portion thereof regarding which a notification has been published under the first clause of section fourteen, and shall report such proposals through the Commissioner of the Division to the Chief Commissioner.

Framing and reporting general proposals of assessment.

29. After the receipt of the orders of the Chief Commissioner thereon, and subject to such orders, the Settlement Officer shall ascertain the amount of the assessment proper for each mahál in such area, and shall declare the same to the person with whom the settlement of such mahál is to be made.

Detailed assessment and declaration thereof to persons concerned.

If any mahál in any such area comprise two or more villages, or portions of villages, the Settlement Officer shall declare the assessment due on each of such villages or portions of villages, together with the aggregate amount of the assessment proper in his opinion for the whole mahál.

Such declaration shall be made on a date to be notified by proclamation at the tahsíl in which such mahál is situate.

30. If the persons with whom the settlement of such mahál is to be made agree to the assessment so proposed, they and those (if any) whom they represent in interest shall become liable from the date of such agreement, or from such subsequent date as the Chief Commissioner directs, to pay such assessment in respect of such mahál.

Effect of agreement to assessment proposed.

and in a mahál in which the land, or part of the land is held in severalty, the Settlement Officer shall distribute such assessment on the lands so held.

Distribution of assessment.

31. In any mahál where, by the established custom, the land or the amount of revenue payable by each co-sharer is subject to periodical re-distribution or re-adjustment, the Settlement Officer may, on application of one or more of the co-sharers, enforce such re-distribution or re-adjustment according to such custom.

Enforcement of custom as to re-distribution of land and adjustment of revenue of shares.

32. If the person to be settled with be a taluqdár and such taluqdár refuse to accept the assessment offered by the Settlement Officer in respect of his entire taluqá, or in respect of any portion thereof, or if, within thirty days from the date of the declaration by the Settlement Officer under section 29, such taluqdár fail to accept such assessment, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner.

Exclusion of taluqdár declining or failing to accept settlement.

The Chief Commissioner, after hearing and considering the reasons which the taluqdár may have to urge against the assessment, may direct that the taluqdár so refusing or failing be excluded from the settlement of his entire taluqá, or of any portion thereof, for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner shall fix; and the Settlement Officer or Deputy Commissioner shall either farm the taluqá or any portion thereof or hold it under direct management during such term, or any part thereof;

provided that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council.

33. If a taluqdár be excluded from the settlement of any portion of his taluqá, and if such portion be held in sub-settlement by an under-proprietor, the farm of such portion shall be offered to such under-proprietor on such terms as the Chief Commissioner may in each case direct.

Offer of farm to under-proprietor.

34. If such under-proprietor accept the assessment so offered, the taluqdár so excluded shall be entitled to an allowance out of the profits of such portion to be fixed by the Chief Commissioner not exceeding the share of the gross assets, if any, to which he would have been entitled had he accepted the assessment.

Allowance to excluded taluqdár.

In other cases, the taluqdár so excluded shall (subject to the orders of the Chief Commissioner) be entitled to an allowance out of the profits of such portion of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

35. In a mahál other than a taluqdárí mahál, if the person to be settled with refuse to accept the assessment offered by the Settlement Officer, or fail to accept such assessment within thirty days from the date of the declaration by the Settlement Officer under section 29, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner,

Exclusion of person declining or failing to accept settlement in a mahál.

and the Chief Commissioner may direct that the person so refusing or failing be excluded from the settlement for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner thinks fit,

and the Settlement Officer or the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either farm the mahál or hold it under direct management during such term or any part thereof.

In such case the person so excluded shall be entitled (subject to the orders of the Chief Commissioner) to an allowance out of the profits of the mahál, of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

Allowance to person excluded.

36. If in a mahál held on a pattídárí or imperfect pattídárí tenure any of the co-sharers refuse or fail within thirty days from the date of the declaration by the Settlement Officer under section 29 to accept the proposed assessment, the shares of such co-sharers shall be dealt with under the provisions of section 35, and they shall receive an allowance, as provided in that section, in proportion to their respective shares in the mahál.

Procedure in case of some of several proprietors refusing assessment.

If the Settlement Officer farms any share in such mahál, the farm of such share shall be offered in the first instance to those co-sharers who have accepted the proposed terms.

Farm of shares of proprietors refusing.

37. Any proprietor excluded from settlement under sections 35 and 36 shall be entitled to hold as a tenant with a right of occupancy so much of the land in the mahál actually cultivated by him as the Settlement Officer may determine, and the rent to be paid by such proprietor for such land during such exclusion shall be fixed by the Settlement Officer at the rate which would have been paid by a tenant-at-will for the said land less four annas in the rupee.

Adjustment of rent of the sír land of proprietors of mahál farmed under section 35 or 36.

38. The aggregate amount of any allowance assigned under section 35 or section 36 to any proprietor of a mahál who has been excluded from settlement, and of the difference between the rent fixed under section 37, and the rent which he would be liable to pay if he were a tenant-at-will, shall not be less than five or more than fifteen per cent. on the amount proposed by the Settlement Officer to be assessed on such mahál.

Amount of allowance assigned under section 35 or 36 to excluded proprietor, and of difference between rent fixed under section 37, and rent payable by him if he were a tenant-at-will.

39. On the expiration of the term fixed under section 32 or section 35, the settlement of such mahál portion, or share comprised therein shall be offered by the Deputy Commissioner to the person then entitled to be settled with in respect of such mahál portion or share, at such assessment for the remainder of the term of settlement of the District as the Chief Commissioner may direct.

Offer of settlement to excluded proprietor on expiry of term of exclusion.

And if such person refuse to accept the offer, the Deputy Commissioner shall report such refusal through the Commissioner of the Division to the Chief Commissioner, and such person may be excluded from settlement for such period not exceeding the term of the settlement of the District, as the Chief Commissioner may direct, and the provisions of sections 32 to 38 (both inclusive) shall, so far as may be applicable, apply to his case.

Procedure on refusal.

40. The Settlement Officer shall, in accordance with the provisions of the Oudh Sub-settlement Act, 1866, so far as they are applicable, determine the rent to be paid to the proprietor by all under-proprietors in a mahál and by all holders of heritable, non-transferable leases, whose rent has not been fixed by contract.

Determination of rent payable to proprietor.

When the rent is so determined the co-sharers may at their option agree with the Settlement Officer that the rent shall be paid either by them collectively or by one of them on behalf of himself and the others. Whenever, whether before or after the passing of this Act, rent payable by such under-proprietors or lessees has been determined by a Settlement Officer or other competent authority, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

Nothing in this section applies to rent payable by a tenant with a right of occupancy.

41. All land shall be deemed liable to be charged with the payment of revenue to Government, unless some competent authority has declared it exempt from such payment.

Saving of liability for Government revenue.

And no length of occupancy of any land, nor any grant of land made by the proprietor, shall release such land from such liability.

42. The Settlement Officer shall enquire into the case of all lands released, conditionally or for a term, from the payment of revenue, and shall assess such lands if it appear to him that the conditions have been transgressed or the term has expired.

Inquiry into cases of land released from payment of revenue.

43. Every settlement shall be made subject to confirmation by the Governor General in Council.

Confirmation of settlement.

44. The Governor General in Council shall, at some time before confirming the settlement, fix the period for which the settlement is to be made. Such period shall be fixed with reference to the agricultural year.

Period for which settlement is to be made.

45. The assessment of any mahál may be revised at any time before it is confirmed by the Governor General in Council, and in such case the revised assessment shall be proposed to the proprietors of such mahál, and the provisions of sections 23 to 40 (both inclusive) shall apply.

Revision of assessment before confirmation.

Alteration of assessment during the currency of a Settlement.

46. The Deputy Commissioner shall enquire annually into the cases of all land released from the payment of revenue conditionally, or for a term, or for the life of the grantee.

Annual enquiry as to revenue-free grants.

If the condition be broken, he shall report the case through the Commissioner of the Division to the Chief Commissioner for orders,

and if the term has expired, or (where the grant is for the life of the grantee) if the grantee has died, the Deputy Commissioner shall assess the land comprised therein, and shall report his proceedings through the Commissioner of the Division to the Chief Commissioner for sanction.

47. All land added by alluvion to a mahál is liable to assessment. Such land may be assessed and settled under rules to be framed under section 220.

Assessment of land added by alluvion.

48. Where such land is held by an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such rent shall be increased proportionately to the increase of revenue effected by such assessment.

Proportionate increase of rent payable by under-proprietor.

49. Where the revenue assessed on a mahál has, by order of the Chief Commissioner, been reduced or been wholly or in part remitted or suspended, and the land on account of which the revenue has been so reduced, remitted or suspended is in the possession of an under-proprietor or lessee whose rent has been fixed by a Settlement Officer or other competent authority, the Chief Commissioner may declare that such under-proprietor or lessee shall be entitled (where the revenue has been reduced or remitted) to a proportionate reduction or remission of the rent payable by him in respect of such land, or (where the revenue has been suspended) to a suspension of the payment of such rent for the time during which the revenue has been so suspended, and such under-proprietor or lessee shall thereupon be entitled accordingly.

Proportionate reduction or remission of rent payable by under-proprietor or lessee.

50. Assessments under sections 46 and 47 shall be made by the Deputy Commissioner in the same manner and with the same powers as if he were an officer in charge of a settlement.

Deputy Commissioner to have powers of officer in charge of settlement.

51. At any time during the currency of a settlement, the Chief Commissioner may, with the previous sanction of the Governor General in Council, invest any officer with all or any of the powers of an officer in charge of a settlement under this Act within such limits, and with such restrictions, and for such period as he thinks fit;

Power to invest officer with Settlement Officer's powers.

but not so as to enable him to enhance the total amount of revenue payable on account of any mahál except in respect of land added thereto or becoming liable to payment of revenue since the confirmation of the settlement.

Resumption of rent-free grants.

52. All grants (whether in writing or otherwise) by proprietors, or the persons whom they represent, of land to be held exempt from the payment of rent or at a favourable rate of rent, are hereby declared to be liable to resumption, unless such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner.

Liability of rent-free grants to resumption.

Provided that if such grants are held under a written instrument (whether executed before or after the passing of this Act) by which the grantor expressly agrees that the grant shall not be resumed, shall be held valid against him (but not as against his representatives after his death) during the continuance of the settlement of the District in which the land is situate which was current at the date of the grant.

Grants under certain instruments.

53. Proprietors wishing to resume any grants mentioned in section 52 and made by themselves or the persons whom they represent shall apply by petition to the principal Court of original civil jurisdiction of the District in which the land is situate for a declaration of the liability of the grant to resumption.

Application for declaration of such liability.

The Court shall cause notice of such application to be served on the grantee, and shall fix a day for hearing his objections (if any) to the declaration; and thereupon, after considering such objections (if any), may either dismiss the application with or without costs to be paid by the applicant, or declare that the grant is liable, in whole or in part, to resumption.

54. If the Court find that the grant has been made in consideration of the loss or surrender of a right previously vested in the grantee, but has not been sanctioned or confirmed as mentioned in section 52, the Court shall refer the case to the Chief Commissioner, who shall make such order in the case as he thinks fit.

Procedure where grant has been made in lieu of a right, but has not been sanctioned or confirmed.

55. Nothing in section 52 or section 53 applies to either of the following cases:—

Exemptions from sections 52 and 53.

(*a*) where land is held rent-free under a judicial decision;

(*b*) where previously to the passing of this Act, land held rent-free has been acquired for a valuable consideration and the right to resume it has been barred by the law of limitation.

CHAPTER IV.

REGISTRATION, INCLUDING THE PREPARATION AND MAINTENANCE OF REVENUE RECORDS.

56. The Deputy Commissioner of the District shall, on the basis of the settlement record, and in accordance with such rules as the Chief Commissioner from time to time prescribes in this behalf, prepare the following lists and registers:—

Lists and registers to be prepared by Deputy Commissioner.

(*a*) A list of all the villages in each pargana or tahsíl of his District;

The pargana register.

(*b*) A list of all the revenue-paying mahálsin each pargana or tahsíl, shewing the revenue assessed on each mahál, and the name of the person responsible for its payment whether as sole proprietor or as lambardár;

The málguzárí register.

(*c*) A register of all the co-sharers in each mahál with the nature and extent of the interest of each co-sharer;

The khewat.

(*d*) A register of all mahálsin which the rent of any under-proprietor or lessee has been fixed by the Settlement Officer, the names of all the co-sharers in such mahals, together with the nature and extent of the interest of such co-sharers.

Register of sub-settled mahals with khewat.

(*e*) For each mahál a list—

Register of under-proprietary and other tenures.

(1) of all under-proprietors and lessees whose rent has been so fixed, and of all tenants with a right of occupancy, with the nature and extent of the interest of each such person, and the rent (if any) which he is liable to pay therefor,

(2) of all other persons (if any) holding land free of rent, or revenue free.

(*f*) A register—

Register of revenue-free tenures.

(1) of all land in his District held revenue free, with the names of the holders, and the conditions of the grant under which they hold,

(2) of all land declared by competent authority to be waqf or nazul, or the property of the State.

(*g*) A register of all mahals on which a málikána allowance has been sanctioned by competent authority, with the names of the persons entitled to such allowance, the amount of such allowance, and the conditions under which it was given.

The málikána register.

(*h*) A register of all jungle-grants, the names of the grantees, and the conditions of the grants.

Register of jungle-grants.

57. In the preparation of the said lists and registers, the Deputy Commissioner shall correct any errors in the settlement records which the parties interested admit to have been made therein; and any dispute arising regarding any entry in such record shall be investigated and decided on the basis of actual possession; and all persons not in possession, but claiming the right to be so, shall be referred to a Court of competent jurisdiction: Provided that if the claim is founded on a decree of such Court, and if, when the claim is made, the decree is capable of execution, the entry shall be in accordance with such decree.

Correction of errors in settlement record.

58. The Deputy Commissioner shall keep and maintain the said lists and registers,

Deputy Commissioner to keep the lists and registers.

and he shall from time to time cause to be registered all events and transactions affecting any of the rights or interests recorded in the said registers, to such extent as the Chief Commissioner may from time to time prescribe.

59. The Chief Commissioner shall prescribe the forms in which the lists and registers mentioned in section 56 are to be prepared,

Forms of lists and registers.

and the manner in which, the persons by whom, and the occasions on which, the alterations referred to in section 57 and section 58 are to be recorded.

60. The Chief Commissioner may prescribe proper fees for alteration in the lists and registers formed under the said rules: Provided that no fee for a single alteration shall exceed one hundred rupees.

Power to prescribe fees for mutations.

Such fee shall be levied from the person in whose favour the mutation is made, and shall be expended in such manner as the Chief Commissioner thinks fit.

Levy of fees.

Fees how spent.

61. All persons obtaining the possession of land or the profits thereof, whether by succession, purchase or other form of transfer, as proprietors or under-proprietors, or as lessees whose rents have been fixed by a Settlement Officer, or as mortgagees, shall give notice of the same immediately after it has taken place to the tahsildár of the tahsíl in which the mahál to which such land belongs is situated, or to the Deputy Commissioner of the District.

Notice of transfer of possession.

If the notification be made to the tahsildár, that officer shall report such notice to the Deputy Commissioner.

62. The Deputy Commissioner on receiving such notice or report shall make such enquiry as the Chief Commissioner may from time to time prescribe to ascertain the fact of the alleged transfer of the property, and if the transfer appears to have taken place, he shall, subject to the rules framed by the Chief Commissioner under section 207, record the same in the appropriate register:

Enquiry as to truth of transfer.

Provided that no such entry shall be held to affect the rights of any other person who may claim and establish in any Court of competent jurisdiction any interest in the land to which the entry has reference.

63. If the person so succeeding is a minor or otherwise under disability, the guardian or other person who has charge of his property shall give the notice required by section 61.

Notification in case of minority or other disqualification.

64. Any person neglecting to give the notice prescribed in section 61 within three months from the date of the occurrence of the fact to be notified, shall be liable, at the discretion of the Deputy Commissioner, to a fine not exceeding five times the amount of the fee which would otherwise have been payable under section 60.

Fine for neglect to notify.

65. If in the course of enquiry made under section 62, a dispute regarding the possession of the property arises, and the Deputy Commissioner is unable to satisfy himself as to which party is in possession, he shall ascertain by summary enquiry who is the person *primâ facie* entitled to the property and shall put such person in possession, and make the necessary entry in the record accordingly, subject to any order that may be subsequently passed by the Civil Court.

Power to put one party in possession in certain cases of dispute.

66. When any person obtains possession of land or of the profits thereof, for any interest other than those referred to in section 61, the transfer of such possession shall be recorded in such manner as the Chief Commissioner from time to time directs;

Registry of transfers of interests in land other than those referred to in section 61.

and all disputed cases shall be reported to the Deputy Commissioner who shall make such enquiry as may be necessary to ascertain the fact of the alleged transfer, and cause the record to be amended accordingly.

Inquiry in disputed cases.

67. All registers prepared under the preceding sections of this chapter shall be deemed to be public documents and the property of Government, and shall be open to public inspection at such hours and on such conditions as to fees or otherwise as the Chief Commissioner may from time to time prescribe.

Inspection of registers.

CHAPTER V.

PARTITION AND UNION OF MAHALS.

Partitions.

68. Partition is either perfect or imperfect.

'Perfect partition' means the division of a mahál into two or more mahals, severally responsible for the revenue assessed on each.

'Perfect partition.'

'Imperfect partition' means the division of any mahál, or of any portion of a mahál, into two or more portions jointly responsible for the revenue assessed on the whole mahál.

'Imperfect partition.'

69. Any recorded co-sharer in a mahál and any person in whose favour a decree has been passed by any Civil Court, awarding to him the proprietary right in a portion of a mahál, whether such portion consists of a fractional share in the whole or a part of the mahál, or of specific lands, is entitled to claim perfect partition of his share.

Persons entitled to perfect partition.

Any two or more recorded co-sharers may claim that their shares be divided from the other shares by a perfect partition, and be held by them as a single mahál.

If any recorded co-sharer be under disability, the person in possession of his property shall, for the purpose of this section, be deemed to be a recorded co-sharer.

70. Applications for perfect partition are to be made in writing to the Deputy Commissioner of the district in which the mahál is situated;

Application for perfect partition.

and shall be accompanied by a certified copy of the record, showing the share held by the applicant in the mahál:

Provided that, if the mahál be situated in two or more districts, the application may be made in any one of those districts, and the partition shall be made by such one of the Deputy Commissioners of those districts as the Chief Commissioner any direct.

Provision as to estates situated in more than one district.

71. The Deputy Commissioner, on receiving an application for partition shall, if the application be in order and not open to objection on the face of it, publish a notification of the same at his office, and at some conspicuous place in the mahál to which the application relates,

Notification of application.

and shall serve a notice on all such of the recorded co-sharers in the mahál as have not joined in the application, requiring any co-sharer in possession who may object to the partition to appear before him to state his objection, either in person or by a duly authorized agent, on a day to be specified in the notice, not less that thirty, or more than sixty, days from the date on which such notice was issued.

Notice to co-sharers not joining.

72. Where, from any cause, notice cannot be personally served on any co-sharer, the notification so published shall be deemed sufficient notice.

Notification when alone sufficient.

73. If, on or before the day so specified, any objection is made to the partition by any co-sharer in possession, and the Deputy Commissioner, on a consideration of such objection, is of opinion that there is any good and sufficient reason why the partition should be absolutely disallowed, he may refuse the application, recording the grounds of his refusal.

Power to refuse partition when objection admitted.

74. If the objection raises any question of title, or of proprietary right, which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner may either decline to grant the application until the question in dispute has been determined by a competent Court, or he may proceed to enquire into the merits of the objection.

Procedure if question of title be raised.

In the latter case the Deputy Commissioner after making the necessary inquiry and taking such evidence as may be adduced, shall record a proceeding declaring the nature and extent of the interests of the party or parties applying for the partition, and any other party or parties who may be affected thereby.

The procedure to be observed by the Deputy Commissioner in trying such cases shall be that laid down in the Code of Civil Procedure for the trial of original suits, and he may, with the consent of the parties, refer any question arising in such case to arbitration, and the provisions of chapter VI (relative to arbitrators) of the same Code shall apply to such references.

Procedure in such cases.

Reference to arbitration.

75. All orders and decisions passed by the Deputy Commissioner under the last preceding section, for declaring the rights of parties, shall be held to be decisions of a Court of civil judicature of first instance, and shall be open to appeal under the provisions of the Oudh Civil Courts Act.

Deputy Commissioner's decision equivalent to decision of Civil Court.

Appeal thereupon.

Upon such appeal being made, the appellate Court may issue a precept to the Deputy Commissioner, desiring him to stay the partition, pending the decision of the appeal.

Appellate Court may stay partition.

76. When it has been decided to make a partition under this chapter, the Deputy Commissioner shall either give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he shall make the partition himself or cause it to be made by any Assistant Commissioner subordinate to him, and when made by an Assistant Commissioner, it shall be reported to the Deputy Commissioner for his confirmation.

Option to make partition themselves or to appoint arbitrators.

77. If arbitrators are appointed, the provisions of sections 191 to 202, both inclusive, shall apply.

Partition by arbitrators.

In making a partition, arbitrators shall not be bound by the provisions of sections 80 to 83 both inclusive; but they shall deliver a full and complete paper of partition, specifying the separate mahâls into which they propose that the mahâl shall be divided; the names of the parties to whom the several mahâls are proposed to be allotted, and the amount of land revenue which in the opinion of the arbitrators should be assessed on each of such mahâls.

78. In making partitions, the Deputy Commissioner, and any person appointed by him, shall have the same powers to enter on the land under partition, for marking out the boundaries, surveying the mahâl, and other purposes, as are conferred on Settlement Officers under this Act.

Power to enter on land for purposes of partition.

79. When a Deputy Commissioner has decided that a partition shall be made, he may, with the sanction of the Commissioner, hold the mahâl under direct management, pending the completion of the partition.

Power to hold mahâl under direct management, pending partition.

The provisions of the law in force for the time being, for the management of mahâls held under direct management under section 119 for arrears of revenue shall be applicable to mahâls, the management of which is assumed under this section.

The collections of the mahâl shall be applied to the payment of the Government revenue, and, after defraying the expenses of management and any other expenses with which the mahâl is chargeable, the residue shall be divided amongst the recorded co-sharers in proportion to their respective shares at such periods as the Deputy Commissioner may see fit.

80. Where there are no lands held in common, the lands held in severalty by the applicant for partition shall be declared a separate mahâl, and shall be separately assessed to the Government revenue.

Partition of lands held only in severalty.

81. Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of such lands in accordance with village custom, if any such exist.

Partition of lands some of which are held in common.

If no such custom exist, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the common lands.

82. The portion of the common lands falling by such partition to the share of the applicant shall be added to the land held by him in severalty, and the mahâls thus formed shall be assessed and declared separate mahâls.

Formation of separate mahâls from shares allotted in partition.

83. In making partitions under this Act, the Deputy Commissioner shall give effect to any transfer of lands held in severalty and forming part of the mahâl, which has been agreed to by the parties, previous to the declaration of the partition.

Transfers to be effectuated in making partition.

84. Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the mahâl.

Partition where all lands are held in common.

85. In all cases each mahâl shall be made as compact as possible: Provided that, except with the sanction of the Chief Commissioner, no partition be disallowed solely on the ground of incompactness.

Estate to be compact.

86. If in making the partition it be necessary to include in the mahâl assigned to one sharer, the land occupied by a dwelling-house or other building in the possession of another co-sharer, such other co-sharer shall be allowed to retain it, with the buildings thereon (if any) on condition of his paying a reasonable ground-rent therefor to the sharer into whose portion it may fall.

Rule when dwelling-house of one sharer is included in mahâl assigned to another.

The limits of such land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

87. Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

Rule as to tanks, wells, water-courses and embankments.

Where, from the extent, situation or construction of such works, it is found necessary that they should continue the joint property of the proprietors of two or more of the mahâls into which the mahâl may be divided, the Deputy Commissioner shall determine the extent to which the proprietors of each mahâl may make use of the said works, and the proportion of the charges for repairs of such works to be borne by such proprietors respectively, and the manner in which the profits, if any, derived form such works, shall be divided.

88. Places of worship and burial-grounds, held in common previous to the partition of a mahâl, shall continue to be so held, unless the persons who so held them otherwise agree among themselves.

Rules as to places of worship and burial-grounds.

In such cases they shall state in writing the agreement into which they have entered, and such writing shall be filed with the record.

89. In all cases whether partition has been made by arbitrators or otherwise, the amount of revenue to be paid in respect of each portion of a mahâl partitioned under this chapter shall be determined by the Deputy Commissioner, provided that the aggregate revenue payable in respect of the new mahâls shall not exceed the revenue assessed on the mahâl immediately before partition;

Determination of revenue payable by each division of a mahâl.

and the proprietor of each new mahâl shall be held liable for the portion of the revenue assessed on his mahâl, whether a new engagement be taken from him or not.

Liability of proprietors.

90. If at any stage of any proceedings under this chapter there appears to be any reason for stopping the partition, the Deputy Commissioner may of his own motion, or on the report of the Assistant Commissioner making the partition, stay the partition and order the proceedings to be quashed.

Power to stay partition.

91. A partition, whether made by the Deputy Commissioner himself or otherwise, shall not be deemed to be complete unless the Deputy Commissioner has made an order confirming it.

Order confirming partition.

On making such order, he shall publish a notification of the fact at his office and at some conspicuous place in each of the new mahâls,

Notification of order.

and the partition shall take effect on and from the first day of July next after the date of such notification.

Partition when to take effect.

92. An appeal against the decision of the Deputy Commissioner confirming a partition, shall lie to the Commissioner of the division within one year from the date on which such partition takes effect.

Appeal to Commissioner from orders of Deputy Commissioner.

93. Where the land-revenue is fraudulently or erroneously distributed at the time of the partition, the Chief Commissioner may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the land-revenue upon the several mahâls into which the mahâl has been divided, on an estimate of the assets of each mahâl at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

Power to order new allotment of revenue on proof of fraud or error in first distribution.

94. Imperfect partition shall be carried out according to the provisions of sections 69 to 92 (both inclusive) so far as they are applicable: Provided that no application for imperfect partition shall be entertained unless the consent of recorded co-sharers holding in the aggregate more than one moiety of the property of which partition is sought be first obtained.

Making of imperfect partitions.

95. No Civil Court shall entertain any suit or application for perfect or imperfect partition.

Civil Courts barred from entertaining applications for partitions.

96. All imperfect partitions and all partitions perfect or imperfect of under-proprietary mahâls hitherto made, shall be deemed to have been made under the provisions of this Act.

Previous imperfect partitions and partitions of under-proprietary mahâls.

97. If two or more revenue-paying mahâls have originally formed portions of the same village, the proprietor shall be entitled to have such mahâls united and to hold them as a single mahâl.

Union of mahâls originally part of same village.

98. Every application for the union of such mahâls shall be made in writing to the Deputy Commissioner of the district in which the mahâls are situate.

Application for such union.

If the Deputy Commissioner see no objection, he shall comply with the application, and cause the necessary entries to be made in the register of his office, reporting the case to the Commissioner of the division.

Application how dealt with.

99. The provisions of this chapter, so far as they are applicable, may be applied by order of the Deputy Commissioner to the partition or union of mahâls held free of revenue.

Partition or union of revenue-free mahâls.

100. The partition of taluqdârî and under-proprietary mahâls and of mahâls held by lessees whose rent has been fixed by the Settlement Officer or other competent authority, shall be carried out accordingly to the provisions of sections 69 to 93 (both inclusive), so far as they are applicable.

Partition of taluqdârî and under-proprietary mahâls.

(*a*) In the partition of taluqdârî mahâls, all mahâls, whether under-proprietary or held by lessees whose rent has been fixed by the Settlement Officer or other competent authority shall, if practicable, be assigned to one or other of the new taluqâs to be formed by the partition;

Assignment of inferior mahâls.

(*b*) if any such mahâl cannot be assigned in whole, the assignment shall be made by thoks, pattís or other existent sub-divisions;

(*c*) and if no other satisfactory arrangement can be made, such mahâl shall be partitioned;

(*d*) in cases in which one portion of any such mahâl is assigned to one taluqá and another portion to another taluqá, each portion shall be deemed a separate mahâl, the joint responsibility of the co-sharers being limited to such portion.

101. Whenever a partition of a mahál, whether under-proprietary or held by lessees whose rent has been fixed as aforesaid, is effected under this Act, the amount of rent to be paid in respect of each portion shall be determined by the Deputy Commissioner, and the person to whom such rent is payable may present an application in writing to the Deputy Commissioner objecting to the distribution of the rental over the several parts into which the mahál has been divided, and praying that such objection may be heard and determined; and his objection shall be heard and determined, and the Deputy Commissioner shall record his reasons for such determination.

Objection to distribution of rental.

CHAPTER VI.

MAINTENANCE OF BOUNDARIES.

102. The Deputy Commissioner and his subordinates shall have power to enter upon and survey land, and to demarcate the boundaries of maháls, villages and fields.

Power of Deputy Commissioner to enter and survey.

103. All owners of maháls, villages or fields, are bound to maintain and keep in repair at their own cost the boundary-marks lawfully erected thereon.

Obligations of owners as to boundary-marks.

104. Any person convicted before a Deputy Commissioner of wilfully erasing, removing or damaging any such boundary-mark, may be ordered by the convicting officer to pay such sum not exceeding fifty rupees for each mark so erased, removed or damaged, as may be necessary to defray the expense of restoring such mark, and of rewarding the informer (if any) through whom the conviction was obtained.

Payment for erasing, removing or injuring marks.

105. Whenever the person erasing, removing or damaging any such mark cannot be discovered, or if for any other reason the sum which he has been so ordered to pay cannot be recovered, the mark shall be re-erected or repaired at the charge of the owner or owners of such one or more of the contermínous field or mahals as to the Deputy Commissioner seems fit.

Who is to be charged for re-erection and repair when offenders not discoverable.

106. The Deputy Commissioner may decide, on the basis of possession, all disputes concerning boundaries, and may at any time direct the owners of mahals villages or fields, by written notice served upon them,

Powers of Deputy Commissioner as to boundary disputes and boundary-marks.

(*a*) to cause proper boundary-marks to be erected in such mahals, villages or fields,

(*b*) to repair the boundary-marks lawfully erected in such mahals, villages or fields.

107. In default of compliance with such direction within fifteen days from the date of the service of the notice, the Deputy Commissioner shall cause such boundary-marks to be erected or repaired, as the case may be, and shall charge the cost of such erections or repairs to the owners of the conterminous mahals, villages or fields in such proportion as he thinks fit.

Power to erect or repair boundary-marks.

CHAPTER VII.

COLLECTION OF THE LAND-REVENUE.

108. In the case of every mahál the entire mahál shall be charged with, and all the proprietors jointly and severally shall be responsible to Government for the revenue for the time being assessed on the mahál.

Responsibility of proprietors of mahál for land-revenue.

The term "proprietors" shall, for the purposes of this chapter, include all persons in possession for their own benefit.

109. The Chief Commissioner may, from time to time, make rules as to the instalments in which, and the persons, places and times to whom, and at which, the revenue payable in respect of any land shall be paid.

Chief Commissioner may make rules as to payment of revenue.

110. Until the issue of such rules the said revenue shall be paid in the instalments, to the persons, and at the times and places in which, to whom, and at which, it is now paid.

Payment until issue of rules.

111. Any sum not so paid becomes thereupon an arrear of revenue, and the proprietor responsible for it becomes a defaulter.

Effect of non-payment.

No interest shall be demanded on any arrear of land-revenue.

112. If the settlement of any land has been made with a lambardár, and if there be an arrear of revenue due in respect of such land, both the lambardár and the co-sharers of the mahál from which the arrear is due shall be deemed defaulters.

Defaulters in case of settlements with lambardars.

113. A statement of account certified by the tahsíldar shall, for the purposes of this chapter, be conclusive evidence of the existence of the arrear, of its amount, and of the person who is the defaulter.

Evidence of arrear.

114. When an arrear of land-revenue has accrued, a writ of demand or summons to appear may issue, calling on the defaulter to pay the amount within a time therein stated.

Writ of demand.

115. At any time after an arrear of land-revenue becomes due, such officer as the Chief Commissioner from time to time empowers in this behalf, may arrest the defaulter and detain him in custody for fifteen days, unless the arrear, together with the costs of arrest, is sooner paid.

Arrest and detention of defaulter.

116. If the arrear be not paid within fifteen days, and no good reason for the non-payment is shown, the Deputy Commissioner may issue an order to the jailor of the civil jail of the district, directing him to confine the defaulter therein as a civil prisoner until the arrear is paid, or until the expiration of such period, not exceeding six months from the date of the order, as the Deputy Commissioner thinks fit; and such

Imprisonment in civil jail.

person shall be confined according to the terms of such order:

Provided that no person exempted under the law for the time being in force from personal attendance in the Civil Courts, no taluqdár and no female, shall be subject to arrest or imprisonment under this and the preceding section.

117. The Deputy Commissioner may, whether the defaulter has been arrested and imprisoned or not, order the attachment and sale of so much of his moveable property as will, as nearly as may be, defray the arrear.

Attachment and sale of moveables.

Nothing herein contained shall authorize the attachment and sale of articles set aside exclusively for the use of religious endowments: or, in the case of an agriculturist, of instruments of husbandry and of cattle *bonâ fide* kept for the cultivation of his land, or in the case of an artisan, of his tools, nor of any other articles exempted by the law for the time being in force from sale in execution of decrees of Civil Courts.

118. Every attachment and sale ordered under the preceding section shall be conducted according to the law in force for the time being, for the attachment and sale of moveable property under the decree of a Civil Court.

Conduct of sale.

119. When an arrear of land-revenue has become due in respect of a share, pattí or mahál, the Deputy Commissioner may in addition to, or instead of, the processes hereinbefore specified, cause such share, pattí or mahál to be attached and taken under the direct management of any agent whom he appoints for that purpose.

Property may be attached and taken under direct management.

For the purpose of managing the property so attached, the agent so appointed shall have all the rights, and be subject to all the liabilities, with respect to such property, of the person for whose default it was attached;

Powers and obligations of agent.

until the arrears of land-revenue due therefrom have been satisfied, or until the Deputy Commissioner directs him to restore the person whose interest has been attached to the management thereof.

120. All surplus profits of the property so attached after defraying thereout any instalment of land-revenue that may become due during such management, and the cost of such attachment and direct management, shall be applied to discharging the arrear of revenue on account of which it was ordered.

Application of surplus profits.

And no such management shall continue after such arrear has been discharged as aforesaid, and any surplus remaining after payment of the charges mentioned in the first clause of this section shall be handed over to the proprietor.

Termination of management.

121. If an arrear of land-revenue has become due in respect of the share of any member of a village community, such community, or any member thereof, may tender payment of such arrear, or may offer to pay such arrear by instalments.

Transfer of share of defaulter, to solvent co-sharers.

If such tender be made, or if the Deputy Commissioner considers such offer satisfactory, the Deputy Commissioner may transfer the share of the defaulting member to the community or member making the tender or offer on such terms as the Deputy Commissioner thinks fit, and either for a term of years, or until such arrear is paid.

In case of conflicting tenders or offers under this section, the co-sharer who, in case the share were sold, would have a right of pre-emption under section 9 of the Oudh Laws Act, shall be preferred.

122. If such share is so transferred until the arrear is repaid, and if the arrear is not repaid within twelve years from the date of the transfer, the community or member to whom the share has been so transferred, may apply in writing to the Deputy Commissioner to publish a notification that, if the arrear is not paid within one year from the date thereof, such transfer will become absolute.

When transfer of share is to become absolute.

The Deputy Commissioner shall publish such notification accordingly, and if the arrear is not repaid before the expiration of one year from the date of the notification, the transfer to such community or member shall become absolute.

123. The procedure prescribed in the two preceding sections shall not affect the joint liability of the co-sharers of the mahál.

Procedure not to affect joint liability of co-sharers.

124. When any arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner is of opinion that the processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of, any such process, report, through the Commissioner of the division, the matter to the Chief Commissioner, and the Chief Commissioner may thereupon order the existing settlement of such pattí or mahál to be annulled.

When settlement may be annulled.

The provisions of this section shall not be put in force for the recovery of any arrear of land-revenue which may have accrued on land,

Exception of certain arrears.

(*a*) while attached under section 119, or

(*b*) while in charge of the Court of Wards.

125. When the settlement of any pattí or mahál has been annulled under the last preceding section, the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either manage the land by himself or an agent, or let it in farm to any person willing to accept the same, for such term and on such conditions as may be approved by the Chief Commissioner:

When settlement has been annulled, the Deputy Commissioner may manage the land himself, or by agent, or let it in farm.

Provided that the term for which a pattí or mahál may be so managed or let be not longer than fifteen years from the first day of July next after the date of such annulment.

And no interest in or right to such pattí or mahál or any part thereof, created or assigned by any person who, immediately before the annulment of the settlement, was in possession of the whole or any part of the land comprised therein, or

Suspension of contracts.

by any person through whom he claims, shall, during the continuance of such term, be binding on the Deputy Commissioner or his agent or lessee.

Proclamation of attachment or annulment of settlement.

126. When the Deputy Commissioner attaches any land under section 119, or when the settlement of any land has been annulled under section 124, he shall make public proclamation thereof on the mahál.

And he may realize all arrears of rent becoming due in respect of such land by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, as if they were arrears of land-revenue.

Payments thereafter to defaulter not to discharge payer.

127. No payment made after such proclamation on account of rent or other profit of the land so attached, or of which the settlement has been so annulled to any person other than the Deputy Commissioner or his agent or lessee, shall be credited to the person making such payment, or relieve him from liability to payment to the Deputy Commissioner, his agent or lessee.

Payments to defaulter in anticipation of due date.

128. No payment made to the defaulter in anticipation of the usual period for the payment of rents, shall, without the special sanction of the Deputy Commissioner, be credited to the person making the same in account with the Deputy Commissioner, or with his agent or lessee.

Recovery of balance due by farmer.

129. When any land has been let in farm under section 125 any balance due by the lessee as such may be recovered from him or his surety (if any) as if it were an arrear of revenue.

Suspension of responsibility of co-sharers for revenue of portion of mahál as to which settlement is annulled.

130. Whenever the settlement of any portion of a mahál is annulled under section 124, the joint responsibility of the co-sharers of the mahál for the revenue of such portion subsequently becoming due, shall be in abeyance until a new settlement of such portion is made under section 131.

Offer of settlement to proprietor on expiry of period for which land is managed or farmed.

131. After the expiration of the period for which any land has been managed or let in farm under section 125, the Deputy Commissioner shall offer to the person entitled to be settled with under section 26 a new settlement, on such conditions as the Chief Commissioner may direct, for the remainder of the term of the settlement of the district; and if such person refuse such offer, the Deputy Commissioner may (with the previous sanction of the Chief Commissioner) either manage the land by himself or an agent, or let the same in farm, under the provisions of sections 30 to 38, both inclusive.

Power to sell land to recover revenue-arrears.

132. When an arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner of the district is of opinion that the other processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of all or any such other processes, and subject to the provisions next hereinafter contained, and with the previous sanction of the Chief Commissioner, sell by auction the pattí or mahál in respect of which such arrear is due:

Provided that no pattí or mahál shall be sold—

(*a*) for any arrears of land-revenue which may have become due in respect thereof while it was under the management of the Court of Wards, or held under the provisions of the Oudh Taluqdárs' Relief Act, or when the proprietor or under-proprietor thereof was, at the time the arrear accrued, a female deemed by the Chief Commissioner incompetent to manage her estate, a minor, an idiot, or a lunatic;

(*b*) for any arrears of land-revenue which may have become due while it was under attachment under section 119; or

(*c*) for any arrears of land-revenue which may have become due while it was under direct management by the Deputy Commissioner, or in farm by any other person under sections 32, 35, 125, or 131.

Land to be sold free of incumbrances.

133. Land sold under the last preceding section shall be sold free of all incumbrances,

and all grants and contracts previously made by any person other than the purchaser in respect of such land shall become void as against the purchaser at the auction-sale.

Grants and contracts void against purchaser.

Nothing in the former part of this section applies to leases of lands at fair rents, for the erection of dwelling-houses or manufactories, or for mines, gardens, tanks, canals, places of worship or burying grounds.

Exceptions.

Power to direct sale to be made subject to incumbrances.

134. The Chief Commissioner may, notwithstanding anything contained in section 133, at any time before a sale of land for arrears of revenue has been actually made, direct it to be made subject to such of the interests in or rights to such land created by the proprietor in possession thereof, or any person through whom he claims, as the Chief Commissioner thinks fit.

Power to cancel restricted sale and re-sell under section 134.

When the proceeds of a sale so made are not equal to the arrears due at the time of sale, the Chief Commissioner may, at any time before the Commissioner of the Division has confirmed the sale, direct it to be cancelled and a new sale of the land to be made under section 133.

Power to proceed against defaulter's other immoveable property.

135. If the arrear cannot be recovered by any of the above processes, and the defaulter is in possession of any other immoveable property, the Deputy Commissioner may proceed against such other property, as if it were the land on account of which the revenue is due under the provisions of this Act:

Provided that no interest save those of the defaulter alone, shall be so proceeded against, and no incumbrances created or contracts entered into by him in good faith shall be rendered invalid by such proceeding.

Procedure in effecting sale.

136. On the receipt of the sanction of the Chief Commissioner to the sale of any land, the Deputy Commissioner of the district shall issue a proclamation, in the vernacular language of the district, of the intended sale, specifying the time and place of sale,

and (when the land to be sold is a mahál or part of a mahál paying revenue to Government) the revenue assessed upon it, together with any other particulars he may think necessary.

Contents of proclamation.

137. When the land is sold for arrears of revenue due in respect thereof, the proclamation shall declare that the land is to be sold free of every incumbrance except the leases mentioned in section 133, and except the interests and rights, if any, referred to in the first paragraph of section 134.

The particulars of such leases, interests and rights shall be given in the proclamation.

Such proclamation shall be made at the headquarters of the tahsíl in which the land is situate, and also in the village of which it is a part.

Notification of sale.

138. A written notice of the intended sale and of the time and place thereof shall be affixed in the office of the Deputy Commissioner of the district, and where the Assistant Commissioner in charge of the sub-division in which the land is situate has a separate office, then also in such office, and a copy of such notice shall be served on the defaulter.

Sale by whom to be made.

139. Every sale under this chapter shall be made either by the Deputy Commissioner of the district in person or by an Assistant Commissioner specially appointed by him in this behalf.

Time when sale may be made.

No such sale shall take place on a Sunday or other authorized holiday, or until after the expiration of at least thirty days from the date on which the said notice thereof has been affixed in the office of the Deputy Commissioner of the district, and proclamation of the sale has been made in the village in which the land is situate.

The Deputy Commissioner of the district may, from time to time, postpone the sale, reporting such postponement to the Commissioner of the division.

When sale may be stayed.

140. If the defaulter pay the arrear of revenue in respect of which the land is to be sold at any time before the day fixed for the sale, to the person appointed by Government under section 109, to receive payment of the revenue assessed on such land, or to the Deputy Commissioner of the district, or the Assistant Commissioner in charge of the sub-division of the district, the sale shall be stayed.

Deposit by purchaser.

141. The person declared to be the purchaser shall be required to deposit immediately twenty-five per cent. on the amount of his bid, and in default of such deposit the land shall forthwith be again put up and sold.

Re-sale in default of deposit.

Purchase-money when to be paid.

142. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the sale of the land took place, or, if the said fifteenth day be a Sunday or other authorized holiday, then on the first office day after such fifteenth day;

and in default of payment within such period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold.

Resale in case of default.

Liability of purchaser for loss by re-sale.

143. If the proceeds of the sale which is eventually made be less than the price bid by such defaulting purchaser, the difference shall be leviable from him under the rules contained in the Code of Civil Procedure for the execution of a decree for money.

Notification before re-sale.

144. No re-sale under section 142 in default of payment of the purchase-money shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale.

Application to set aside sale.

145. At any time within thirty days from the date of the sale, application in writing may be made to the Commissioner of the Division to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it.

When sale may be set aside.

146. No sale shall be set aside on such ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake complained of.

Order confirming or setting aside.

147. After the expiration of the said thirty days, if no such application as is mentioned in section 145, has been made, or if such application has been made and rejected, the Commissioner of the Division shall make an order confirming the sale;

and if such application be made and allowed the Commissioner shall make an order setting aside the sale.

Every order made under this section shall be final.

Bar of claims against Government.

148. If no such application be made within the time allowed by section 145, all claims founded on the irregularity or mistake complained of shall, as against the Government, be barred.

Nothing herein contained shall preclude the institution of a suit in a Civil Court for the purpose of setting aside a sale on the ground of fraud.

Refund of purchase-money when sale set aside.

149. Whenever the sale of any land is set aside, the purchaser shall be entitled to receive back his purchase-money, with or without interest, at such rate not exceeding six per cent. per annum, as the Commissioner of the Division thinks fit.

On confirmation of sale, purchaser to be put in possession.

150. After a sale of land in respect of which an arrear of revenue is due has been confirmed in manner aforesaid, the Deputy Commissioner of the District shall, unless the purchaser has been made subject to a right of some other person to possession, put the person declared to be the purchaser into possession of the land, and shall grant him a certificate, to the effect that he has purchased the land to which the certificate

refers, and such certificate shall be deemed to be a valid transfer of such land, but need not be stamped or registered as a conveyance.

If the land has been sold on account of an arrear of revenue due in respect thereof, the certificate shall also either state that the purchaser has purchased the land to which the certificate refers free of every incumbrance other than the leases mentioned in section 133, or shall specify the incumbrances subject to which the land has been sold.

151. The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

Bar of suit against certified purchaser.

152. When a sale of land has been confirmed under section 147, the proceeds of the sale shall be applied in the first place to defraying the expenses of sale and to the payment of any arrears due in respect of such land at the date of the confirmation of such sale and recoverable as an arrear of land-revenue,

Application of proceeds of sale.

and the surplus (if any) shall be paid to the person whose land has been sold;

or, if the land sold were held in shares, then to the co-sharers collectively, or according to the amount of their recorded interests, at the discretion of the Deputy Commissioner of the District.

153. Such surplus shall not (except under an order of a Civil Court) be payable to any creditor of the person whose land has been sold, nor shall it (except under a like order) be retained in the Government treasury.

Surplus not to be paid to creditors, nor retained by Government except under order of Court.

154. The person named in the certificate of title as purchaser of any land shall be liable for all instalments of land-revenue becoming due in respect of such land subsequently to the date of the confirmation of the sale.

Liability of purchaser for revenue.

155. Where any land sold under section 132 is a pattí of a mahál, any recorded co-sharer, not being himself in arrear with regard to the revenue due in respect of such land, may, if the lot has been knocked down to a stranger, claim to take the said land at the sum last bid:

Pre-emption by co-sharers when land sold is a pattí of a mahál.

Provided that such claim be made on the day of sale, and before the officer conducting the sale has left the office for the day, and provided that the claimant fulfil all the other conditions of the sale.

156. Whenever proceedings are taken under this chapter against any person for the recovery of any arrear of revenue, he may pay the amount claimed under protest to the officer taking such proceedings,

Payment under protest and suit for recovery.

and upon such payment the proceedings shall be stayed,

and (subject to the pecuniary limitations prescribed by law) the person against whom such proceedings were taken may sue the Government for the amount so paid in any Civil Court situate in the district where such proceedings were taken;

and in such suit, the plaintiff may, notwithstanding section 113, give evidence of the amount which he alleges to be due from him.

157. Any proprietor or under-proprietor of a mahál or portion of a mahál, that is attached, transferred, held under direct management, farmed or sold under the provisions of this Act, who may, at the date of the order of such attachment, transfer, direct management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner may determine, and the rent to be paid by him for such land shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Proprietor of mahál when to be deemed a tenant with right of occupancy.

158. Whenever a mahál or pattí is held in sub-settlement, or under a heritable, non-transferable lease, the rent payable under which has been fixed by the Settlement Officer or other competent authority, and the rent of such mahál or pattí falls into arrear, the proprietor, instead of suing the defaulter under Act. No. XIX of 1868, may, within the period limited for such a suit, apply in writing to the Deputy Commissioner requesting him to realize such arrear.

Assistance to recover rent of mahál held in sub-settlement.

The Deputy Commissioner shall, on receipt of such application, satisfy himself as to the existence of such arrear, and shall then, subject to such rules as may from time to time be made in this behalf by the Chief Commissioner, proceed to recover such arrear as if it was an arrear of revenue.

If in addition to or in lieu of the other remedies applicable to the recovery of arrears of revenue, the Deputy Commissioner thinks it necessary or expedient to annul the sub-settlement of any such mahál or pattí, he shall refer the case with his opinion thereon to the Chief Commissioner, and the Chief Commissioner may thereupon annul the existing sub-settlement of such mahál or pattí for such period (not exceeding fifteen years) as he thinks fit; and the new sub-settlement to be made on the expiration of such period shall be made in accordance with the provisions of section 40 and (so far as is practicable) with those of section 131.

159. If the term for which any settlement has been made expires before a new settlement is made, all persons with whom a settlement has been made, who continue after the expiration of such term to occupy the land comprised in the expired settlement shall, until a new settlement is made, hold the said land upon the conditions of the expired settlement.

Tenure of land under expired settlement until new settlement is made.

160. The provisions of this Act with regard to the recovery of arrears of revenue shall apply to all arrears of land-revenue and sums of money recoverable as arrears of land-revenue and due when this Act comes into force.

Provisions applied to arrears due at commencement of Act.

CHAPTER VIII.

COURTS OF WARDS.

161. Deputy Commissioners shall, subject to the control of the Commissioner of the Division and of the Chief Commissioner, have the power of a Court of Wards within their respective districts for the superintendence of the persons and property of all persons who may become entitled as proprietors or under-proprietors, or lessees whose rent has been fixed by a Settlement Officer, to any beneficial interest in a mahál or portion of a mahál assessed to the payment of land-revenue or held free of revenue, and who are either disqualified for the management of their own estates or are committed by a Civil Court to the care of the Deputy Commissioner:

Deputy Commissioners to be Courts of Wards.

Provided that the Court of Wards shall not take charge of or administer any beneficial interest in an estate, in which more persons than one have a joint undivided interest, unless all such persons are so circumstanced as to be subject to the Court of Wards.

Bar of jurisdiction in certain cases.

162. Persons shall be held to be disqualified to manage their own estates when they are

Persons when disqualified to manage their estates.

(*a*) females deemed by the Chief Commissioner incompetent to manage their estates,

(*b*) minors,

(*c*) idiots,

(*d*) lunatics,

(*e*) persons who may in the opinion of the Chief Commissioner be otherwise rendered incapable by physical defects or infirmities from managing their estates,

(*f*) persons convicted of a non-bailable offence and disqualified in the opinion of the Chief Commissioner by vice or bad character from managing their estates,

(*g*) persons declared by the Chief Commissioner on their own application to be disqualified from managing their estates.

163. The Deputy Commissioner may make an inquiry into the disqualification of any person, whom he has reason to believe disqualified within the meaning of section 162, clauses (*b*), (*c*) or (*d*), and into the circumstances and property of any such person, and may make an order declaring him to be subject to the jurisdiction of the Court of Wards.

Inquiry into minority, lunacy, idiocy, &c.

164. The Court of Wards may assume or refrain from assuming the superintendence of the person or property of any disqualified person and may at any time release any person or property from its superintendence: Provided that such person or property has not been placed under the Court of Wards by any competent authority whose order is necessary to his or its release.

Jurisdiction of Court of Wards.

165. If in any case not specially provided for by this or any other law for the time being in force, the right of the Court of Wards to assume or retain the superintendence of the estate of a disqualified person is disputed by such person, the case shall be reported to the Chief Commissioner whose orders thereon shall be final.

Report to Chief Commissioner when right of Court of Wards is disputed by persons other than those specially provided for.

166. The jurisdiction of the Court of Wards shall extend to the care and education, and to the management of the property, of the persons subject thereto.

Extent of jurisdiction.

167. The Court of Wards may appoint managers of the property of disqualified proprietors, and if such proprietors be minors, idiots or lunatics, may appoint guardians for the care of their persons, and may remove and control such managers and guardians.

Appointment, removal and control of guardians.

168. Proprietors may appoint guardians for their heirs, if disqualified, by will executed and attested in manner required in case of Taluqdárs by Act No. I of 1869, and in case of other proprietors by the Indian Succession Act, 1865; but the Court of Wards shall be competent to remove such guardian for any sufficient reason.

Power of proprietors to appoint guardians for disqualified heirs.

169. The Court of Wards may direct where all male minors under its jurisdiction shall reside for the purpose of education or otherwise.

Powers of Courts of Wards as to male minors within its jurisdiction.

170. The manager appointed by the Court of Wards shall have power to collect the rents of the land entrusted to him, as well as all other money due to the disqualified proprietor, and to grant receipts therefor;

Powers of manager.

and he may, subject to the control of the Court, grant or renew such leases and farms, not being for a longer period than five years, as may be necessary for the good management of the property.

171. The manager shall manage the property committed to him diligently and faithfully for the benefit of the proprietor, and shall in every respect act to the best of his judgment for the proprietor's interest as if the property were his own.

Duties of manager.

172. The Court of Wards shall have power to give such leases or farms of the whole or parts of the immoveable property under its charge, and to mortgage or sell any part of such property, and to do all such other acts, as it may judge to be most for the benefit of the property and the advantage of the disqualified proprietors.

Power of Court of Wards as to land under its charge.

173. Persons whose property is under the superintendence of the Court of Wards shall not be competent to create without the sanction of the Court any charge upon or interest in such property or any part thereof.

Disabilities of persons subject to Court of Wards.

174. No such property shall be liable to be taken in execution of a decree made in respect of any contract entered into by such person while his property is under such superintendence.

Their property exempt from being taken in execution of certain decrees.

175. All disqualified proprietors whose property is in charge of the Court of Wards shall sue and be sued by and in the name of their guardians, where guardians have been appointed:

Suits by and against disqualified proprietors in charge of Court of Wards.

Provided that no such suit shall be maintained or defended by any guardian without the sanction of the Court of Wards.

Suits by such proprietors when no guardian appointed.

176. If no such guardian has been appointed, the disqualified proprietors shall sue and be sued by and in the name of the Court of Wards.

Rules relating to managers.

177. Every manager appointed by the Court of Wards shall—

(*a*) give such security as the Court of Wards thinks fit, duly to account for what he shall receive in respect of the rents and profits of the property for which he is appointed;

(*b*) pass his accounts at such periods and in such form as the Court of Wards directs;

(*c*) pay the balance due from him thereon;

(*d*) apply for the sanction of the Court of Wards to any act which may involve the property in expense not previously sanctioned by such Court;

(*e*) be entitled to such allowance as the Court of Wards thinks fit for his care and pains in the execution of his duties;

(*f*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

CHAPTER IX.

POWERS OF OFFICERS.

A.—Powers of Assistant Commissioners.

Powers of Assistant Commissioners of the first class.

178. An Assistant Commissioner in charge of a sub-division shall as such have the following powers:—

(*a*) to refer cases for inquiry or decision to his subordinates;

(*b*) to withdraw cases from his subordinates and to deal with them himself, or to refer them for disposal to any other subordinate officer competent to deal with them;

(*c*) to order changes in the proprietary register;

(*d*) to levy fees for mutations;

(*e*) to receive notices of, and to enquire into cases of reported transfers;

(*f*) to levy fines, under section 64;

(*g*) to declare the person best entitled to property and put him in possession, under section 65;

(*h*) to enquire into and dispose of disputes under section 66.

(*i*) to report on revenue-free holdings, and to assess revenue on resumed grants;

(*j*) to assess alluvial lands;

(*k*) to receive applications for and make partitions under chapter V, of this Act, subject to the confirmation of the Deputy Commissioner of the District.

(*l*) to impose fines for injuries to boundary-marks, and in certain cases apportion the charges of re-erecting and repairing boundary-marks;

(*m*) to call on owners to erect or repair boundaries, and, in default, to erect and repair and charge the cost to owners, and to decide disputes regarding boundaries;

(*n*) to attach and sell moveable property of defaulters, under section 117;

(*o*) to fix under section 157 the area of the land to be held as a tenant with right of occupancy and the rent to be paid for it by proprietors of mahâls which have been attached, transferred, held under direct management, farmed or sold, under the provisions of this Act, for land in their cultivating occupancy;

(*p*) to give orders as to the appointment, suspension, dismissal, punishment, remuneration and supervision of patwáris under sections 206 to 212, both inclusive.

Powers of Assistant Commissioners of first class not in charge of sub-divisions.

179. Assistant Commissioners of the first class, not in charge of sub divisions of districts, shall exercise all or any of the powers conferred on Assistant Commissioners of the first class in charge of sub-divisions, in such cases or class of cases as the Deputy Commissioner of the District may, from time to time, refer to them for disposal.

Powers of Assistant Commissioners of second class.

180. All Assistant Commissioners of the second class shall have power to investigate and report on such cases as the Deputy Commissioner of the District or Assistant Commissioner in charge of a sub-division of a district may, from time to time, commit to them for investigation and report.

B.—Powers of Settlement Officers.

Powers of officers in charge of a settlement.

181. Officers in charge of a settlement may exercise all the powers conferred by or under this Act on Settlement Officers, and by section ten on the Deputy Commissioner of the District, but none but an officer in charge of a settlement or an Assistant Settlement Officer specially empowered by the Chief Commissioner shall have power—

(*a*) to frame proposals for assessment;

(*b*) to distribute the assessment;

(*c*) to re-distribute land or revenue under section 31;

(*d*) to determine the rent payable under section 40 by under-proprietors or lessees;

(*e*) to exclude proprietors from settlement for refusal to engage;

(*f*) to adjust the rent of excluded proprietors;

(*g*) to resume and assess revenue-free land.

Powers of Assistant Settlement Officers.

182. All other powers conferred on Settlement Officers by this Act shall be exercised by Assistant Settlement Officers, under such restrictions as the officer in charge of a settlement may from time to time impose.

Investing of Settlement Officers with powers of Deputy Commissioner and Assistant Commissioner.

183. The Chief Commissioner may with the previous section of the Governor General in Council invest any officer in charge of a settlement with all or any of the powers of a Deputy Commissioner under this Act, and any Assistant Settlement Officer with all or any of the powers conferrible on an Assistant Commissioner under this Act within such limits, and with such restrictions, and for such period as he thinks fit.

CHAPTER X.

APPEALS.

Officers to whom appeals lie.

184. Appeals shall lie under this Act as follows:—

(*a*) to the Chief Commissioner from any order passed by a Commissioner except such orders as are made on appeal from orders passed by Deputy Commissioners in the exercise of their appellate jurisdiction;

(*b*) to the Commissioner from orders, original or appellate, passed by Deputy Commissioners or officers in charge of a settlement in any proceeding held under the provisions of this Act;

(*c*) to the Deputy Commissioner from orders passed by any Assistant Commissioner;

(*d*) to the officer in charge of a settlement from orders passed by an Assistant Settlement Officer.

Limitation of appeals.

185. No appeal under section 184, clauses (*c*) and (*d*), shall be brought after the expiration of thirty days from the date of the order complained of.

No appeal under the same section, clause (*b*), shall be brought after the expiration of six weeks from the date of the order complained of, unless otherwise specially provided.

No appeal under the same section, clause (*a*), shall be brought after the expiration of two months from the date of the order complained of.

Time to be excluded.

186. In computing the period prescribed for an appeal under this chapter, the day on which the order complained of was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

Admission of appeal after period of limitation.

187. Any appeal under this chapter may be admitted after the period of limitation prescribed therefor, when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within such period.

No appeal shall lie against an order under this section admitting an appeal.

Procedure on admitting appeal.

188. The officer to whom the appeal lies may either admit or summarily reject the appeal. If he admit the appeal, he may reverse, modify or confirm the order appealed against, or he may direct such further investigation to be made or such additional evidence to be taken as he may think necessary, or he may himself take such additional evidence.

Suspension of order appealed against.

189. In every case in which an appeal is admitted, the execution of the order appealed may, pending the result of the appeal, be suspended.

Power to call for files of subordinate officers.

190. The Chief Commissioner and every Commissioner shall have power to call for the file of any proceeding held by any officer subordinate to him, and to pass such orders thereon as he thinks fit.

CHAPTER XI.

REFERENCE TO ARBITRATION.

Power to refer disputes to arbitration.

191. The Chief Commissioner, a Commissioner of a Division, a Deputy Commissioner, an Assistant Commissioner of the first class, an officer in charge of a settlement, or an Assistant Settlement Officer may, with the consent of the parties, by order, refer any dispute before him to arbitration; and any officer acting under the provisions of sections 102 to 107, both inclusive, may, with the consent of the parties, refer to arbitration any dispute arising before him respecting the matters mentioned in the same sections.

What to be specified in order of reference.

192. In referring any such dispute to arbitration, the officer making the reference shall specify; in the order of reference, the precise matter submitted to the arbitrators, and such period as he may think reasonable for the delivery of the award;

and he may from time to time extend such period.

Appointment of arbitrators.

193. The parties to the case may each nominate either one or two arbitrators, provided that each party shall nominate the same number;

and a third or fifth arbitrator (as the case may be) shall be appointed by the parties, or, in the event of their being unable to agree, by the officer making the reference.

Power to excuse arbitrator from serving, and to call for nomination of substitute.

194. Every officer making a reference under this chapter may, on good cause shown, excuse any person from serving as an arbitrator, and may call on the party who nominated such person to nominate another in the place of the person so excused.

Nomination of new arbitrator in place of one dying or failing to act.

195. If an arbitrator die, desire to be discharged, or refuse or become incapable to act, the party who nominated him shall nominate another person in his place.

Nomination by officer when parties fail.

196. If in any of the cases provided for by section 194 or section 195 any party fail for a week to nominate in manner aforesaid, the officer making the reference shall appoint some person to act as arbitrator.

Award.

The arbitrators shall determine and award concerning the matters referred to them for arbitration; and the parties disputing, and all persons claiming through them respectively, shall abide by and perform the award of the arbitrators.

Summoning parties to give evidence.

197. If the arbitrators require the presence of the parties, or any other persons whose evidence may be necessary, they shall ap-

ply to the officer making the reference, who shall summon such parties or persons;

and all such parties or persons shall be bound to attend, either in person or by agent, as the arbitrators may require, and to state the truth as to the subject-matter of the reference, and to produce such documents and other things as may be required before the arbitrators.

Obligation of persons summoned.

198. The award shall be made in writing under the hands of the arbitrators, and shall be submitted by them to the officer making the reference, who shall cause notice to be served on the parties to attend and hear the award.

Preparation and submission of award.

199. The officer making the reference may remit the award or any of the matters referred to arbitration to the re-consideration of the same arbitrators.

In what cases award or subject of arbitration may be remitted to arbitrators.

(*a*) if the award has left undetermined some of the matters referred to arbitration, or if it determine matters not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of the award.

200. No ward shall be liable to be set aside except on the ground of corruption or misconduct of all or any of the arbitrators.

Grounds on which award may be set aside.

Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

Application to set aside.

201. If the officer making the reference does not see cause to remit the award or any of the matters referred to arbitration for re-consideration in the manner aforesaid,

Decision according to award.

and if no application has been made to set aside the award,

or if he has refused such application,

he shall decide in accordance with the award of the majority of the arbitrators,

and shall fix the amount to be allowed for the expenses of the arbitration, and direct by and to whom, and in what manner, the same shall be paid.

202. Such decision shall not be open to appeal, and shall be at once carried out;

Bar to appeal any suit in Civil Court.

and no Civil Court shall entertain any suit for the purpose of setting it aside or against the arbitrators on account of their award.

CHAPTER XII.

OF PATWARIS.

203. The Chief Commissioner may require the appointment of a patwárí for any village, villages, or local area, for which, by reason of prior usage or of the requirements of the locality, he thinks that a separate patwárí is necessary.

Power to require appointment of patwárí.

204. All proprietors and under-proprietors shall be responsible for the nomination of duly qualified persons to fill the office of patwárí, and for the punctual and accurate performance by their nominees of the duties prescribed for them by the rules framed under the next following section.

Responsibility of proprietors in respect of patwáris.

The mortgagees and conditional vendees of such proprietors and under-proprietors shall, if in possession of the land mortgaged or conditionally sold, be deemed to be, for the purpose of this chapter, proprietors and under-proprietors.

205. The Chief Commissioner may, from time to time, make rules, consistent with this Act, for regulating the qualifications, enrolment and duties of patwáris.

Power to make rules as to qualifications, &c., of patwáris.

206. Appointments of patwáris shall ordinarily be made by the Deputy Commissioner on the nomination of the proprietors or under-proprietors. If, in the area for which the patwárí is to act there are more proprietors or under-proprietors than one, the nominee of those proprietors or under-proprietors who own the largest extent of land in that area shall be deemed to have been nominated for the appointment.

Patwáris by whom appointed.

If a mahál is under direct management, or under the charge of the Court of Wards, or under the management of a manager appointed under the Oudh Taluqdárs' Relief Act, the Deputy Commissioner shall, for the purpose of nominating a patwárí, be deemed to be a proprietor or under-proprietor.

207. If the proprietors or under-proprietors fail to nominate a patwárí within a reasonable time, the Deputy Commissioner shall give them notice in writing to do so, and if they further fail to do so for fifteen days after the receipt of such notice, he may appoint a patwárí.

Procedure where proprietors fail to nominate.

208. If the Deputy Commissioner considers that a nominee is not qualified for the office of patwárí, he shall refuse to appoint him, and shall call upon the proprietors or under-proprietors to nominate some other fit person, and if no fit person be nominated within the following fifteen days, he shall himself appoint a person to the vacant office.

Procedure where nominee is not qualified.

209. The Deputy Commissioner shall remove a patwárí from his office, if all the persons entitled to appoint to the office request his removal, unless the Deputy Commissioner has reason to think that such request is caused by a fraudulent or other improper motive.

Removal of patwárí on request of all the persons entitled to appoint.

210. The Deputy Commissioner may remove a patwárí from his office, if any of the proprietors or under-proprietors or any of the tenants of the local area for which such patwárí has been appointed, apply to the Deputy Commissioner for his removal: but the Deputy Commissioner shall first give to the patwárí and to the proprietors or under-proprietors (if any) who have not joined in the application, reasonable opportunity of showing cause why such patwárí should not be removed.

Removal on request of some of such persons.

211. If the Deputy Commissioner thinks that a patwárí whose removal is applied for ought to be continued in office, or if he thinks that a patwárí is not qualified for his office, he may order that the patwárí shall be continued in office or be removed, as he thinks fit.

Procedure where Deputy Commissioner thinks that patwárí should be continued.

212. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act, for the appointment, suspension, dismissal, punishment, remuneration and supervision of patwáris. Such rules may, among other things, prescribe the amount to be paid for the salaries of patwáris, for the necessary expenses of their office, and for the remuneration of the kánúngos (if any) appointed to supervise them, and the persons by whom such payments are to be made.

Power to make rules as to appointment, &c., of patwáris.

213. The provisions contained in sections 206 to 212 inclusive shall not, by force only of this Act, apply to the appointment, dismissal, punishment, or remuneration of patwáris for taluqás which are in the possession of their owners; but the Chief Commissioner may order all or any of such provisions to be so applied in the cases mentioned in section 215.

Exemption from sections 206 to 212.

214. If in any such taluqá, the taluqdár fails to appoint a patwárí as required by this Act, or if the patwárí fails to prepare or submit any of the papers or accounts required by this Act or any rules made hereunder, the Deputy Commissioner may for any one year cause such papers or accounts to be prepared and submitted at the expense of the taluqdár.

Power to order patwáris papers to be prepared at expense of taluqdár.

215. On the request of any taluqdár,

Power to apply sections 206 to 212 to local areas.

or if any taluqdár persistently or repeatedly fails

(1) to nominate persons to fill the office of patwárí, or

(2) to ensure the punctual and accurate performance by his nominees of the duties prescribed for them by the rules framed under this chapter,

the Chief Commissioner may order that all or any of the provisions contained in sections 206 to 212 inclusive, shall be applied to the taluqá of the taluqdár making such request or default, or to any local area therein, for such term as the Chief Commissioner thinks fit; and may rescind or modify such order.

Provided that, in the case of the taluqdár making such request, the term shall not exceed his life, and that, in the case of the taluqdár making such default, the term shall not exceed his life or fifteen years, whichever period first expires.

CHAPTER XIII.

MISCELLANEOUS.

216. Subject to the orders of the Chief Commissioner,

Place for holding Court.

(*a*) a Commissioner may hold his Court at any place within his division that he thinks fit:

(*b*) a Deputy Commissioner, an Assistant Commissioner (whether in charge or not of a sub-division of a district), or an officer in charge of a settlement or Assistant Settlement Officer may hold his Court at any place within the limit of the district to which he is appointed; and

(*c*) a Tahsíldár may hold his Court at any place within the limits of his tahsíl.

217. The Chief Commissioner and any officer mentioned in the last preceding section shall have power to summon any person whose attendance he considers necessary for the purpose of any investigation, suit or other business before him.

Power to summon persons to give evidence and produce documents.

All persons so summoned shall be bound to attend either in person or by authorized agent as such officer may direct,

and to state the truth upon any subject respecting which they are examined to make statements,

and to produce such documents and other things as may be required.

218. All proceedings held under the provisions of this Act shall be conducted according to the rules for the time being prescribed under section 220.

Conduct of proceedings.

219. No Civil Court shall exercise jurisdiction over any of the following matters:—

Matters excepted from cognizance of Civil Courts.

(*a*) the claim of any person to be settled with, or

the validity of any engagement with Government for the payment of revenue, or

the amount of revenue, cess or rate to be assessed on any mahál, or portion of a mahal under this or any other Act for the time being in force: or

the rent to be paid to a proprietor by an under-proprietor or a lessee whose rent has been fixed by the Settlement Officer.

(*b*) any claims connected with or arising out of any process enforced on account of neglect or refusal to accept the assessment or terms of sub-settlement proposed by the Settlement Officer:

(*c*) the formation of the settlement record,

the preparation, signing, or attestation of any of the documents contained therein, or

the notification of settlement:

(*d*) the distribution on partition of the land or allotment of the revenue of a mahál or of the rent of an under-proprietary tenure, or of rent payable by lessees whose rent has been fixed by a Settlement Officer.

(*e*) the determination of the rent to be paid by any person under section 86:

(*f*) claims connected with, or arising out of, the collection of revenue or any process enforced on account of an arrear of revenue, or on account of any sum which is by this or any other Act realizable as revenue other than claims under section 156:

(*g*) claims to set aside a sale for arrear of revenue other than claims under section 148.

In all the above cases, jurisdiction shall rest with the revenue officers only.

220. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make and issue rules consistent with this Act, and relating to the following matters :—

Power to make rules for purposes of Act.

(*a*) the qualifications, appointment, duties, remuneration, punishment and dismissal of—

(1) tahsíldárs.

(2) lambardárs or representatives of village communities,

(3) kánúngos or superintendents of revenue records,

(*b*) for regulating the assessment of land gained by alluvion or the reduction of the assessment of a mahál in consequence of diluvion;

(*c*) the procedure to be followed by any officer or other person who, under any provision of this Act, is required or empowered to take action in any matter;

(*d*) the person by whom, and the time, and manner at or in which, anything for the doing of which provision is hereinbefore made in this Act, shall be done;

(*e*) the form and contents of reports to be furnished by officers required or empowered to take action in any matter, and the period within which such reports shall be furnished;

(*f*) the form and contents of the registers and lists kept under this Act; and

(*g*) the mode of recovering arrears of rent under section 158, the extent to which they may be recovered, and the amount which may be retained by the Deputy Commissioner to defray the expenses of such recovery;

(*h*) the cases in which taluqdárí mahál and mahál whether under-proprietary or held by lessees whose rents have been fixed by the Settlement Officer or other competent authority may be partitioned under this Act;

(*i*) the costs of partitions under this Act and the persons by whom they are to be paid, and the mode of enforcing such payment against such persons or their shares in the property of which partition has been made;

(*j*) the issue under section 114, of writs of demand or summons to appear, and the costs recoverable from the defaulter, and the officer by whom such writs and summonses shall be issued;

(*k*) and generally to carry out the provisions of this Act.

221. All fees, fines, costs and other moneys ordered to be paid under this Act, shall be recoverable as if they were an arrear of land-revenue.

Recovery of fines and costs.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October 1876, and is hereby promulgated for general information :—

ACT No. XVIII OF 1876.

THE OUDH LAWS ACT, 1876.

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45. Power to create new Districts.
Power to form sub-divisions of Districts.

FIRST SCHEDULE.

SECOND SCHEDULE.

An Act to declare and amend the laws to be administered in Oudh.

Whereas it is expedient to declare and amend the laws to be administered in Oudh; It is hereby enacted as follows :—

Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Oudh Laws Act, 1876."

Short title.

It extends only to the territories for the time being under the administration of the Chief Commissioner of Oudh;

Local extent.

And it shall come into force on the passing thereof.

Commencement.

2. The Regulations, Acts, Rules and Orders mentioned or referred to in the first Schedule hereto annexed shall be repealed to the extent mentioned in the third column of the said schedule.

Repeal of enactments.

PART II.

GENERAL LAWS TO BE ADMINISTERED IN OUDH.

3. The law to be administered by the Courts of Oudh shall be as follows :—

Statutory law to be administered in Oudh.

(*a*) the laws for the time being in force regulating the assessment and collection of land-revenue;

(*b*) in questions regarding succession, special property of females, betrothal, marriage, divorce, dower, adoption, guardianship, minority, bastardy, family relations, wills, legacies, gifts, partitions or any religious usage or institution, the rule of decision shall be—

(1) any custom applicable to the parties concerned which is not contrary to justice, equity, or good conscience, and has not been, by this or any other enactment, altered or abolished, and has not been declared to be void by any competent authority;

(2) the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, except in so far as such law has been, by this or any other enactment, altered or abolished, or has been modified by any such custom as is above referred to;

(*c*) the rules contained in this Act;

(*d*) the rules published in the local official *Gazette* as provided by section forty, or made under any other Act for the time being in force in Oudh;

(*e*) the Regulations and Acts specified in the second Schedule hereto annexed, subject to the provisions of section four, and to the modifications mentioned in the third column of the same schedule;

(*f*) subject to the modifications hereinafter mentioned, all enactments for the time being in force and expressly, or by necessary implication, applying to British India or Oudh, or some part of Oudh;

(*g*) in cases not provided for by the former part of this section, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience.

4. All local customs and mercantile usages shall be regarded as valid, unless they are contrary to justice, equity, or good conscience, or have, before the passing of this Act, been declared to be void by any competent authority.

Validity of local customs and mercantile usages.

PART III.

CHAPTER I.

DOWER AMONG MUHAMMADANS.

5. Where the amount of dower stipulated for in any contract of dower by a Muhammadan is excessive with reference to the means of the husband, the entire sum provided in the contract shall not be awarded in any suit by decree in favour of the plaintiff, or by allowing it by way of set-off, lien or otherwise to the defendant; but the amount of the dower to be allowed by the Court shall be reasonable with reference to the means of the husband and the status of the wife.

Muhammadan dower-contracts how to be enforced.

This rule shall be applicable whether the suit to enforce the contract be brought in the husband's lifetime or after his death.

Rule applicable after husband's death.

CHAPTER II.

PRE-EMPTION.

6. The right of pre-emption is a right of the persons hereinafter mentioned or referred to, to acquire, in the cases hereinafter specified, immoveable property in preference to all other persons.

Right of pre-emption.

7. Unless the existence of any custom or contract to the contrary is proved, such right shall, whether recorded in the settlement-record or not, be presumed—

Presumption as to its existence.

(*a*) to exist in all village-communities, however constituted, and whether proprietary or under-proprietary, and in the cases referred to in section forty of the Oudh Land-Revenue Act, 1876, and

(*b*) to extend to the village site, to the houses built upon it, to all lands and shares of lands within the village-boundary, and to all transferable rights affecting such lands.

8. The right of pre-emption shall not be presumed to exist in any town or city, or any sub-division thereof, but may be shown to exist therein, and to be exercisable therein by such persons and under such circumstances as the local custom prescribes.

Its existence in towns to be proved.

9. If the property to be sold or foreclosed is a proprietary or under-proprietary tenure, or a share of such a tenure, the right to buy or redeem such property belongs, in the absence of a custom to the contrary,

Devolution of right when property to be sold or foreclosed is a proprietary or under-proprietary tenure.

1*st*, to co-sharers of the sub-division (if any) of the tenure in which the property is comprised, in order of their relationship to the vendor or mortgagor;

2*ndly*, to co-sharers of the whole mahál in the same order;

3*rdly*, to any member of the village-community; and

4*thly*, if the property be an under-proprietary tenure, to the proprietor.

Where two or more persons are equally entitled to such right, the person to exercise the same shall be determined by lot.

10. When any person proposes to sell any property, or when he forecloses a mortgage upon any property in respect of which any persons have a right of pre-emption, he shall give notice to the persons concerned of the price at which he is willing to sell such property, or of the amount due in respect of such mortgage, as the case may be.

Notice to pre-emptors.

Such notice shall be given through the Court within the local limits of whose jurisdiction the property or any part thereof is situate, and shall be deemed sufficiently given if it be stuck up on the chaupál or other public place of the village or city in which the property is situate.

11. Any person having a right of pre-emption in respect of any property proposed to be sold, shall lose such right, unless within three months from the date of such notice he or his agent pays or tenders the price aforesaid to the person so proposing to sell.

Loss of right of pre-emption.

12. When the right of pre-emption arises in respect of the foreclosure of a mortgage, any person entitled to such right may, at any time within three months after the giving of the notice required by section ten, pay or tender to the mortgagee or his successor in title the amount specified in such notice, and shall thereupon acquire a right to purchase the property.

Right of pre-emptor on foreclosure.

On completion of the purchase the person exercising the right of pre-emption shall be bound to pay to the mortgagee or his successor in title the amount specified in such notice, together with interest on the principal sum secured by the mortgage, at the rate specified by the instrument of mortgage, for any time which has elapsed since the date of the notice, and any additional costs which may have been properly incurred by the mortgagee or his successor in title.

13. Any person entitled to a right of pre-emption may bring a suit to enforce such right on any of the following grounds (namely)—

Suit to enforce right of pre-emption.

(*a*) that no due notice was given as required by section ten;

(*b*) that tender was made under section eleven or section twelve and refused;

(*c*) in the case of a sale, that the price stated in the notice was not fixed in good faith;

(*d*) in the case of a mortgage, that the amount claimed by the mortgagee was not really due on the footing of the mortgage and was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged.

If in the case of a sale, the Court finds that the price was not fixed in good faith, the Court shall fix such price as appears to it to be the fair market-value of the property sold.

If in the case of a mortgage, the Court finds that the amount claimed by the mortgagee was not really due on the footing of the mortgage, and that it was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged, the amount to be paid to the mortgagee shall not exceed what the Court finds to be such market-value.

14. If the Court find for the plaintiff, the decree shall specify a day on or before which the purchase-money or the amount to be paid to the mortgagee shall be paid.

Decree to fix time for payment.

15. If such purchase-money or amount is not paid into Court before it rises on that day, the decree shall become void, and the plaintiff shall, so far only as relates to such sale or mortgage, lose his right of pre-emption over the property to which the decree relates.

Effect of non-payment of purchase-money.

CHAPTER III.

PROCEDURE OF THE COURTS.

16. The Judicial Commissioner's Circular No. 104 of July 1860, shall be held to have been a notification within the meaning of section twenty-four of Act No. XIV of 1859; and such Act shall be deemed to have been in force in Oudh from the fourth day of July 1862; and all orders and decrees passed under the rules contained in the said Circular, or under the said Act, shall be deemed to have been passed under a law in force for the time being.

Rule of limitation.

Nothing in this section affects the provisions of sections 102, 104, 105, 106, 107 and 108 of the Oudh Rent Act (XIX of 1868) with regard to the limitation of suits under that Act.

17. The provisions of the Oudh Civil Courts Act, 1871, section 28, shall cease, and be deemed to have ceased, to have effect in any district from the date of the notification under section 26 of that Act.

Act XXXII of 1871, s. 28, to cease in any district from date of notification that it is no longer under settlement.

18. Section 17 of Act VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

Recognized agent.

"The recognized agents of parties by whom such applications and appearances may be made are—

"A permanent servant, partner, relation or friend, whom the Court may admit as a fit person to represent a party, and especially persons holding powers of attorney from absent parties, parties carrying on business on behalf of bankers and traders, managing agents of landlords, nearest male relations of women, and persons *ex officio* authorized to act for Government or for any prince or chief.

"Whenever the personal appearance of a party to a suit is required by this Act, such appearance may be made by his recognized agent, unless the Court shall otherwise direct; and anything which by this Act is required or permitted to be done by a party in person may be done by his recognized agent. Notices given to, or processes served on, a recognized agent, relative to a suit, shall be effectual for all purposes, in relation to the suit, as if the same had been given to or served on the party in person, unless the Court shall otherwise direct; and all the provisions of this Act, relative to the service of notices or processes on a party to a suit, shall be applicable to the service of notices and processes on such recognized agent."

19. Section 172 of Act No. VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

Rules for taking evidence.

"On the day appointed for the hearing of the suit, or on some other day to which the hearing may be adjourned, the evidence of the witnesses in attendance shall be taken orally in open Court in the presence and hearing and under the personal direction and superintendence of the Judge.

"A note of the essential points of the evidence of each witness is to be taken at the time, and in the course of oral examination, by the officer who tries the case, in his own language, or in English if he is sufficiently acquainted with that language, and such note shall be filed, and shall form part of the record of the case.

"If the evidence be taken down in a different language from that in which it has been given, and the witness does not understand the language in which it is taken down, the witness may require his deposition as taken down to be interpreted to him in the language in which it was given.

"It shall be in the discretion of the Court to take down, or cause to be taken down, any particular question and answer, if there appear any special reason for so doing, or any party or his pleader requires it.

"If any question put to a witness be objected to by either of the parties or their pleaders, and the Court allow the same to be put, the question and the answer shall be taken down, and the objection and the name of the party making it shall be noticed in taking down the depositions, together with the decision of the Court upon the objection.

"The Court shall record such remarks as it may think material respecting the demeanour of the witness while under examination.

"If the Judge be prevented from making a note as above required, he shall record the reason of his inability to do so, and shall cause such note to be made in writing from his dictation in open Court, and shall sign the same, and such note shall form part of the record."

20. So much of section 205 of the Code of Civil Procedure, as renders land liable to sale in execution of a decree, shall be subject to the following restriction:—

Execution sale of ancestral and acquired property in land.

No ancestral property in land shall be sold in satisfaction of a decree without the permission of the Chief Commissioner; no self-acquired property in land shall be so sold without the permission of the Commissioner.

Explanation.—In this section the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59.

21. Whenever the Civil Court thinks fit under the said Code, to provide for the management of land attached in execution of a decree, the Court shall issue a precept to the Deputy Commissioner of the district wherein such land is situate, directing him to take charge of such land, and to appoint a person for the care and management thereof under adequate security for the faithful discharge of his duty.

Appointment of manager of land attached.

The precept shall describe the land comprised in such direction, and the attachment shall not be withdrawn without a further precept from the Court to that effect.

Nothing in this section authorises a Civil Court to direct a Deputy Commissioner to take charge of land not in the actual possession of the judgment-debtor or of some one whom the judgment-debtor has a present right to remove from possession.

22. Notwithstanding anything contained in the said Code, any Civil Court sitting within the local limits of the jurisdiction of the Lucknow Civil Court, but exercising jurisdiction beyond such limits, may cause summonses, warrants, notices and other processes to be served within the local limits of the jurisdiction of the Lucknow Civil Court without causing the same processes to be served through such Court.

Service of process within jurisdiction of Lucknow Civil Court.

23. The following section is substituted for section 109 of the Oudh Rent Act:—

Section substituted for section 109, Act XIX of 1868.

"The provisions of the Code of Civil Procedure, as in force in Oudh, shall, so far as they are not inconsistent with the provisions herein contained, apply to all suits, appeals and proceedings under this Act."

24. Section 118 of the Oudh Rent Act is repealed, and the following section is substituted for it:—

Section substituted for section 118, Act XIX of 1868.

"118. No process of execution shall be issued on a decree under this Act on any application made after the lapse of three years from the date of such decree unless the decree be for a sum exceeding five hundred rupees, in which case the period within which execution may be had shall be regulated by the law in force as to the period allowed for the execution of decrees of the Civil Courts."

Execution not to issue on decree after lapse of three years from date.

25. Any proprietor or under-proprietor of a mahál or portion of a mahál, which is attached, transferred, held under direct management, farmed or sold under the provisions of the Code of Civil Procedure, who may at the date of the order for such attachment, transfer, management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner shall determine, and the rent to be paid by him for land so determined shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Right of occupancy in judgment-debtor's sir land.

26. Notwithstanding anything contained in Act No. XX of 1865, all persons duly admitted and enrolled as Revenue Agents under that Act in the territories for the time being under the administration of the Chief Commissioner of Oudh may appear, plead and act in suits under the Oudh Rent Act in the Courts of officers exercising the powers of Assistant Collectors, Deputy Collectors, Collectors and Commissioners under the same Act.

Revenue Agents authorized to appear, &c., in rent-suits.

27. With the sanction of the Chief Commissioner, the Judicial Commissioner may from time to time make rules consistent with this Act and with the Code of Civil Procedure,

Power to make rules for custody and sale of attached property.

(*a*) for the custody and sale of moveable property attached in execution of decrees;

(*b*) for the levy of a fee or commission on the sale of attached property, and the disposal of the funds accruing from such fees;

(*c*) as to the appointment and remuneration of persons by whom property is to be attached, kept in custody, and sold; and

(*d*) as to the appointment and remuneration of persons by whom local investigations under section 180, and investigations and adjustments of accounts under section 181, of the Code of Civil Procedure, are to be made.

28. The Judicial Commissioner may, at any time within one year from the time of the passing of any decree or order by any Court subordinate to him, call for the proceedings in the case, and may, if he see sufficient grounds, revise and alter, or reverse, or confirm, the said decree or order. But in such case, before revising, altering or reversing the decree or order, he shall cause the same notice to be given to the party in whose favour it was pronounced, and the same opportunity to such party to be heard in support thereof, and the same proceedings to be taken, as if a memorandum of appeal had been filed by the party aggrieved thereby.

Power to revise decrees and orders of subordinate Courts.

CHAPTER IV.

VILLAGE AND ROAD POLICE.

29. The nomination to the post of village policeman shall be made by the zamíndár of the village, or, where there are more zamíndárs than one, by the lambardár as their representative; and where there are more lambardárs than one, the opinion of the majority (unless there is some special provision to the contrary in the village administration paper) shall prevail.

Right to nominate village policemen.

30. Every person authorized to nominate to the office of village policeman shall, within fifteen days after the occurrence of a vacancy in such office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the district.

Obligation to nominate.

31. The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected at discretion by such Magistrate, or by some officer authorized by him in that behalf.

Discretion to appoint or reject nominee.

32. In default of such nomination within the said fifteen days, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Power to Magistrate to appoint.

If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made, but the nominee is again rejected, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Procedure in case of rejection of nominee.

33. Subject to the rules to be framed under section thirty-nine and for the time being in force, the Magistrate of the district may, from time to time, appoint persons to be the road police of his district.

Appointment of road police.

34. Every village policeman and every road policeman shall perform the following duties:—

Duties of village and road policemen.

(*a*).—He shall give immediate information to the officer in charge of the police-station appointed for his village or beat,

(1) of every unnatural, suspicious, or sudden death occurring in the village of which he is chaukídár, or within his beat;

(2) of each of the following offences occurring in such village or on such beat (that is to say,) murder, culpable homicide, rape, dacoity, theft, robbery, mischief by fire, house-breaking, counterfeiting coin, causing grievous hurt, riot, harbouring a proclaimed offender, exposure of a child, concealment of birth, administering stupefying drugs, kidnapping, lurking house-trespass, and

(3) of all attempts and preparations to commit, and abetments of, any of the said offences.

(*b*).—He shall keep the police informed of all disputes which are likely to lead to any riot or serious affray.

(*c*).—He shall arrest all proclaimed offenders, and all persons whom he may find in the act of committing any offence specified in paragraph (*a*), clause (2) of this section.

(*d*).—He shall observe, and from time to time report to the officer in charge of the police-station within the jurisdiction of which his village or beat may be situate, the movements of all bad characters in or on such village or beat.

(*e*).—He shall report to the officer in charge of such police-station the arrival of suspicious characters in the neighbourhood.

(*f*).—He shall supply to the best of his ability any local information which a Magistrate or any officer of police may require, and shall promptly execute all orders issued to him by competent authority.

35. Whenever a village policeman or road policeman arrests any person, he shall take him as soon as possible to the police-station within the jurisdiction of which his village or beat is situate.

Procedure on arrest by village or road policeman.

36. The Magistrate of the district may dismiss any village policeman or road policeman for any misconduct or neglect of duty.

Dismissal of village or road policeman.

Where any village policeman is guilty of neglect of duty or other misconduct, the person authorized to nominate to his office may report him for dismissal to the Magistrate of the District; and such Magistrate shall dismiss him accordingly, unless the Magistrate has reason to think that such dismissal would be improper.

37. Every village-policeman and road-policeman guilty of any wilful misconduct in his office, or of neglect of duty, such misconduct or neglect not being an offence within the meaning of the Indian Penal Code,

Acts punishable.

or withdrawing from the duties of his office without permission, and without having given at least two months' notice of his intention to withdraw from such duties to the persons authorized to nominate or appoint under sections twenty-nine, thirty-two and thirty-three (as the case may be),

or offering any unnecessary personal violence to any person in his custody,

shall be liable, on conviction before a Magistrate, to a penalty not exceeding three months' pay, or to imprisonment for a period not exceeding three months, or to both.

Penalty.

38. All fines levied under this Act on village policemen or road policemen shall be credited to such fund as the Local Government from time to time appoints.

Fines to be credited to such fund as Government appoints.

CHAPTER V.

SUBSIDIARY RULES.

39. The Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act as to—

Power to make rules.

(*a*) the discipline and remuneration of the village and road police and the regulation of their number, location and duties;

(*b*) the disposal of unclaimed property under Act No. V of 1861 (*for the regulation of Police*,) sections 25, 26 and 27;

(*c*) public health and conservancy at fairs and other large public assemblies, and the maintenance

of a proper watch and ward at such fairs and assemblies;

(*d*) imposing with the previous sanction of the Governor General in Council taxes for those purposes only;

(*e*) the manner in which records, civil, criminal and revenue, shall be kept; the appointment and removal of the persons entrusted with the custody of records, and all other matters connected with such custody, and the destruction from time to time of such records as it may be deemed unnecessary to keep;

(*f*) the appointment, duties, punishment and dismissal of all ministerial officers other than those employed in the Civil Courts and those in respect of whom provision is made in the Oudh Revenue Act;

(*g*) the extent of land in respect of which a proprietor or under-proprietor is to be held, under section twenty-five, to be a tenant with a right of occupancy.

Publication of rules.

40. All rules made by the Chief Commissioner under section thirty-nine, and all rules made by the Judicial Commissioner under section twenty-seven, shall be published in the local official *Gazette*, and shall thereupon have the force of law.

Rules prescribed in respect of matters for which rules may be made under this Act, to remain in force for twelve months.

41. All rules heretofore prescribed by competent authority in respect of any of the matters for which rules may be made under this Act, shall remain in force for twelve months after this Act comes into force, unless any rules on the same subject are previously issued by the Chief Commissioner or Judicial Commissioner.

Penalty for breach of rules.

42. Whoever breaks any rule made or continued under this Act, not being a rule made by the Judicial Commissioner, shall, on conviction before a Magistrate, be punishable with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to six months, or with both.

CHAPTER VI.

MISCELLANEOUS.

Honorary Civil Jurisdiction.

Power to invest Taluqdárs with civil jurisdiction.

43. The Chief Commissioner may, from time to time, by notification in the official *Gazette*,

(*a*) invest such persons as he thinks fit to be Honorary Assistant Commissioners with the powers of a Civil Court of the first or of the second grade,

(*b*) declare what shall be in each such case the local limits of the jurisdiction so conferred, and

(*c*) withdraw such jurisdiction.

Honorary Police Officers.

Honorary police officers.

44. The Chief Commissioner may, from time to time, confer on any person whom he thinks fit any power which may be exercised by a police officer under any Act for the time being in force, and withdraw any power so conferred.

Creation and alteration of Districts and Sub-divisions.

Power to create new Districts.

45. The Governor General in Council may, by notification in the *Gazette of India*, create new Districts in any part of such territories, for any revenue, judicial or other purpose, and may alter the limits of existing Districts.

Power to form sub-divisions of Districts.

The Chief Commissioner may from time to time divide any District into sub-divisions, and from time to time alter the limits of such Sub-divisions.

All existing tahsíls shall be sub-divisions of Districts until they are so altered.

THE FIRST SCHEDULE.

(*See section* 2).

Number and year.	Title.	Extent of repeal.
	All Bengal Regulations now in force in Oudh, except those specified in the second schedule,	The whole.
	and, except when expressly provided otherwise in this Act, all rules, laws and regulations made for or extended to the Province of Oudh, or any part thereof, which have acquired the force of law under the Indian Councils Act.	The whole.
	Government Notification No. 4325 of 6th August 1861.	The whole.
XXI of 1857 ...	Gambling	Sections ten to fifteen.
XIX of 1863 ...	Partition	The whole.
XXXII of 1871 ...	The Oudh Civil Courts Act	Section thirty-one.

THE SECOND SCHEDULE.

(*See section* 3).

PART I.—BENGAL REGULATIONS.

Number and year.	Subject.	Modifications.
XXXIII of 1803 ...	Embezzlement by Native Officers.	In section I and in section II, clause *First, before* "sezawuls" *insert* "tahsíldárs." In section II, *after* the first clause, *insert* "*Second.* The responsibility of the sureties of tahsíldárs extends to the several cases provided for in this Regulation." In section III, *for* "Dewanny Adawlut of the Zillah, the Judge of which Court shall detain him" *read* "District, where he shall be detained;" *for* "real or personal" *read* "moveable or immoveable;" *for* "city" *read* "jurisdiction;" *for* "Board of Revenue" *read* "Chief Commissioner;" and *omit* the words and figures "and the rules in Regulation XXVII. 1803 regarding suits so carried on by the Collectors are to be held applicable to it." In section IV, *omit* the words "or in either of the cities of Patna, Dacca or Moorshedabad." *Omit* section VIII.
X of 1804 ...	Punishment by Courts Martial of certain State offences.	*Omit* section I. In section II, *for* "the British territories subject to the Government of the Presidency of Fort William" *read* "the territories under the administration of the Chief Commissioner of Oudh." In section III, *for* "real and personal" *read* "moveable or immoveable."

Number and year.	Subject.	Modifications.
XI of 1806 ...	Assistance to troops and travellers passing through Districts.	*Omit* sections I, VII, IX to XX (both inclusive), and so much of the rest of the Regulation as authorises Collectors and their native officers, or Magistrates and their police officers, to give their official aid in procuring coolies for the purpose of facilitating the march of troops or the progress of travellers. *For* "Collectors of Revenue" and "Collector" *read* "Deputy Commissioner" throughout the Regulation. In sections II and III, *for* "the Company's territories" *read* "Oudh." In section II, *omit* the last sentence. In section IV, clause *Third, for* "Governor General in Council" *read* "Chief Commissioner." In section V, *omit* "the Company's;" and *for* "Board of Revenue" *read* "Chief Commissioner." In section VI, *for* "Magistrate" *read* "Deputy Commissioner" and *for* "on the part of the Collector" *read* "by the Deputy Commissioner." In section VIII, *for* "the Company's provinces" *read* "Oudh;" and *omit* the words and figures ("under the rules prescribed by Regulation V. 1804,") and "in Regulation XXVII. 1803."
XVII of 1806 ...	Redemption and foreclosure of mortgages.	*Omit* sections I to VI (both inclusive), and in section VII, the first sentence as far as the word "designation" and the concluding sentence. In section VII, *omit* from the beginning down to and including "hereby provided that;" *for* "within one year (Bengal, Fassily or Willaity, according to the era current where the mortgage may take place)" *read* "within one calendar year;" *for* "Zillah or City Court of Dewanny Adawlut" *read* "Deputy Commissioner;" *for* "Dewanny Adawlut of the Zillah or City" *read* "Court of the Deputy Commissioner or other officer having jurisdiction with reference to the value of the subject matter;" and in the last sentence from "as allowed for the security" to the end of the section. In section VIII, *for* "preamble and preceding sections" *read* "preceding section;" *for* "Judge of the Zillah or City" *read* "Deputy Commissioner of the District," and *for* "Judge" *read* "Deputy Commissioner."
XX of 1810 ...	Military Bázárs.	
V of 1817 ...	Hidden Treasure ...	In section I, *omit* "to be in force as soon as promulgated throughout the provinces immediately subordinate to the Presidency of Fort William." In section V, *for* "Collectors of Land-revenue" *read* "Deputy Commissioners;" *for* "Board of Revenue" *read* "Chief Commissioner;" *for* "Judge" *read* "Deputy Commissioner." In section VI, *for* "Zillah or City Judge" *read* "Deputy Commissioner." In section VII, *omit* "sicca." In section VIII, *for* "Judge of the Zillah or City Court" *read* "Deputy Commissioner," and *omit* the words "on the application of the vakeel of Government under instructions from the Board of Revenue." For section IX, substitute the following: "IX. The decisions of Deputy Commissioners under this Regulation shall be open to appeal under Act No. XXXII of 1871."

Number and year.	Subject.	Modifications.
III of 1818 ...	State Prisoners ...	In section I, *omit* "situated within the territories dependent on the Presidency of Fort William," and from "which are to take effect" to the end of the section. In section II, clause *Third, omit* "within the territories subject to the Presidency of Fort William." In section IV, *omit* clause *First*. In the same section, clause *Second, for* "Zillah or City Magistrate" *read* "Deputy Commissioner," and *for* "Judge of Circuit" *read* "Commissioner of Division." In section IX, *for* "to the Provincial Court of Appeal and Circuit and to the Sudder Dewanny Adawlut and Nizamut Adawlut" *read* "and to the Judicial Commissioner." *Omit* section X.
VI of 1819 ...	Ferries	*Omit* sections I and II. *Omit* "or Joint Magistrates," "and Joint Magistrates" and "or Joint Magistrate," wherever they occur. In section III, clause *Second, omit* "by the Collectors." In the same section, clause *Third, after* "prepared" *insert* "through the Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner," and *add* "who shall fix the rates of toll to be levied at such ferries." In section IV, clause *First, omit* "for limiting the rates of toll to be levied at each ferry." In section V, *omit* "and in that of the Collector of the District." In section VI, clause *Second, after* "reported" *insert* "through the Commissioners of Divisions," and *for* "Government" *read* "the Chief Commissioner." In section VII, clause *First, omit* "they shall fix the rates of toll on a very moderate scale in no case exceeding, without an indispensable necessity, the rates which prevailed previous to the enactment of Regulation XIX. 1816." In the same section, clause *Third, for* "Bengal Fussily year according to the era current in the province" *read* "term of his lease." In the same section, clause *Fourth, for* "Magistrate and Collector," *read* "Deputy Commissioner," and *omit* "European." In section X, *for* the words "public money" to the end of the section, substitute "arrears of revenue." In section XI, *for* "Magistrates reserve to themselves" *read* "the Chief Commissioner reserves to himself." In section XII, clause *First*, line one, *for* "Magistrate" *read* "Chief Commissioner," and in line four *omit* "said." In section XIII, *omit* the *Second* clause.
XI of 1822 ...	Non-liability of Government for errors of a Court of Justice.	*Omit* the whole except section thirty-eight.

Number and year.	Subject.	Modifications.
VI of 1825 ...	Supply of troops on the march.	In the preamble, *omit* the last twenty words. In section II, *omit* "in pursuance of section III Regulation XI. 1806," and *omit* "sicca." In section IV, *for* "Board of Revenue in whose jurisdiction the district may be situate" and "Board" *read* "Commissioner." In section V, *omit* "on the stamped paper prescribed for other appeals to the Revenue Boards," and *for* "the proper Board" and "the Board" *read* "the Commissioner."
XI of 1825 ...	Alluvion and Diluvion ...	*Omit* section I. In section III, *omit* "either" and "or the sea." In section IV, clause *First*, *omit* "whether" and "or of the sea," and *for* "the provisions of Regulation II. 1819, or of any other Regulation," *read* "any law in force for the time being;" clause *Third*, *omit* "or in the sea" and "or sea;" clause *Fifth*, *omit* "or the sea." In section V, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners."
XX of 1825 ...	Military Courts of Requests	*Omit* sections I, III, and IV and section II, clause *Sixth*. In section II, clause *First*, *omit* from the beginning down to and including "provided, that;" and *for* "His Majesty or of the Hon'ble East India Company" *read* "Her Majesty;" and *for* "not within the territories subject to the Presidency of Fort William, or at any place within such territories which may be situated above one hundred and twenty miles from the aforesaid Presidency" *read* "within Oudh;" and *for* "a person attached to such body of troops in any of the capacities specified in sections XLV. and LX. of Statute IVth Geo. IV, cap. LXXXI," *read* "otherwise subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force;" and *omit* "as directed in such cases in the Regulations abovementioned;" and *for* "Act of Parliament" *read* "Mutiny Act for the time being in force." In the same section, clause *Third*, *for* "Act of Parliament" *read* "Mutiny Act;" and *for* "Magistrate of the Zillah or City" *read* "Deputy Commissioner." In the same section, clause *Fourth*, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners;" and *omit* "of the nature described in section II of Statute IV. Geo. IV. cap. LXXXI," and "under the provisions of the said Act" and "under the provisions of the Regulations hitherto in force."

PART II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Modifications.
XIX of 1853 ...	Section 26, Recusant witnesses.	*Omit* "in addition to any proceedings under this Act."
XX of 1856 ...	Chaukídárs	In the preamble, *after* "Bengal" *add* "and the territories under the administration of the Chief Commissioner of Oudh." *Omit* the words "of circuit" wherever they occur after "Commissioner." *Omit* section XL.
XIII of 1857 ...	Opium	In the title, *after* "the Presidency of Fort William in Bengal" *read* "and the territories under the administration of the Chief Commissioner of Oudh." In section two, *after* "Presidency of Fort William in Bengal," *read* "and the administration of the Chief Commissioner of Oudh." In section three, *omit* "being covenanted servants of the Company."
XL of 1858 ...	Minors	In the title, *for* "the Presidency of Fort William in Bengal" *read* "Oudh." In section two, *for* "estates paying revenue to Government" *read* "mahâls assessed to revenue or held revenue-free."
XXII of 1871 ...	Chaukídárs	In section one, *after* "Presidency" *insert* "or territories." In section three, *omit* the words "of circuit." *Omit* section six.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

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SIMLA, SATURDAY, OCTOBER 21, 1876.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 5th October 1876, and is hereby promulgated for general information:—

ACT No. XVI OF 1876.

An Act to amend the Stage Carriages Act.

Preamble. Whereas Act No. XVI of 1861 (*for licensing and regulating Stage Carriages*) does not apply to carriages drawn by camels or oxen, and it is expedient to render it applicable to such carriages; It is hereby enacted as follows:—

Amendment of Act XVI of 1861, s. 21. 1. For the third sentence of section 21 of the said Act, the following shall be substituted (that is to say):

"All expressions and provisions which in this Act are applied to horses shall also apply to all other animals employed in drawing any carriage ordinarily used for the purpose of conveying passengers for hire to or from any place in British India."

Local extent of Act XVI of 1861. 2. The said Act, as amended by this Act, applies to the whole of British India, but not so as to supersede or contravene the provisions of any local law dealing with the same subject.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October 1876, and is hereby promulgated for general information:—

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An Act to consolidate and define the law relating to Land-Revenue in Oudh.

Preamble. Whereas it is expedient to consolidate and define the law relating to land-revenue in Oudh; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Oudh Land Revenue Act, 1876":

Local extent. It extends only to the territories now under the administration of the Chief Commissioner of Oudh;

Commencement. And it shall come into force on the passing thereof.

But all rules now in force and relating to any of the matters hereinafter dealt with shall, so far as they are consistent with this Act, continue in force until they are superseded by rules made in exercise of the powers hereinafter conferred.

Interpretation-clause. **2.** In this Act, unless there be something repugnant in the subject or context—

"incumbrance" means a charge upon or claim against land arising out of contract between private persons: "Incumbrance."

"agricultural year" means a year commencing on the first day of July and ending on the thirtieth day of June: "Agricultural year."

"revenue officer" means any officer empowered by or under this Act to dispose of any matter connected with the land-revenue: "Revenue officer."

"revenue-free" or "free of revenue" applies to land whereof the revenue has been wholly or in part released, compounded for, redeemed or assigned. "Revenue-free." "Free of revenue."

CHAPTER II.

REVENUE OFFICERS.

Chief Controlling Revenue Authority in revenue matters. **3.** The Chief Controlling Revenue Authority in all matters connected with land-revenue in Oudh shall be the Chief Commissioner.

Commissioners of Division. **4.** Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner shall—

(*a*) appoint in each Division a Commissioner, who shall, subject to the control of the Chief Commissioner, exercise authority over all the Revenue Officers in his Division:

Deputy Commissioner of the District. (*b*) appoint in each district an officer who shall be the Deputy Commissioner of the District:

Assistant Commissioner. (*c*) appoint to each district as many other persons as he thinks fit to be Assistant Commissioners of the first or of the second class.

Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner may suspend or remove any officer appointed under this section.

Subordination of Assistant Commissioners and other Revenue Officers. **5.** All such Assistant Commissioners, and all other persons employed in maintaining revenue-records or otherwise in or about the business of the land-revenue, shall be subordinate to the Deputy Commissioner of the District.

Assistant Commissioner in charge of Sub-division of District. **6.** The Chief Commissioner may place any Assistant Commissioner of the first class in charge of one or more Sub-divisions of a District, and may at any time remove him therefrom.

Such Assistant Commissioner shall be called an Assistant Commissioner in charge of a Sub-division of a District, and shall exercise the powers and discharge the duties conferred and imposed upon him by this Act or by any other law for the time being in force, subject to the control of the Deputy Commissioner of the District.

The Chief Commissioner may, from time to time, delegate his powers under this section to the Deputy Commissioner of the District, and may revoke such delegation.

Power to invest certain Assistant Commissioners with powers of Deputy Commissioner. **7.** Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer on any Assistant Commissioner in charge of a Sub-division of a District all or any of the powers of a Deputy Commissioner; and all powers so conferred shall be exercised subject to the control of the Deputy Commissioner of the District.

Subordination of Revenue Officers. **8.** Every officer of a Sub-division of a District employed in maintaining revenue-records or otherwise in or about the business of the land-revenue shall be subordinate to the Assistant Commissioner (if any) in charge of such Sub-division, subject to the general control of the Deputy Commissioner of the District.

9. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer upon any person all or any of the powers of an Assistant Commissioner of the first or of the second class, and may, in conferring those or any other powers under this Act, empower persons by name, or classes of officials generally by their official titles, and may vary or cancel any order conferring powers under this Act.

Conferring of powers.

Power to vary and cancel orders conferring powers.

10. The Deputy Commissioner of the District, or any Assistant Commissioner in charge of a Subdivision of a District, may make over any case, or class of cases, arising under the provisions of this Act or otherwise, for enquiry or decision, from his own file to any of his subordinates competent to deal with such case or class,

Transfer of cases to subordinates.

or may withdraw any such case, or class of cases from any Revenue Officer subordinate to him, and may deal with such case or class himself, or refer the same for disposal to any other such Revenue Officer competent to deal therewith.

Power to withdraw cases from subordinates.

11. If the Deputy Commissioner of the District dies, or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the District in revenue matters shall be held to be the Deputy Commissioner of the District under this Act until the Chief Commissioner appoints a successor to the Deputy Commissioner so dying or disabled, and such successor takes charge of his appointment.

Deputy Commissioner of the District in case of temporary vacancy.

12. Whenever any person holding an office in the service of Government, who has been invested with any powers under this Act in any District, is transferred to an equal or higher office of the same nature within another District, he shall, unless the Chief Commissioner otherwise directs, be held to be invested with the same powers in the District to which he is so transferred.

Powers of officers transferred to another district.

13. Tahsíldárs shall be appointed by the Chief Commissioner, subject to such rules as to qualification or otherwise as the Chief Commissioner may from time to time make under section 220.

Appointment of Tahsíldárs.

CHAPTER III.

SETTLEMENT.

14. Whenever the Chief Commissioner thinks that any District or other local area liable to be brought under settlement should be so brought, he shall, with the previous sanction of the Governor General in Council, publish a notification to that effect.

Notification as to settlement.

And if he thinks that a settlement record should be prepared for any District or other local area, he shall, with the like sanction, publish a notification to that effect.

Notification as to settlement record.

15. The Chief Commissioner shall, from time to time, with the previous sanction of the Governor General in Council, frame and issue rules regarding the mode in which the revenue demand in respect of any local area is to be assessed; and may from time to time make rules prescribing the manner in which Settlement Officers shall report for sanction the rates and method of assessment and the amounts they propose to assess.

Chief Commissioner to issue rules as to mode of assessment.

16. The Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what documents shall form the settlement-record, and frame and issue rules regarding (*a*) the mode in which such record is to be prepared, (*b*) the facts to be therein entered, and (*c*) the manner in which the entries shall be attested.

Settlement record.

The Chief Commissioner may from time to time, with the same sanction, alter such rules.

17. Every entry in such settlement record duly made and attested shall, until the contrary is proved, be presumed to be a correct record of the fact entered.

Presumption as to entries in settlement record.

18. Every local area shall be held to be under settlement from the date of any notification published under section 14, and relating thereto, until the issue of another notification declaring settlement operations to be closed therein.

Settlement to be deemed in progress until closing notified.

Every local area under settlement at the time of the passing of this Act shall be held to be under settlement within the meaning of this section without the issue of either of the notifications prescribed by section 14.

Settlements now in progress brought under operation of Act.

19. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, appoint an officer to be in charge of the settlement of any local area and as many Assistant Settlement Officers as the Chief Commissioner thinks fit; and such officers shall exercise the powers conferred on them respectively under this Act so long as such area is under settlement.

Appointment and powers of Settlement Officers.

20. In any local area in which a settlement of the land-revenue is in progress, the Chief Commissioner, with the previous sanction of the Governor General in Council, may by order confer on any officer making or controlling such settlement the powers of a Civil Court of any specified grade for the purpose of trying suits and appeals, or any specified class of suits and appeals, relating to property in land assessed or assessable to revenue, in such District, and may revoke any such order; and so long as such order remains in force the jurisdiction of the Civil Courts of the same grade shall be excluded in respect of such suits and appeals.

Power to invest Settlement Officers with powers of Civil Courts in certain cases.

21. Notwithstanding the existence of any such order, the Chief Commissioner may from time to time direct that any cases pending before the Settlement Officers invested with the powers mentioned in section nineteen, shall be transferred to the ordinary Civil Courts of the

Power to transfer cases from Settlement Officers to Civil Courts.

District if the state of business in his opinion requires such transfer.

22. If a suit relating as well to such land as other property be instituted before any officer so invested, he shall make a reference regarding the disposal of such suit to the Commissioner of the Division in which the District wherein the suit was instituted is included, who shall determine by what Court the suit shall be tried.

Trial of suit relating to land and to other property.

23. When any local area is under settlement, the Settlement Officer shall have power to call upon all proprietors, by proclamation to be stuck up in some conspicuous place in each village, to erect, within fifteen days from a date to be fixed in the proclamation, such boundary-marks as he may think necessary to define the limits of that village, or the maháls or fields contained therein; and in default of their compliance within the time specified in the notice, he may cause such boundary-marks to be erected, and he shall recover the cost of such erection from the proprietors as if it were an arrear of land-revenue.

Powers of Settlement Officers as to erection of boundary-marks and decision of disputes.

In case of dispute concerning any boundary-marks, the Settlement Officer shall decide such dispute on the basis of possession, or may refer it to arbitration, for decision on the merits as provided for in sections 191 to 202, both inclusive.

24. All Settlement Officers, and all officers in charge of a survey made in connection with the revenue, and their assistants, servants, agents and workmen, may do all acts necessary for any purpose connected with the settlement or survey, as the case may be.

Power of Settlement and Survey Officers to do necessary acts.

25. The Settlement Officer may order all persons whose presence is, in his opinion, necessary for any of the purpose of this chapter, to attend at any specified time and place, and to produce any written document in their possession or power; and all such persons shall be legally bound to obey such order.

Power to require attendance of persons concerned, and production of documents.

26. The settlement shall be made

With whom settlement to be made.

(*a*) in the case of a taluqdárí mahál with the taluqdár,

(*b*) in the case of other maháls with the proprietor of the mahál; or if in any such mahál there are two classes of proprietors, superior and inferior, with either of such classes as the Chief Commissioner directs,

or if the taluqdár or proprietor has transferred possession of his mahál to a mortgagee or conditional vendee, then with such mortgagee or vendee.

If, at the time of settlement, a mahál, or any share thereof, be in the possession of a lunatic, minor or other person incapable of making a contract, the settlement shall be made on his behalf with his guardian or with the manager of his property.

Settlement of estate in possession of lunatic or minor.

27. When several persons are in possession of a mahál, not being a taluqdárí mahál, the Settlement Officer shall have power to make a joint settlement with all such persons, or with their representatives.

Power to make joint settlement with several proprietors or their elected representatives.

28. The Settlement Officer shall, in accordance with the rules made under section fifteen, frame general proposals of assessment for any local area or any portion thereof regarding which a notification has been published under the first clause of section fourteen, and shall report such proposals through the Commissioner of the Division to the Chief Commissioner.

Framing and reporting general proposals of assessment.

29. After the receipt of the orders of the Chief Commissioner thereon, and subject to such orders, the Settlement Officer shall ascertain the amount of the assessment proper for each mahál in such area, and shall declare the same to the person with whom the settlement of such mahál is to be made.

Detailed assessment and declaration thereof to persons concerned.

If any mahál in any such area comprise two or more villages, or portions of villages, the Settlement Officer shall declare the assessment due on each of such villages or portions of villages, together with the aggregate amount of the assessment proper in his opinion for the whole mahál.

Such declaration shall be made on a date to be notified by proclamation at the tahsíl in which such mahál is situate.

30. If the persons with whom the settlement of such mahál is to be made agree to the assessment so proposed, they and those (if any) whom they represent in interest shall become liable from the date of such agreement, or from such subsequent date as the Chief Commissioner directs, to pay such assessment in respect of such mahál.

Effect of agreement to assessment proposed.

and in a mahál in which the land, or part of the land is held in severalty, the Settlement Officer shall distribute such assessment on the lands so held.

Distribution of assessment.

31. In any mahál where, by the established custom, the land or the amount of revenue payable by each co-sharer is subject to periodical re-distribution or re-adjustment, the Settlement Officer may, on application of one or more of the co-sharers, enforce such re-distribution or re-adjustment according to such custom.

Enforcement of custom as to re-distribution of land and adjustment of revenue of shares.

32. If the person to be settled with be a taluqdár and such taluqdár refuse to accept the assessment offered by the Settlement Officer in respect of his entire taluqá, or in respect of any portion thereof, or if, within thirty days from the date of the declaration by the Settlement Officer under section 29, such taluqdár fail to accept such assessment, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner.

Exclusion of taluqdár declining or failing to accept settlement.

The Chief Commissioner, after hearing and considering the reasons which the taluqdár may have to urge against the assessment, may direct that the taluqdár so refusing or failing be excluded from the settlement of his entire taluqá, or of any portion thereof, for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner shall fix; and the Settlement Officer or Deputy Commissioner shall either farm the taluqá or any portion thereof or hold it under direct management during such term, or any part thereof;

provided that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council.

33. If a taluqdár be excluded from the settlement of any portion of his taluqá, and if such portion be held in sub-settlement by an under-proprietor, the farm of such portion shall be offered to such under-proprietor on such terms as the Chief Commissioner may in each case direct.

Offer of farm to under-proprietor.

34. If such under-proprietor accept the assessment so offered, the taluqdár so excluded shall be entitled to an allowance out of the profits of such portion to be fixed by the Chief Commissioner not exceeding the share of the gross assets, if any, to which he would have been entitled had he accepted the assessment.

Allowance to excluded taluqdár.

In other cases, the taluqdár so excluded shall (subject to the orders of the Chief Commissioner) be entitled to an allowance out of the profits of such portion of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

35. In a mahál other than a taluqdárí mahál, if the person to be settled with refuse to accept the assessment offered by the Settlement Officer, or fail to accept such assessment within thirty days from the date of the declaration by the Settlement Officer under section 29, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner,

Exclusion of person declining or failing to accept settlement in a mahál.

and the Chief Commissioner may direct that the person so refusing or failing be excluded from the settlement for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner thinks fit,

and the Settlement Officer or the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either farm the mahál or hold it under direct management during such term or any part thereof.

In such case the person so excluded shall be entitled (subject to the orders of the Chief Commissioner) to an allowance out of the profits of the mahál, of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

Allowance to person excluded.

36. If in a mahál held on a pattídárí or imperfect pattídárí tenure any of the co-sharers refuse or fail within thirty days from the date of the declaration by the Settlement Officer under section 29 to accept the proposed assessment, the shares of such co-sharers shall be dealt with under the provisions of section 35, and they shall receive an allowance, as provided in that section, in proportion to their respective shares in the mahál.

Procedure in case of some of several proprietors refusing assessment.

If the Settlement Officer farms any share in such mahál, the farm of such share shall be offered in the first instance to those co-sharers who have accepted the proposed terms.

Farm of shares of proprietors refusing.

37. Any proprietor excluded from settlement under sections 35 and 36 shall be entitled to hold as a tenant with a right of occupancy so much of the land in the mahál actually cultivated by him as the Settlement Officer may determine, and the rent to be paid by such proprietor for such land during such exclusion shall be fixed by the Settlement Officer at the rate which would have been paid by a tenant-at-will for the said land less four annas in the rupee.

Adjustment of rent of the sir land of proprietors of mahál farmed under section 35 or 36.

38. The aggregate amount of any allowance assigned under section 35 or section 36 to any proprietor of a mahál who has been excluded from settlement, and of the difference between the rent fixed under section 37, and the rent which he would be liable to pay if he were a tenant-at-will, shall not be less than five or more than fifteen per cent. on the amount proposed by the Settlement Officer to be assessed on such mahál.

Amount of allowance assigned under section 35 or 36 to excluded proprietor, and of difference between rent fixed under section 37, and rent payable by him if he were a tenant-at-will.

39. On the expiration of the term fixed under section 32 or section 35, the settlement of such mahál portion, or share comprised therein shall be offered by the Deputy Commissioner to the person then entitled to be settled with in respect of such mahál portion or share, at such assessment for the remainder of the term of settlement of the District as the Chief Commissioner may direct.

Offer of settlement to excluded proprietor on expiry of term of exclusion.

And if such person refuse to accept the offer, the Deputy Commissioner shall report such refusal through the Commissioner of the Division to the Chief Commissioner, and such person may be excluded from settlement for such period not exceeding the term of the settlement of the District, as the Chief Commissioner may direct, and the provisions of sections 32 to 38 (both inclusive) shall, so far as may be applicable, apply to his case.

Procedure on refusal.

40. The Settlement Officer shall, in accordance with the provisions of the Oudh Sub-settlement Act, 1866, so far as they are applicable, determine the rent to be paid to the proprietor by all under-proprietors in a mahál and by all holders of heritable, non-transferable leases, whose rent has not been fixed by contract.

Determination of rent payable to proprietor.

When the rent is so determined the co-sharers may at their option agree with the Settlement Officer that the rent shall be paid either by them collectively or by one of them on behalf of himself and the others. Whenever, whether before or after the passing of this Act, rent payable by such under-proprietors or lessees has been determined by a Settlement Officer or other competent authority, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

Nothing in this section applies to rent payable by a tenant with a right of occupancy.

41. All land shall be deemed liable to be charged with the payment of revenue to Government, unless some competent authority has declared it exempt from such payment.

Saving of liability for Government revenue.

And no length of occupancy of any land, nor any grant of land made by the proprietor, shall release such land from such liability.

42. The Settlement Officer shall enquire into the case of all lands released, conditionally or for a term, from the payment of revenue, and shall assess such lands if it appear to him that the conditions have been transgressed or the term has expired.

Inquiry into cases of land released from payment of revenue.

43. Every settlement shall be made subject to confirmation by the Governor General in Council.

Confirmation of settlement.

44. The Governor General in Council shall, at some time before confirming the settlement, fix the period for which the settlement is to be made. Such period shall be fixed with reference to the agricultural year.

Period for which settlement is to be made.

45. The assessment of any mahál may be revised at any time before it is confirmed by the Governor General in Council, and in such case the revised assessment shall be proposed to the proprietors of such mahál, and the provisions of sections 23 to 40 (both inclusive) shall apply.

Revision of assessment before confirmation.

Alteration of assessment during the currency of a Settlement.

46. The Deputy Commissioner shall enquire annually into the cases of all land released from the payment of revenue conditionally, or for a term, or for the life of the grantee.

Annual enquiry as to revenue-free grants.

If the condition be broken, he shall report the case through the Commissioner of the Division to the Chief Commissioner for orders,

and if the term has expired, or (where the grant is for the life of the grantee) if the grantee has died, the Deputy Commissioner shall assess the land comprised therein, and shall report his proceedings through the Commissioner of the Division to the Chief Commissioner for sanction.

47. All land added by alluvion to a mahál is liable to assessment. Such land may be assessed and settled under rules to be framed under section 220.

Assessment of land added by alluvion.

48. Where such land is held by an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such rent shall be increased proportionately to the increase of revenue effected by such assessment.

Proportionate increase of rent payable by under-proprietor.

49. Where the revenue assessed on a mahál has, by order of the Chief Commissioner, been reduced or been wholly or in part remitted or suspended, and the land on account of which the revenue has been so reduced, remitted or suspended is in the possession of an under-proprietor or lessee whose rent has been fixed by a Settlement Officer or other competent authority, the Chief Commissioner may declare that such under-proprietor or lessee shall be entitled (where the revenue has been reduced or remitted) to a proportionate reduction or remission of the rent payable by him in respect of such land, or (where the revenue has been suspended) to a suspension of the payment of such rent for the time during which the revenue has been so suspended, and such under-proprietor or lessee shall thereupon be entitled accordingly.

Proportionate reduction or remission of rent payable by under-proprietor or lessee.

50. Assessments under sections 46 and 47 shall be made by the Deputy Commissioner in the same manner and with the same powers as if he were an officer in charge of a settlement.

Deputy Commissioner to have powers of officer in charge of settlement.

51. At any time during the currency of a settlement, the Chief Commissioner may, with the previous sanction of the Governor General in Council, invest any officer with all or any of the powers of an officer in charge of a settlement under this Act within such limits, and with such restrictions, and for such period as he thinks fit;

Power to invest officer with Settlement Officer's powers.

but not so as to enable him to enhance the total amount of revenue payable on account of any mahál except in respect of land added thereto or becoming liable to payment of revenue since the confirmation of the settlement.

Resumption of rent-free grants.

52. All grants (whether in writing or otherwise) by proprietors, or the persons whom they represent, of land to be held exempt from the payment of rent or at a favourable rate of rent, are hereby declared to be liable to resumption, unless such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner.

Liability of rent-free grants to resumption.

Provided that if such grants are held under a written instrument (whether executed before or after the passing of this Act) by which the grantor expressly agrees that the grant shall not be resumed, shall be held valid against him (but not as against his representatives after his death) during the continuance of the settlement of the District in which the land is situate which was current at the date of the grant.

Grants under certain instruments.

53. Proprietors wishing to resume any grants mentioned in section 52 and made by themselves or the persons whom they represent shall apply by petition to the principal Court of original civil jurisdiction of the District in which the land is situate for a declaration of the liability of the grant to resumption.

Application for declaration of such liability.

The Court shall cause notice of such application to be served on the grantee, and shall fix a day for hearing his objections (if any) to the declaration; and thereupon, after considering such objections (if any), may either dismiss the application with or without costs to be paid by the applicant, or declare that the grant is liable, in whole or in part, to resumption.

54. If the Court find that the grant has been made in consideration of the loss or surrender of a right previously vested in the grantee, but has not been sanctioned or confirmed as mentioned in section 52, the Court shall refer the case to the Chief Commissioner, who shall make such order in the case as he thinks fit.

Procedure where grant has been made in lieu of a right, but has not been sanctioned or confirmed.

55. Nothing in section 52 or section 53 applies to either of the following cases:—

Exemptions from sections 52 and 53.

(*a*) where land is held rent-free under a judicial decision;

(*b*) where previously to the passing of this Act, land held rent-free has been acquired for a valuable consideration and the right to resume it has been barred by the law of limitation.

CHAPTER IV.

REGISTRATION, INCLUDING THE PREPARATION AND MAINTENANCE OF REVENUE RECORDS.

56. The Deputy Commissioner of the District shall, on the basis of the settlement record, and in accordance with such rules as the Chief Commissioner from time to time prescribes in this behalf, prepare the following lists and registers:—

Lists and registers to be prepared by Deputy Commissioner.

(*a*) A list of all the villages in each pargana or tahsíl of his District;

The pargana register.

(*b*) A list of all the revenue-paying mahál in each pargana or tahsíl, shewing the revenue assessed on each mahál, and the name of the person responsible for its payment whether as sole proprietor or as lambardár;

The málguzárí register.

(*c*) A register of all the co-sharers in each mahál with the nature and extent of the interest of each co-sharer;

The khewat.

(*d*) A register of all mahál in which the rent of any under-proprietor or lessee has been fixed by the Settlement Officer, the names of all the co-sharers in such mahál, together with the nature and extent of the interest of such co-sharers.

Register of sub-settled mahál with khewat.

(*e*) For each mahál a list—

Register of under-proprietary and other tenures.

(1) of all under-proprietors and lessees whose rent has been so fixed, and of all tenants with a right of occupancy, with the nature and extent of the interest of each such person, and the rent (if any) which he is liable to pay therefor,

(2) of all other persons (if any) holding land free of rent, or revenue free.

(*f*) A register—

Register of revenue-free tenures.

(1) of all land in his District held revenue free, with the names of the holders, and the conditions of the grant under which they hold,

(2) of all land declared by competent authority to be waqf or nazul, or the property of the State.

(*g*) A register of all mahál on which a málikána allowance has been sanctioned by competent authority, with the names of the persons entitled to such allowance, the amount of such allowance, and the conditions under which it was given.

The málikána register.

(*h*) A register of all jungle-grants, the names of the grantees, and the conditions of the grants.

Register of jungle-grants.

57. In the preparation of the said lists and registers, the Deputy Commissioner shall correct any errors in the settlement records which the parties interested admit to have been made therein; and any dispute arising regarding any entry in such record shall be investigated and decided on the basis of actual possession; and all persons not in possession, but claiming the right to be so, shall be referred to a Court of competent jurisdiction: Provided that if the claim is founded on a decree of such Court, and if, when the claim is made, the decree is capable of execution, the entry shall be in accordance with such decree.

Correction of errors in settlement record.

58. The Deputy Commissioner shall keep and maintain the said lists and registers,

Deputy Commissioner to keep the lists and registers.

and he shall from time to time cause to be registered all events and transactions affecting any of the rights or interests recorded in the said registers, to such extent as the Chief Commissioner may from time to time prescribe.

59. The Chief Commissioner shall prescribe the forms in which the lists and registers mentioned in section 56 are to be prepared,

Forms of lists and registers.

and the manner in which, the persons by whom, and the occasions on which, the alterations referred to in section 57 and section 58 are to be recorded.

60. The Chief Commissioner may prescribe proper fees for alteration in the lists and registers formed under the said rules: Provided that no fee for a single alteration shall exceed one hundred rupees.

Power to prescribe fees for mutations.

Such fee shall be levied from the person in whose favour the mutation is made, and shall be expended in such manner as the Chief Commissioner thinks fit.

Levy of fees.

Fees how spent.

61. All persons obtaining the possession of land or the profits thereof, whether by succession, purchase or other form of transfer, as proprietors or under-proprietors, or as lessees whose rents have been fixed by a Settlement Officer, or as mortgagees, shall give notice of the same immediately after it has taken place to the tahsíldár of the tahsíl in which the mahál to which such land belongs is situated, or to the Deputy Commissioner of the District.

Notice of transfer of possession.

If the notification be made to the tahsíldár, that officer shall report such notice to the Deputy Commissioner.

62. The Deputy Commissioner on receiving such notice or report shall make such enquiry as the Chief Commissioner may from time to time prescribe to ascertain the fact of the alleged transfer of the property, and if the transfer appears to have taken place, he shall, subject to the rules framed by the Chief Commissioner under section 207, record the same in the appropriate register:

Enquiry as to truth of transfer.

Provided that no such entry shall be held to affect the rights of any other person who may claim and establish in any Court of competent jurisdiction any interest in the land to which the entry has reference.

63. If the person so succeeding is a minor or otherwise under disability, the guardian or other person who has charge of his property shall give the notice required by section 61.

Notification in case of minority or other disqualification.

64. Any person neglecting to give the notice prescribed in section 61 within three months from the date of the occurrence of the fact to be notified, shall be liable, at the discretion of the Deputy Commissioner, to a fine not exceeding five times the amount of the fee which would otherwise have been payable under section 60.

Fine for neglect to notify.

65. If in the course of enquiry made under section 62, a dispute regarding the possession of the property arises, and the Deputy Commissioner is unable to satisfy himself as to which party is in possession, he shall ascertain by summary enquiry who is the person *primâ facie* entitled to the property and shall put such person in possession, and make the necessary entry in the record accordingly, subject to any order that may be subsequently passed by the Civil Court.

Power to put one party in possession in certain cases of dispute.

66. When any person obtains possession of land or of the profits thereof, for any interest other than those referred to in section 61, the transfer of such possession shall be recorded in such manner as the Chief Commissioner from time to time directs;

Registry of transfers of interests in land other than those referred to in section 61.

and all disputed cases shall be reported to the Deputy Commissioner who shall make such enquiry as may be necessary to ascertain the fact of the alleged transfer, and cause the record to be amended accordingly.

Enquiry in disputed cases.

67. All registers prepared under the preceding sections of this chapter shall be deemed to be public documents and the property of Government, and shall be open to public inspection at such hours and on such conditions as to fees or otherwise as the Chief Commissioner may from time to time prescribe.

Inspection of registers.

CHAPTER V.

PARTITION AND UNION OF MAHALS.

68. Partition is either perfect or imperfect.

Partitions.

'Perfect partition' means the division of a mahál into two or more maháls, severally responsible for the revenue assessed on each.

'Perfect partition.'

'Imperfect partition' means the division of any mahál, or of any portion of a mahál, into two or more portions jointly responsible for the revenue assessed on the whole mahál.

'Imperfect partition.'

69. Any recorded co-sharer in a mahál and any person in whose favour a decree has been passed by any Civil Court, awarding to him the proprietary right in a portion of a mahál, whether such portion consists of a fractional share in the whole or a part of the mahál, or of specific lands, is entitled to claim perfect partition of his share.

Persons entitled to perfect partition.

Any two or more recorded co-sharers may claim that their shares be divided from the other shares by a perfect partition, and be held by them as a single mahál.

If any recorded co-sharer be under disability, the person in possession of his property shall, for the purpose of this section, be deemed to be a recorded co-sharer.

70. Applications for perfect partition are to be made in writing to the Deputy Commissioner of the district in which the mahál is situated;

Application for perfect partition.

and shall be accompanied by a certified copy of the record, showing the share held by the applicant in the mahál:

Provided that, if the mahál be situated in two or more districts, the application may be made in any one of those districts, and the partition shall be made by such one of the Deputy Commissioners of those districts as the Chief Commissioner any direct.

Provision as to estates situated in more than one district.

71. The Deputy Commissioner, on receiving an application for partition shall, if the application be in order and not open to objection on the face of it, publish a notification of the same at his office, and at some conspicuous place in the mahál to which the application relates,

Notification of application.

and shall serve a notice on all such of the recorded co-sharers in the mahál as have not joined in the application, requiring any co-sharer in possession who may object to the partition to appear before him to state his objection, either in person or by a duly authorized agent, on a day to be specified in the notice, not less that thirty, or more than sixty, days from the date on which such notice was issued.

Notice to co-sharers not joining.

72. Where, from any cause, notice cannot be personally served on any co-sharer, the notification so published shall be deemed sufficient notice.

Notification when alone sufficient.

73. If, on or before the day so specified, any objection is made to the partition by any co-sharer in possession, and the Deputy Commissioner, on a consideration of such objection, is of opinion that there is any good and sufficient reason why the partition should be absolutely disallowed, he may refuse the application, recording the grounds of his refusal.

Power to refuse partition when objection admitted.

74. If the objection raises any question of title, or of proprietary right, which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner may either decline to grant the application until the question in dispute has been determined by a competent Court, or he may proceed to enquire into the merits of the objection.

Procedure if question of title be raised.

In the latter case the Deputy Commissioner after making the necessary inquiry and taking such evidence as may be adduced, shall record a proceeding declaring the nature and extent of the interests of the party or parties applying for the partition, and any other party or parties who may be affected thereby.

The procedure to be observed by the Deputy Commissioner in trying such cases shall be that laid down in the Code of Civil Procedure for the trial of original suits, and he may, with the consent of the parties, refer any question arising in such case to arbitration, and the provisions of chapter VI (relative to arbitrators) of the same Code shall apply to such references.

Procedure in such cases.

Reference to arbitration.

75. All orders and decisions passed by the Deputy Commissioner under the last preceding section, for declaring the rights of parties, shall be held to be decisions of a Court of civil judicature of first instance, and shall be open to appeal under the provisions of the Oudh Civil Courts Act.

Deputy Commissioner's decision equivalent to decision of Civil Court.

Appeal thereupon.

Upon such appeal being made, the appellate Court may issue a precept to the Deputy Commissioner, desiring him to stay the partition, pending the decision of the appeal.

Appellate Court may stay partition.

76. When it has been decided to make a partition under this chapter, the Deputy Commissioner shall either give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he shall make the partition himself or cause it to be made by any Assistant Commissioner subordinate to him, and when made by an Assistant Commissioner, it shall be reported to the Deputy Commissioner for his confirmation.

Option to make partition themselves or to appoint arbitrators.

77. If arbitrators are appointed, the provisions of sections 191 to 202, both inclusive, shall apply.

Partition by arbitrators.

In making a partition, arbitrators shall not be bound by the provisions of sections 80 to 83 both inclusive; but they shall deliver a full and complete paper of partition, specifying the separate mahâls into which they propose that the mahâl shall be divided; the names of the parties to whom the several mahâls are proposed to be allotted, and the amount of land revenue which in the opinion of the arbitrators should be assessed on each of such mahâls.

78. In making partitions, the Deputy Commissioner, and any person appointed by him, shall have the same powers to enter on the land under partition, for marking out the boundaries, surveying the mahâl, and other purposes, as are conferred on Settlement Officers under this Act.

Power to enter on land for purposes of partition.

79. When a Deputy Commissioner has decided that a partition shall be made, he may, with the sanction of the Commissioner, hold the mahâl under direct management, pending the completion of the partition.

Power to hold mahâl under direct management, pending partition.

The provisions of the law in force for the time being, for the management of mahâls held under direct management under section 119 for arrears of revenue shall be applicable to mahâls, the management of which is assumed under this section.

The collections of the mahâl shall be applied to the payment of the Government revenue, and, after defraying the expenses of management and any other expenses with which the mahâl is chargeable, the residue shall be divided amongst the recorded co-sharers in proportion to their respective shares at such periods as the Deputy Commissioner may see fit.

80. Where there are no lands held in common, the lands held in severalty by the applicant for partition shall be declared a separate mahâl, and shall be separately assessed to the Government revenue.

Partition of lands held only in severalty.

81. Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of such lands in accordance with village custom, if any such exist.

Partition of lands some of which are held in common.

If no such custom exist, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the common lands.

82. The portion of the common lands falling by such partition to the share of the applicant shall be added to the land held by him in severalty, and the mahâls thus formed shall be assessed and declared separate mahâls.

Formation of separate mahâls from shares allotted in partition.

83. In making partitions under this Act, the Deputy Commissioner shall give effect to any transfer of lands held in severalty and forming part of the mahâl, which has been agreed to by the parties, previous to the declaration of the partition.

Transfers to be effectuated in making partition.

84. Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the mahâl.

Partition where all lands are held in common.

85. In all cases each mahâl shall be made as compact as possible: Provided that, except with the sanction of the Chief Commissioner, no partition be disallowed solely on the ground of incompactness.

Estate to be compact.

86. If in making the partition it be necessary to include in the mahâl assigned to one sharer, the land occupied by a dwelling-house or other building in the possession of another co-sharer, such other co-sharer shall be allowed to retain it, with the buildings thereon (if any) on condition of his paying a reasonable ground-rent therefor to the sharer into whose portion it may fall.

Rule when dwelling-house of one sharer is included in mahâl assigned to another.

The limits of such land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

87. Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

Rule as to tanks, wells, water-courses and embankments.

Where, from the extent, situation or construction of such works, it is found necessary that they should continue the joint property of the proprietors of two or more of the mahâls into which the mahâl may be divided, the Deputy Commissioner shall determine the extent to which the proprietors of each mahâl may make use of the said works, and the proportion of the charges for repairs of such

works to be borne by such proprietors respectively, and the manner in which the profits, if any, derived form such works, shall be divided.

88. Places of worship and burial-grounds, held in common previous to the partition of a mahâl, shall continue to be so held, unless the persons who so held them otherwise agree among themselves.

Rules as to places of worship and burial-grounds.

In such cases they shall state in writing the agreement into which they have entered, and such writing shall be filed with the record.

89. In all cases whether partition has been made by arbitrators or otherwise, the amount of revenue to be paid in respect of each portion of a mahâl partitioned under this chapter shall be determined by the Deputy Commissioner, provided that the aggregate revenue payable in respect of the new mahâls shall not exceed the revenue assessed on the mahâl immediately before partition;

Determination of revenue payable by each division of a mahâl.

and the proprietor of each new mahâl shall be held liable for the portion of the revenue assessed on his mahâl, whether a new engagement be taken from him or not.

Liability of proprietors.

90. If at any stage of any proceedings under this chapter there appears to be any reason for stopping the partition, the Deputy Commissioner may of his own motion, or on the report of the Assistant Commissioner making the partition, stay the partition and order the proceedings to be quashed.

Power to stay partition.

91. A partition, whether made by the Deputy Commissioner himself or otherwise, shall not be deemed to be complete unless the Deputy Commissioner has made an order confirming it.

Order confirming partition.

On making such order, he shall publish a notification of the fact at his office and at some conspicuous place in each of the new mahâls,

Notification of order.

and the partition shall take effect on and from the first day of July next after the date of such notification.

Partition when to take effect.

92. An appeal against the decision of the Deputy Commissioner confirming a partition, shall lie to the Commissioner of the division within one year from the date on which such partition takes effect.

Appeal to Commissioner from orders of Deputy Commissioner.

93. Where the land-revenue is fraudulently or erroneously distributed at the time of the partition, the Chief Commissioner may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the land-revenue upon the several mahâls into which the mahâl has been divided, on an estimate of the assets of each mahâl at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

Power to order new allotment of revenue on proof of fraud or error in first distribution.

94. Imperfect partition shall be carried out according to the provisions of sections 69 to 92 (both inclusive) so far as they are applicable: Provided that no application for imperfect partition shall be entertained unless the consent of recorded co-sharers holding in the aggregate more than one moiety of the property of which partition is sought be first obtained.

Making of imperfect partitions.

95. No Civil Court shall entertain any suit or application for perfect or imperfect partition.

Civil Courts barred from entertaining applications for partitions.

96. All imperfect partitions and all partitions perfect or imperfect of under-proprietary mahâls hitherto made, shall be deemed to have been made under the provisions of this Act.

Previous imperfect partitions and partitions of under-proprietary mahâls.

97. If two or more revenue-paying mahâls have originally formed portions of the same village, the proprietor shall be entitled to have such mahâls united and to hold them as a single mahâl.

Union of mahâls originally part of same village.

98. Every application for the union of such mahâls shall be made in writing to the Deputy Commissioner of the district in which the mahâls are situate.

Application for such union.

If the Deputy Commissioner see no objection, he shall comply with the application, and cause the necessary entries to be made in the register of his office, reporting the case to the Commissioner of the division.

Application how dealt with.

99. The provisions of this chapter, so far as they are applicable, may be applied by order of the Deputy Commissioner to the partition or union of mahâls held free of revenue.

Partition or union of revenue-free mahâls.

100. The partition of taluqdârí and under-proprietary mahâls and of mahâls held by lessees whose rent has been fixed by the Settlement Officer or other competent authority, shall be carried out accordingly to the provisions of sections 69 to 93 (both inclusive), so far as they are applicable.

Partition of taluqdârí and under-proprietary mahâls.

(*a*) In the partition of taluqdârí mahâls, all mahâls, whether under-proprietary or held by lessees whose rent has been fixed by the Settlement Officer or other competent authority shall, if practicable, be assigned to one or other of the new taluqás to be formed by the partition;

Assignment of inferior mahâls.

(*b*) if any such mahâl cannot be assigned in whole, the assignment shall be made by thoks, pattís or other existent sub-divisions;

(*c*) and if no other satisfactory arrangement can be made, such mahâl shall be partitioned;

(*d*) in cases in which one portion of any such mahâl is assigned to one taluqá and another portion to another taluqá, each portion shall be deemed a separate mahâl, the joint responsibility of the co-sharers being limited to such portion.

101. Whenever a partition of a mahál, whether under-proprietary or held by lessees whose rent has been fixed as aforesaid, is effected under this Act, the amount of rent to be paid in respect of each portion shall be determined by the Deputy Commissioner, and the person to whom such rent is payable may present an application in writing to the Deputy Commissioner objecting to the distribution of the rental over the several parts into which the mahál has been divided, and praying that such objection may be heard and determined; and his objection shall be heard and determined, and the Deputy Commissioner shall record his reasons for such determination.

Objection to distribution of rental.

CHAPTER VI.

MAINTENANCE OF BOUNDARIES.

102. The Deputy Commissioner and his subordinates shall have power to enter upon and survey land, and to demarcate the boundaries of mahals, villages and fields.

Power of Deputy Commissioner to enter and survey.

103. All owners of mahals, villages or fields, are bound to maintain and keep in repair at their own cost the boundary-marks awfully erected thereon.

Obligations of owners as to boundary-marks.

104. Any person convicted before a Deputy Commissioner of wilfully erasing, removing or damaging any such boundary-mark, may be ordered by the convicting officer to pay such sum not exceeding fifty rupees for each mark so erased, removed or damaged, as may be necessary to defray the expense of restoring such mark, and of rewarding the informer (if any) through whom the conviction was obtained.

Payment for erasing, removing or injuring marks.

105. Whenever the person erasing, removing or damaging any such mark cannot be discovered, or if for any other reason the sum which he has been so ordered to pay cannot be recovered, the mark shall be re-erected or repaired at the charge of the owner or owners of such one or more of the conterminous field or mahals as to the Deputy Commissioner seems fit.

Who is to be charged for re-erection and repair when offenders not discoverable.

106. The Deputy Commissioner may decide, on the basis of possession, all disputes concerning boundaries, and may at any time direct the owners of mahals villages or fields, by written notice served upon them,

(*a*) to cause proper boundary-marks to be erected in such mahals, villages or fields,

(*b*) to repair the boundary-marks lawfully erected in such mahals, villages or fields.

Powers of Deputy Commissioner as to boundary disputes and boundary-marks.

107. In default of compliance with such direction within fifteen days from the date of the service of the notice, the Deputy Commissioner shall cause such boundary-marks to be erected or repaired, as the case may be, and shall charge the cost of such erections or repairs to the owners of the conterminous mahals, villages or fields in such proportion as he thinks fit.

Power to erect or repair boundary-marks.

CHAPTER VII.

COLLECTION OF THE LAND-REVENUE.

108. In the case of every mahál the entire mahál shall be charged with, and all the proprietors jointly and severally shall be responsible to Government for the revenue for the time being assessed on the mahál.

Responsibility of proprietors of mahál for land-revenue.

The term "proprietors" shall, for the purposes of this chapter, include all persons in possession for their own benefit.

109. The Chief Commissioner may, from time to time, make rules as to the instalments in which, and the persons, places and times to whom, and at which, the revenue payable in respect of any land shall be paid.

Chief Commissioner may make rules as to payment of revenue.

110. Until the issue of such rules the said revenue shall be paid in the instalments, to the persons, and at the times and places in which, to whom, and at which, it is now paid.

Payment until issue of rules.

111. Any sum not so paid becomes thereupon an arrear of revenue, and the proprietor responsible for it becomes a defaulter.

Effect of non-payment.

No interest shall be demanded on any arrear of land-revenue.

112. If the settlement of any land has been made with a lambardár, and if there be an arrear of revenue due in respect of such land, both the lambardár and the co-sharers of the mahál from which the arrear is due shall be deemed defaulters.

Defaulters in case of settlements with lambardárs.

113. A statement of account certified by the tahsíldar shall, for the purposes of this chapter, be conclusive evidence of the existence of the arrear, of its amount, and of the person who is the defaulter.

Evidence of arrear.

114. When an arrear of land-revenue has accrued, a writ of demand or summons to appear may issue, calling on the defaulter to pay the amount within a time therein stated.

Writ of demand.

115. At any time after an arrear of land-revenue becomes due, such officer as the Chief Commissioner from time to time empowers in this behalf, may arrest the defaulter and detain him in custody for fifteen days, unless the arrear, together with the costs of arrest, is sooner paid.

Arrest and detention of defaulter.

116. If the arrear be not paid within fifteen days, and no good reason for the non-payment is shown, the Deputy Commissioner may issue an order to the jailor of the civil jail of the district, directing him to confine the defaulter therein as a civil prisoner until the arrear is paid, or until the expiration of such period, not exceeding six months from the date of the order, as the Deputy Commissioner thinks fit; and such

Imprisonment in civil jail.

person shall be confined according to the terms of such order:

Provided that no person exempted under the law for the time being in force from personal attendance in the Civil Courts, no taluqdár and no female, shall be subject to arrest or imprisonment under this and the preceding section.

117. The Deputy Commissioner may, whether the defaulter has been arrested and imprisoned or not, order the attachment and sale of so much of his moveable property as will, as nearly as may be, defray the arrear.

Attachment and sale of moveables.

Nothing herein contained shall authorize the attachment and sale of articles set aside exclusively for the use of religious endowments: or, in the case of an agriculturist, of instruments of husbandry and of cattle *bonâ fide* kept for the cultivation of his land, or in the case of an artisan, of his tools, nor of any other articles exempted by the law for the time being in force from sale in execution of decrees of Civil Courts.

118. Every attachment and sale ordered under the preceding section shall be conducted according to the law in force for the time being, for the attachment and sale of moveable property under the decree of a Civil Court.

Conduct of sale.

119. When an arrear of land-revenue has become due in respect of a share, pattí or mahál, the Deputy Commissioner may in addition to, or instead of, the processes hereinbefore specified, cause such share, pattí or mahál to be attached and taken under the direct management of any agent whom he appoints for that purpose.

Property may be attached and taken under direct management.

For the purpose of managing the property so attached, the agent so appointed shall have all the rights, and be subject to all the liabilities, with respect to such property, of the person for whose default it was attached;

Powers and obligations of agent.

until the arrears of land-revenue due therefrom have been satisfied, or until the Deputy Commissioner directs him to restore the person whose interest has been attached to the management thereof.

120. All surplus profits of the property so attached after defraying thereout any instalment of land-revenue that may become due during such management, and the cost of such attachment and direct management, shall be applied to discharging the arrear of revenue on account of which it was ordered.

Application of surplus profits.

And no such management shall continue after such arrear has been discharged as aforesaid, and any surplus remaining after payment of the charges mentioned in the first clause of this section shall be handed over to the proprietor.

Termination of management.

121. If an arrear of land-revenue has become due in respect of the share of any member of a village community, such community, or any member thereof, may tender payment of such arrear, or may offer to pay such arrear by instalments.

Transfer of share of defaulter to solvent co-sharers.

If such tender be made, or if the Deputy Commissioner considers such offer satisfactory, the Deputy Commissioner may transfer the share of the defaulting member to the community or member making the tender or offer on such terms as the Deputy Commissioner thinks fit, and either for a term of years, or until such arrear is paid.

In case of conflicting tenders or offers under this section, the co-sharer who, in case the share were sold, would have a right of pre-emption under section 9 of the Oudh Laws Act, shall be preferred.

122. If such share is so transferred until the arrear is repaid, and if the arrear is not repaid within twelve years from the date of the transfer, the community or member to whom the share has been so transferred, may apply in writing to the Deputy Commissioner to publish a notification that, if the arrear is not paid within one year from the date thereof, such transfer will become absolute.

When transfer of share is to become absolute.

The Deputy Commissioner shall publish such notification accordingly, and if the arrear is not repaid before the expiration of one year from the date of the notification, the transfer to such community or member shall become absolute.

123. The procedure prescribed in the two preceding sections shall not affect the joint liability of the co-sharers of the mahál.

Procedure not to affect joint liability of co-sharers.

124. When any arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner is of opinion that the processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of, any such process, report, through the Commissioner of the division, the matter to the Chief Commissioner, and the Chief Commissioner may thereupon order the existing settlement of such pattí or mahál to be annulled.

When settlement may be annulled.

The provisions of this section shall not be put in force for the recovery of any arrear of land-revenue which may have accrued on land,

Exception of certain arrears.

(*a*) while attached under section 119, or

(*b*) while in charge of the Court of Wards.

125. When the settlement of any pattí or mahál has been annulled under the last preceding section, the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either manage the land by himself or an agent, or let it in farm to any person willing to accept the same, for such term and on such conditions as may be approved by the Chief Commissioner:

When settlement has been annulled, the Deputy Commissioner may manage the land himself, or by agent, or let it in farm.

Provided that the term for which a pattí or mahál may be so managed or let be not longer than fifteen years from the first day of July next after the date of such annulment.

And no interest in or right to such pattí or mahál, or any part thereof, created or assigned by any person who, immediately before the annulment of the settlement, was in possession of the whole or any part of the land comprised therein, or

Suspension of contracts.

by any person through whom he claims, shall, during the continuance of such term, be binding on the Deputy Commissioner or his agent or lessee.

Proclamation of attachment or annulment of settlement.

126. When the Deputy Commissioner attaches any land under section 119, or when the settlement of any land has been annulled under section 124, he shall make public proclamation thereof on the mahál.

And he may realize all arrears of rent becoming due in respect of such land by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, as if they were arrears of land-revenue.

Payments thereafter to defaulter not to discharge payer.

127. No payment made after such proclamation on account of rent or other profit of the land so attached, or of which the settlement has been so annulled to any person other than the Deputy Commissioner or his agent or lessee, shall be credited to the person making such payment, or relieve him from liability to payment to the Deputy Commissioner, his agent or lessee.

Payments to defaulter in anticipation of due date.

128. No payment made to the defaulter in anticipation of the usual period for the payment of rents, shall, without the special sanction of the Deputy Commissioner, be credited to the person making the same in account with the Deputy Commissioner, or with his agent or lessee.

Recovery of balance due by farmer.

129. When any land has been let in farm under section 125 any balance due by the lessee as such may be recovered from him or his surety (if any) as if it were an arrear of revenue.

Suspension of responsibility of co-sharers for revenue of portion of mahál as to which settlement is annulled.

130. Whenever the settlement of any portion of a mahál is annulled under section 124, the joint responsibility of the co-sharers of the mahál for the revenue of such portion subsequently becoming due, shall be in abeyance until a new settlement of such portion is made under section 131.

Offer of settlement to proprietor on expiry of period for which land is managed or farmed.

131. After the expiration of the period for which any land has been managed or let in farm under section 125, the Deputy Commissioner shall offer to the person entitled to be settled with under section 26 a new settlement, on such conditions as the Chief Commissioner may direct, for the remainder of the term of the settlement of the district; and if such person refuse such offer, the Deputy Commissioner may (with the previous sanction of the Chief Commissioner) either manage the land by himself or an agent, or let the same in farm, under the provisions of sections 30 to 38, both inclusive.

Power to sell land to recover revenue-arrears.

132. When an arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner of the district is of opinion that the other processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of all or any such other processes, and subject to the provisions next hereinafter contained, and with the previous sanction of the Chief Commissioner, sell by auction the pattí or mahál in respect of which such arrear is due:

Provided that no pattí or mahál shall be sold—

(*a*) for any arrears of land-revenue which may have become due in respect thereof while it was under the management of the Court of Wards, or held under the provisions of the Oudh Taluqdárs' Relief Act, or when the proprietor or under-proprietor thereof was, at the time the arrear accrued, a female deemed by the Chief Commissioner incompetent to manage her estate, a minor, an idiot, or a lunatic;

(*b*) for any arrears of land-revenue which may have become due while it was under attachment under section 119; or

(*c*) for any arrears of land-revenue which may have become due while it was under direct management by the Deputy Commissioner, or in farm by any other person under sections 32, 35, 125, or 131.

Land to be sold free of incumbrances.

133. Land sold under the last preceding section shall be sold free of all incumbrances,

Grants and contracts void against purchaser.

and all grants and contracts previously made by any person other than the purchaser in respect of such land shall become void as against the purchaser at the auction-sale.

Exceptions.

Nothing in the former part of this section applies to leases of lands at fair rents, for the erection of dwelling-houses or manufactories, or for mines, gardens, tanks, canals, places of worship or burying grounds.

Power to direct sale to be made subject to incumbrances.

134. The Chief Commissioner may, notwithstanding anything contained in section 133, at any time before a sale of land for arrears of revenue has been actually made, direct it to be made subject to such of the interests in or rights to such land created by the proprietor in possession thereof, or any person through whom he claims, as the Chief Commissioner thinks fit.

Power to cancel restricted sale and re-sell under section 134.

When the proceeds of a sale so made are not equal to the arrears due at the time of sale, the Chief Commissioner may, at any time before the Commissioner of the Division has confirmed the sale, direct it to be cancelled and a new sale of the land to be made under section 133.

Power to proceed against defaulter's other immoveable property.

135. If the arrear cannot be recovered by any of the above processes, and the defaulter is in possession of any other immoveable property, the Deputy Commissioner may proceed against such other property, as if it were the land on account of which the revenue is due under the provisions of this Act:

Provided that no interest save those of the defaulter alone, shall be so proceeded against, and no incumbrances created or contracts entered into by him in good faith shall be rendered invalid by such proceeding.

Procedure in effecting sale.

136. On the receipt of the sanction of the Chief Commissioner to the sale of any land, the Deputy Commissioner of the district shall issue a proclamation, in the vernacular language of the district, of the intended sale, specifying the time and place of sale,

and (when the land to be sold is a mahál or part of a mahál paying revenue to Government) the revenue assessed upon it, together with any other particulars he may think necessary.

Contents of proclamation.

137. When the land is sold for arrears of revenue due in respect thereof, the proclamation shall declare that the land is to be sold free of every incumbrance except the leases mentioned in section 133, and except the interests and rights, if any, referred to in the first paragraph of section 134.

The particulars of such leases, interests and rights shall be given in the proclamation.

Such proclamation shall be made at the headquarters of the tahsíl in which the land is situate, and also in the village of which it is a part.

Notification of sale.

138. A written notice of the intended sale and of the time and place thereof shall be affixed in the office of the Deputy Commissioner of the district, and where the Assistant Commissioner in charge of the sub-division in which the land is situate has a separate office, then also in such office, and a copy of such notice shall be served on the defaulter.

Sale by whom to be made.

139. Every sale under this chapter shall be made either by the Deputy Commissioner of the district in person or by an Assistant Commissioner specially appointed by him in this behalf.

Time when sale may be made.

No such sale shall take place on a Sunday or other authorized holiday, or until after the expiration of at least thirty days from the date on which the said notice thereof has been affixed in the office of the Deputy Commissioner of the district, and proclamation of the sale has been made in the village in which the land is situate.

The Deputy Commissioner of the district may, from time to time, postpone the sale, reporting such postponement to the Commissioner of the division.

When sale may be stayed.

140. If the defaulter pay the arrear of revenue in respect of which the land is to be sold at any time before the day fixed for the sale, to the person appointed by Government under section 109, to receive payment of the revenue assessed on such land, or to the Deputy Commissioner of the district, or the Assistant Commissioner in charge of the sub-division of the district, the sale shall be stayed.

Deposit by purchaser.

141. The person declared to be the purchaser shall be required to deposit immediately twenty-five per cent. on the amount of his bid, and in default of such deposit the land shall forthwith be again put up and sold.

Re-sale in default of deposit.

Purchase-money when to be paid.

142. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the sale of the land took place, or, if the said fifteenth day be a Sunday or other authorized holiday, then on the first office day after such fifteenth day;

and in default of payment within such period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold.

Resale in case of default.

Liability of purchaser for loss by re-sale.

143. If the proceeds of the sale which is eventually made be less than the price bid by such defaulting purchaser, the difference shall be leviable from him under the rules contained in the Code of Civil Procedure for the execution of a decree for money.

Notification before re-sale.

144. No re-sale under section 142 in default of payment of the purchase-money shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale.

Application to set aside sale.

145. At any time within thirty days from the date of the sale, application in writing may be made to the Commissioner of the Division to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it.

When sale may be set aside.

146. No sale shall be set aside on such ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake complained of.

Order confirming or setting aside.

147. After the expiration of the said thirty days, if no such application as is mentioned in section 145, has been made, or if such application has been made and rejected, the Commissioner of the Division shall make an order confirming the sale;

and if such application be made and allowed the Commissioner shall make an order setting aside the sale.

Every order made under this section shall be final.

Bar of claims against Government.

148. If no such application be made within the time allowed by section 145, all claims founded on the irregularity or mistake complained of shall, as against the Government, be barred.

Nothing herein contained shall preclude the institution of a suit in a Civil Court for the purpose of setting aside a sale on the ground of fraud.

Refund of purchase-money when sale set aside.

149. Whenever the sale of any land is set aside, the purchaser shall be entitled to receive back his purchase-money, with or without interest, at such rate not exceeding six per cent. per annum, as the Commissioner of the Division thinks fit.

On confirmation of sale, purchaser to be put in possession.

150. After a sale of land in respect of which an arrear of revenue is due has been confirmed in manner aforesaid, the Deputy Commissioner of the District shall, unless the purchase has been made subject to a right of some other person to possession, put the person declared to be the purchaser into possession of the land, and shall grant him a certificate, to the effect that he has purchased the land to which the certificate

refers, and such certificate shall be deemed to be a valid transfer of such land, but need not be stamped or registered as a conveyance.

If the land has been sold on account of an arrear of revenue due in respect thereof, the certificate shall also either state that the purchaser has purchased the land to which the certificate refers free of every incumbrance other than the leases mentioned in section 133, or shall specify the incumbrances subject to which the land has been sold.

Bar of suit against certified purchaser.

151. The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

Application of proceeds of sale.

152. When a sale of land has been confirmed under section 147, the proceeds of the sale shall be applied in the first place to defraying the expenses of sale and to the payment of any arrears due in respect of such land at the date of the confirmation of such sale and recoverable as an arrear of land-revenue,

and the surplus (if any) shall be paid to the person whose land has been sold;

or, if the land sold were held in shares, then to the co-sharers collectively, or according to the amount of their recorded interests, at the discretion of the Deputy Commissioner of the District.

Surplus not to be paid to creditors, nor retained by Government except under order of Court.

153. Such surplus shall not (except under an order of a Civil Court) be payable to any creditor of the person whose land has been sold, nor shall it (except under a like order) be retained in the Government treasury.

Liability of purchaser for revenue.

154. The person named in the certificate of title as purchaser of any land shall be liable for all instalments of land-revenue becoming due in respect of such land subsequently to the date of the confirmation of the sale.

Pre-emption by co-sharers when land sold is a pattí of a mahál.

155. Where any land sold under section 132 is a pattí of a mahál, any recorded co-sharer, not being himself in arrear with regard to the revenue due in respect of such land, may, if the lot has been knocked down to a stranger, claim to take the said land at the sum last bid:

Provided that such claim be made on the day of sale, and before the officer conducting the sale has left the office for the day, and provided that the claimant fulfil all the other conditions of the sale.

Payment under protest and suit for recovery.

156. Whenever proceedings are taken under this chapter against any person for the recovery of any arrear of revenue, he may pay the amount claimed under protest to the officer taking such proceedings,

and upon such payment the proceedings shall be stayed,

and (subject to the pecuniary limitations prescribed by law) the person against whom such proceedings were taken may sue the Government for the amount so paid in any Civil Court situate in the district where such proceedings were taken;

and in such suit, the plaintiff may, notwithstanding section 113, give evidence of the amount which he alleges to be due from him.

Proprietor of mahál when to be deemed a tenant with right of occupancy.

157. Any proprietor or under-proprietor of a mahál or portion of a mahál, that is attached, transferred, held under direct management, farmed or sold under the provisions of this Act, who may, at the date of the order of such attachment, transfer, direct management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner may determine, and the rent to be paid by him for such land shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Assistance to recover rent of mahál held in sub-settlement.

158. Whenever a mahál or pattí is held in sub-settlement, or under a heritable, non-transferable lease, the rent payable under which has been fixed by the Settlement Officer or other competent authority, and the rent of such mahál or pattí falls into arrear, the proprietor, instead of suing the defaulter under Act No. XIX of 1868, may, within the period limited for such a suit, apply in writing to the Deputy Commissioner requesting him to realize such arrear.

The Deputy Commissioner shall, on receipt of such application, satisfy himself as to the existence of such arrear, and shall then, subject to such rules as may from time to time be made in this behalf by the Chief Commissioner, proceed to recover such arrear as if it was an arrear of revenue.

If in addition to or in lieu of the other remedies applicable to the recovery of arrears of revenue, the Deputy Commissioner thinks it necessary or expedient to annul the sub-settlement of any such mahál or pattí, he shall refer the case with his opinion thereon to the Chief Commissioner, and the Chief Commissioner may thereupon annul the existing sub-settlement of such mahál or pattí for such period (not exceeding fifteen years) as he thinks fit; and the new sub-settlement to be made on the expiration of such period shall be made in accordance with the provisions of section 40 and (so far as is practicable) with those of section 131.

Tenure of land under expired settlement until new settlement is made.

159. If the term for which any settlement has been made expires before a new settlement is made, all persons with whom a settlement has been made, who continue after the expiration of such term to occupy the land comprised in the expired settlement shall, until a new settlement is made, hold the said land upon the conditions of the expired settlement.

Provisions applied to arrears due at commencement of Act.

160. The provisions of this Act with regard to the recovery of arrears of revenue shall apply to all arrears of land-revenue and sums of money recoverable as arrears of land-revenue and due when this Act comes into force.

CHAPTER VIII.

COURTS OF WARDS.

Deputy Commissioners to be Courts of Wards.

161. Deputy Commissioners shall, subject to the control of the Commissioner of the Division and of the Chief Commissioner, have the power of a Court of Wards within their respective districts for the superintendence of the persons and property of all persons who may become entitled as proprietors or under-proprietors, or lessees whose rent has been fixed by a Settlement Officer, to any beneficial interest in a mahál or portion of a mahál assessed to the payment of land-revenue or held free of revenue, and who are either disqualified for the management of their own estates or are committed by a Civil Court to the care of the Deputy Commissioner:

Bar of jurisdiction in certain cases.

Provided that the Court of Wards shall not take charge of or administer any beneficial interest in an estate, in which more persons than one have a joint undivided interest, unless all such persons are so circumstanced as to be subject to the Court of Wards.

Persons when disqualified to manage their estates.

162. Persons shall be held to be disqualified to manage their own estates when they are

(*a*) females deemed by the Chief Commissioner incompetent to manage their estates,

(*b*) minors,

(*c*) idiots,

(*d*) lunatics,

(*e*) persons who may in the opinion of the Chief Commissioner be otherwise rendered incapable by physical defects or infirmities from managing their estates,

(*f*) persons convicted of a non-bailable offence and disqualified in the opinion of the Chief Commissioner by vice or bad character from managing their estates,

(*g*) persons declared by the Chief Commissioner on their own application to be disqualified from managing their estates.

Inquiry into minority, lunacy, idiocy, &c.

163. The Deputy Commissioner may make an inquiry into the disqualification of any person, whom he has reason to believe disqualified within the meaning of section 162, clauses (*b*), (*c*) or (*d*), and into the circumstances and property of any such person, and may make an order declaring him to be subject to the jurisdiction of the Court of Wards.

Jurisdiction of Court of Wards.

164. The Court of Wards may assume or refrain from assuming the superintendence of the person or property of any disqualified person and may at any time release any person or property from its superintendence: Provided that such person or property has not been placed under the Court of Wards by any competent authority whose order is necessary to his or its release.

Report to Chief Commissioner when right of Court of Wards is disputed by persons other than those specially providing for.

165. If in any case not specially provided for by this or any other law for the time being in force, the right of the Court of Wards to assume or retain the superintendence of the estate of a disqualified person is disputed by such person, the case shall be reported to the Chief Commissioner whose orders thereon shall be final.

Extent of jurisdiction.

166. The jurisdiction of the Court of Wards shall extend to the care and education, and to the management of the property, of the persons subject thereto.

Appointment, removal and control of guardians.

167. The Court of Wards may appoint managers of the property of disqualified proprietors, and if such proprietors be minors, idiots or lunatics, may appoint guardians for the care of their persons, and may remove and control such managers and guardians.

Power of proprietors to appoint guardians for disqualified heirs.

168. Proprietors may appoint guardians for their heirs, if disqualified, by will executed and attested in manner required in case of Taluqdárs by Act No. I of 1869, and in case of other proprietors by the Indian Succession Act, 1865; but the Court of Wards shall be competent to remove such guardian for any sufficient reason.

Powers of Courts of Wards as to male minors within its jurisdiction.

169. The Court of Wards may direct where all male minors under its jurisdiction shall reside for the purpose of education or otherwise.

Powers of manager.

170. The manager appointed by the Court of Wards shall have power to collect the rents of the land entrusted to him, as well as all other money due to the disqualified proprietor, and to grant receipts therefor;

and he may, subject to the control of the Court, grant or renew such leases and farms, not being for a longer period than five years, as may be necessary for the good management of the property.

Duties of manager.

171. The manager shall manage the property committed to him diligently and faithfully for the benefit of the proprietor, and shall in every respect act to the best of his judgment for the proprietor's interest as if the property were his own.

Power of Court of Wards as to land under its charge.

172. The Court of Wards shall have power to give such leases or farms of the whole or parts of the immoveable property under its charge, and to mortgage or sell any part of such property, and to do all such other acts, as it may judge to be most for the benefit of the property and the advantage of the disqualified proprietors.

Disabilities of persons subject to Court of Wards.

173. Persons whose property is under the superintendence of the Court of Wards shall not be competent to create without the sanction of the Court any charge upon or interest in such property or any part thereof.

Their property exempt from being taken in execution of certain decrees.

174. No such property shall be liable to be taken in execution of a decree made in respect of any contract entered into by such person while his property is under such superintendence.

Suits by and against disqualified proprietors in charge of Court of Wards.

175. All disqualified proprietors whose property is in charge of the Court of Wards shall sue and be sued by and in the name of their guardians, where guardians have been appointed;

Provided that no such suit shall be maintained or defended by any guardian without the sanction of the Court of Wards.

Suits by such proprietors when no guardian appointed.

176. If no such guardian has been appointed, the disqualified proprietors shall sue and be sued by and in the name of the Court of Wards.

Rules relating to managers.

177. Every manager appointed by the Court of Wards shall—

(*a*) give such security as the Court of Wards thinks fit, duly to account for what he shall receive in respect of the rents and profits of the property for which he is appointed;

(*b*) pass his accounts at such periods and in such form as the Court of Wards directs;

(*c*) pay the balance due from him thereon;

(*d*) apply for the sanction of the Court of Wards to any act which may involve the property in expense not previously sanctioned by such Court;

(*e*) be entitled to such allowance as the Court of Wards thinks fit for his care and pains in the execution of his duties;

(*f*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

CHAPTER IX.

POWERS OF OFFICERS.

A.—Powers of Assistant Commissioners.

Powers of Assistant Commissioners of the first class.

178. An Assistant Commissioner in charge of a sub-division shall as such have the following powers:—

(*a*) to refer cases for inquiry or decision to his subordinates;

(*b*) to withdraw cases from his subordinates and to deal with them himself, or to refer them for disposal to any other subordinate officer competent to deal with them;

(*c*) to order changes in the proprietary register;

(*d*) to levy fees for mutations;

(*e*) to receive notices of, and to enquire into cases of reported transfers;

(*f*) to levy fines, under section 64;

(*g*) to declare the person best entitled to property and put him in possession, under section 65;

(*h*) to enquire into and dispose of disputes under section 66.

(*i*) to report on revenue-free holdings, and to assess revenue on resumed grants;

(*j*) to assess alluvial lands;

(*k*) to receive applications for and make partitions under chapter V, of this Act, subject to the confirmation of the Deputy Commissioner of the District.

(*l*) to impose fines for injuries to boundary-marks, and in certain cases apportion the charges of re-erecting and repairing boundary-marks;

(*m*) to call on owners to erect or repair boundaries, and, in default, to erect and repair and charge the cost to owners, and to decide disputes regarding boundaries;

(*n*) to attach and sell moveable property of defaulters, under section 117;

(*o*) to fix under section 157 the area of the land to be held as a tenant with right of occupancy and the rent to be paid for it by proprietors of mahâls which have been attached, transferred, held under direct management, farmed or sold, under the provisions of this Act, for land in their cultivating occupancy;

(*p*) to give orders as to the appointment, suspension, dismissal, punishment, remuneration and supervision of patwârîs under sections 206 to 212, both inclusive.

Powers of Assistant Commissioners of first class not in charge of sub-divisions.

179. Assistant Commissioners of the first class, not in charge of sub divisions of districts, shall exercise all or any of the powers conferred on Assistant Commissioners of the first class in charge of sub-divisions, in such cases or class of cases as the Deputy Commissioner of the District may, from time to time, refer to them for disposal.

Powers of Assistant Commissioners of second class.

180. All Assistant Commissioners of the second class shall have power to investigate and report on such cases as the Deputy Commissioner of the District or Assistant Commissioner in charge of a sub-division of a district may, from time to time, commit to them for investigation and report.

B.—Powers of Settlement Officers.

Powers of officers in charge of a settlement.

181. Officers in charge of a settlement may exercise all the powers conferred by or under this Act on Settlement Officers, and by section ten on the Deputy Commissioner of the District, but none but an officer in charge of a settlement or an Assistant Settlement Officer specially empowered by the Chief Commissioner shall have power—

(*a*) to frame proposals for assessment;

(*b*) to distribute the assessment;

(*c*) to re-distribute land or revenue under section 31;

(*d*) to determine the rent payable under section 40 by under-proprietors or lessees;

(*e*) to exclude proprietors from settlement for refusal to engage;

(*f*) to adjust the rent of excluded proprietors;

(*g*) to resume and assess revenue-free land.

Powers of Assistant Settlement Officers.

182. All other powers conferred on Settlement Officers by this Act shall be exercised by Assistant Settlement Officers, under such restrictions as the officer in charge of a settlement may from time to time impose.

Investing of Settlement Officers with powers of Deputy Commissioner and Assistant Commissioner.

183. The Chief Commissioner may with the previous section of the Governor General in Council invest any officer in charge of a settlement with all or any of the powers of a Deputy Commissioner under this Act, and any Assistant Settlement Officer with all or any of the powers conferrible on an Assistant Commissioner under this Act within such limits, and with such restrictions, and for such period as he thinks fit.

CHAPTER X.

APPEALS.

Officers to whom appeals lie.

184. Appeals shall lie under this Act as follows:—

(*a*) to the Chief Commissioner from any order passed by a Commissioner except such orders as are made on appeal from orders passed by Deputy Commissioners in the exercise of their appellate jurisdiction;

(*b*) to the Commissioner from orders, original or appellate, passed by Deputy Commissioners or officers in charge of a settlement in any proceeding held under the provisions of this Act;

(*c*) to the Deputy Commissioner from orders passed by any Assistant Commissioner;

(*d*) to the officer in charge of a settlement from orders passed by an Assistant Settlement Officer.

Limitation of appeals.

185. No appeal under section 184, clauses (*c*) and (*d*), shall be brought after the expiration of thirty days from the date of the order complained of.

No appeal under the same section, clause (*b*), shall be brought after the expiration of six weeks from the date of the order complained of, unless otherwise specially provided.

No appeal under the same section, clause (*a*), shall be brought after the expiration of two months from the date of the order complained of.

Time to be excluded.

186. In computing the period prescribed for an appeal under this chapter, the day on which the order complained of was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

Admission of appeal after period of limitation.

187. Any appeal under this chapter may be admitted after the period of limitation prescribed therefor, when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within such period.

No appeal shall lie against an order under this section admitting an appeal.

Procedure on admitting appeal.

188. The officer to whom the appeal lies may either admit or summarily reject the appeal. If he admit the appeal, he may reverse, modify or confirm the order appealed against, or he may direct such further investigation to be made or such additional evidence to be taken as he may think necessary, or he may himself take such additional evidence.

Suspension of order appealed against.

189. In every case in which an appeal is admitted, the execution of the order appealed may, pending the result of the appeal, be suspended.

Power to call for files of subordinate officers.

190. The Chief Commissioner and every Commissioner shall have power to call for the file of any proceeding held by any officer subordinate to him, and to pass such orders thereon as he thinks fit.

CHAPTER XI.

REFERENCE TO ARBITRATION.

Power to refer disputes to arbitration.

191. The Chief Commissioner, a Commissioner of a Division, a Deputy Commissioner, an Assistant Commissioner of the first class, an officer in charge of a settlement, or an Assistant Settlement Officer may, with the consent of the parties, by order, refer any dispute before him to arbitration; and any officer acting under the provisions of sections 102 to 107, both inclusive, may, with the consent of the parties, refer to arbitration any dispute arising before him respecting the matters mentioned in the same sections.

What to be specified in order of reference.

192. In referring any such dispute to arbitration, the officer making the reference shall specify, in the order of reference, the precise matter submitted to the arbitrators, and such period as he may think reasonable for the delivery of the award;

and he may from time to time extend such period.

Appointment of arbitrators.

193. The parties to the case may each nominate either one or two arbitrators, provided that each party shall nominate the same number;

and a third or fifth arbitrator (as the case may be) shall be appointed by the parties, or, in the event of their being unable to agree, by the officer making the reference.

Power to excuse arbitrator from serving, and to call for nomination of substitute.

194. Every officer making a reference under this chapter may, on good cause shown, excuse any person from serving as an arbitrator, and may call on the party who nominated such person to nominate another in the place of the person so excused.

Nomination of new arbitrator in place of one dying or failing to act.

195. If an arbitrator die, desire to be discharged, or refuse or become incapable to act, the party who nominated him shall nominate another person in his place.

Nomination by officer when parties fail.

196. If in any of the cases provided for by section 194 or section 195 any party fail for a week to nominate in manner aforesaid, the officer making the reference shall appoint some person to act as arbitrator.

Award.

The arbitrators shall determine and award concerning the matters referred to them for arbitration; and the parties disputing, and all persons claiming through them respectively, shall abide by and perform the award of the arbitrators.

Summoning parties to give evidence.

197. If the arbitrators require the presence of the parties, or any other persons whose evidence may be necessary, they shall ap-

ply to the officer making the reference, who shall summon such parties or persons;

and all such parties or persons shall be bound to attend, either in person or by agent, as the arbitrators may require, and to state the truth as to the subject-matter of the reference, and to produce such documents and other things as may be required before the arbitrators.

Obligation of persons summoned.

198. The award shall be made in writing under the hands of the arbitrators, and shall be submitted by them to the officer making the reference, who shall cause notice to be served on the parties to attend and hear the award.

Preparation and submission of award.

199. The officer making the reference may remit the award or any of the matters referred to arbitration to the re-consideration of the same arbitrators.

In what cases award or subject of arbitration may be remitted to arbitrators.

(*a*) if the award has left undetermined some of the matters referred to arbitration, or if it determine matters not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of the award.

200. No ward shall be liable to be set aside except on the ground of corruption or misconduct of all or any of the arbitrators.

Grounds on which award may be set aside.

Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

Application to set aside.

201. If the officer making the reference does not see cause to remit the award or any of the matters referred to arbitration for re-consideration in the manner aforesaid,

Decision according to award.

and if no application has been made to set aside the award,

or if he has refused such application,

he shall decide in accordance with the award of the majority of the arbitrators,

and shall fix the amount to be allowed for the expenses of the arbitration, and direct by and to whom, and in what manner, the same shall be paid.

202. Such decision shall not be open to appeal, and shall be at once carried out;

Bar to appeal any suit in Civil Court.

and no Civil Court shall entertain any suit for the purpose of setting it aside or against the arbitrators on account of their award.

CHAPTER XII.

OF PATWARIS.

203. The Chief Commissioner may require the appointment of a patwárí for any village, villages, or local area, for which, by reason of prior usage or of the requirements of the locality, he thinks that a separate patwárí is necessary.

Power to require appointment of patwárí.

204. All proprietors and under-proprietors shall be responsible for the nomination of duly qualified persons to fill the office of patwárí, and for the punctual and accurate performance by their nominees of the duties prescribed for them by the rules framed under the next following section.

Responsibility of proprietors in respect of patwáris.

The mortgagees and conditional vendees of such proprietors and under-proprietors shall, if in possession of the land mortgaged or conditionally sold, be deemed to be, for the purpose of this chapter, proprietors and under-proprietors.

205. The Chief Commissioner may, from time to time, make rules, consistent with this Act, for regulating the qualifications, enrolment and duties of patwáris.

Power to make rules as to qualifications, &c., of patwáris.

206. Appointments of patwáris shall ordinarily be made by the Deputy Commissioner on the nomination of the proprietors or under-proprietors. If, in the area for which the patwárí is to act there are more proprietors or under-proprietors than one, the nominee of those proprietors or under-proprietors who own the largest extent of land in that area shall be deemed to have been nominated for the appointment.

Patwáris by whom appointed.

If a mahál is under direct management, or under the charge of the Court of Wards, or under the management of a manager appointed under the Oudh Taluqdárs' Relief Act, the Deputy Commissioner shall, for the purpose of nominating a patwárí, be deemed to be a proprietor or under-proprietor.

207. If the proprietors or under-proprietors fail to nominate a patwárí within a reasonable time, the Deputy Commissioner shall give them notice in writing to do so, and if they further fail to do so for fifteen days after the receipt of such notice, he may appoint a patwárí.

Procedure where proprietors fail to nominate.

208. If the Deputy Commissioner considers that a nominee is not qualified for the office of patwárí, he shall refuse to appoint him, and shall call upon the proprietors or under-proprietors to nominate some other fit person, and if no fit person be nominated within the following fifteen days, he shall himself appoint a person to the vacant office.

Procedure where nominee is not qualified.

209. The Deputy Commissioner shall remove a patwárí from his office, if all the persons entitled to appoint to the office request his removal, unless the Deputy Commissioner has reason to think that such request is caused by a fraudulent or other improper motive.

Removal of patwárí on request of all the persons entitled to appoint.

210. The Deputy Commissioner may remove a patwárí from his office, if any of the proprietors or under-proprietors or any of the tenants of the local area for which such patwárí has been appointed, apply to the Deputy Commissioner for his removal: but the Deputy Commissioner shall first give to the patwárí and to the proprietors or under-proprietors (if any) who have not joined in the application, reasonable opportunity of showing cause why such patwárí should not be removed.

Removal on request of some of such persons.

211. If the Deputy Commissioner thinks that a patwárí whose removal is applied for ought to be continued in office, or if he thinks that a patwárí is not qualified for his office, he may order that the patwárí shall be continued in office or be removed, as he thinks fit.

Procedure where Deputy Commissioner thinks that patwárí should be continued.

212. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act, for the appointment, suspension, dismissal, punishment, remuneration and supervision of patwáris. Such rules may, among other things, prescribe the amount to be paid for the salaries of patwáris, for the necessary expenses of their office, and for the remuneration of the kánúngos (if any) appointed to supervise them, and the persons by whom such payments are to be made.

Power to make rules as to appointment, &c. of patwáris.

213. The provisions contained in sections 206 to 212 inclusive shall not, by force only of this Act, apply to the appointment, dismissal, punishment, or remuneration of patwáris for taluqás which are in the possession of their owners; but the Chief Commissioner may order all or any of such provisions to be so applied in the cases mentioned in section 215.

Exemption from sections 206 to 212.

214. If in any such taluqá, the taluqdár fails to appoint a patwárí as required by this Act, or if the patwárí fails to prepare or submit any of the papers or accounts required by this Act or any rules made hereunder, the Deputy Commissioner may for any one year cause such papers or accounts to be prepared and submitted at the expense of the taluqdár.

Power to order patwáris papers to be prepared at expense of taluqdár.

215. On the request of any taluqdár,

Power to apply sections 206 to 212 to local areas.

or if any taluqdár persistently or repeatedly fails

(1) to nominate persons to fill the office of patwárí, or

(2) to ensure the punctual and accurate performance by his nominees of the duties prescribed for them by the rules framed under this chapter,

the Chief Commissioner may order that all or any of the provisions contained in sections 206 to 212 inclusive, shall be applied to the taluqá of the taluqdár making such request or default, or to any local area therein, for such term as the Chief Commissioner thinks fit; and may rescind or modify such order.

Provided that, in the case of the taluqdár making such request, the term shall not exceed his life, and that, in the case of the taluqdár making such default, the term shall not exceed his life or fifteen years, whichever period first expires.

CHAPTER XIII.

MISCELLANEOUS.

216. Subject to the orders of the Chief Commissioner,

Place for holding Court.

(*a*) a Commissioner may hold his Court at any place within his division that he thinks fit:

(*b*) a Deputy Commissioner, an Assistant Commissioner (whether in charge or not of a sub-division of a district), or an officer in charge of a settlement or Assistant Settlement Officer may hold his Court at any place within the limit of the district to which he is appointed; and

(*c*) a Tahsíldár may hold his Court at any place within the limits of his tahsíl.

217. The Chief Commissioner and any officer mentioned in the last preceding section shall have power to summon any person whose attendance he considers necessary for the purpose of any investigation, suit or other business before him.

Power to summon persons to give evidence and produce documents.

All persons so summoned shall be bound to attend either in person or by authorized agent as such officer may direct,

and to state the truth upon any subject respecting which they are examined to make statements,

and to produce such documents and other things as may be required.

218. All proceedings held under the provisions of this Act shall be conducted according to the rules for the time being prescribed under section 220.

Conduct of proceedings.

219. No Civil Court shall exercise jurisdiction over any of the following matters:—

Matters excepted from cognizance of Civil Courts.

(*a*) the claim of any person to be settled with, or

the validity of any engagement with Government for the payment of revenue, or

the amount of revenue, cess or rate to be assessed on any mahál, or portion of a mahál under this or any other Act for the time being in force: or

the rent to be paid to a proprietor by an under-proprietor or a lessee whose rent has been fixed by the Settlement Officer.

(*b*) any claims connected with or arising out of any process enforced on account of neglect or refusal to accept the assessment or terms of sub-settlement proposed by the Settlement Officer:

(*c*) the formation of the settlement record,

the preparation, signing, or attestation of any of the documents contained therein, or

the notification of settlement:

(*d*) the distribution on partition of the land or allotment of the revenue of a mahál or of the rent of an under-proprietary tenure, or of rent payable by lessees whose rent has been fixed by a Settlement Officer.

(*e*) the determination of the rent to be paid by any person under section 86:

(*f*) claims connected with, or arising out of, the collection of revenue or any process enforced on account of an arrear of revenue, or on account of any sum which is by this or any other Act realizable as revenue other than claims under section 156:

(*g*) claims to set aside a sale for arrear of revenue other than claims under section 148.

In all the above cases, jurisdiction shall rest with the revenue officers only.

Power to make rules for purposes of Act.

220. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make and issue rules consistent with this Act, and relating to the following matters :—

(*a*) the qualifications, appointment, duties, remuneration, punishment and dismissal of—

(1) tahsíldárs.

(2) lambardárs or representatives of village communities,

(3) kánúngos or superintendents of revenue records,

(*b*) for regulating the assessment of land gained by alluvion or the reduction of the assessment of a mahál in consequence of diluvion ;

(*c*) the procedure to be followed by any officer or other person who, under any provision of this Act, is required or empowered to take action in any matter ;

(*d*) the person by whom, and the time, and manner at or in which, anything for the doing of which provision is hereinbefore made in this Act, shall be done ;

(*e*) the form and contents of reports to be furnished by officers required or empowered to take action in any matter, and the period within which such reports shall be furnished ;

(*f*) the form and contents of the registers and lists kept under this Act ; and

(*g*) the mode of recovering arrears of rent under section 158, the extent to which they may be recovered, and the amount which may be retained by the Deputy Commissioner to defray the expenses of such recovery ;

(*h*) the cases in which taluqdárí maháls and maháls whether under-proprietary or held by lessees whose rents have been fixed by the Settlement Officer or other competent authority may be partitioned under this Act ;

(*i*) the costs of partitions under this Act and the persons by whom they are to be paid, and the mode of enforcing such payment against such persons or their shares in the property of which partition has been made ;

(*j*) the issue under section 114, of writs of demand or summons to appear, and the costs recoverable from the defaulter, and the officer by whom such writs and summonses shall be issued ;

(*k*) and generally to carry out the provisions of this Act.

Recovery of fines and costs.

221. All fees, fines, costs and other moneys ordered to be paid under this Act, shall be recoverable as if they were an arrear of land-revenue.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October 1876, and is hereby promulgated for general information :—

ACT No. XVIII OF 1876.

THE OUDH LAWS ACT, 1876.

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SECOND SCHEDULE.

An Act to declare and amend the laws to be administered in Oudh.

Preamble.

Whereas it is expedient to declare and amend the laws to be administered in Oudh ; It is hereby enacted as follows :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be called "The Oudh Laws Act, 1876."

Local extent.

It extends only to the territories for the time being under the administration of the Chief Commissioner of Oudh ;

Commencement.

And it shall come into force on the passing thereof.

Repeal of enactments.

2. The Regulations, Acts, Rules and Orders mentioned or referred to in the first Schedule hereto annexed shall be repealed to the extent mentioned in the third column of the said schedule.

PART II.

GENERAL LAWS TO BE ADMINISTERED IN OUDH.

Statutory law to be administered in Oudh.

3. The law to be administered by the Courts of Oudh shall be as follows :—

(*a*) the laws for the time being in force regulating the assessment and collection of land-revenue ;

(*b*) in questions regarding succession, special property of females, betrothal, marriage, divorce, dower, adoption, guardianship, minority, bastardy, family relations, wills, legacies, gifts, partitions or any religious usage or institution, the rule of decision shall be—

(1) any custom applicable to the parties concerned which is not contrary to justice, equity, or good conscience, and has not been, by this or any other enactment, altered or abolished, and has not been declared to be void by any competent authority ;

(2) the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, except in so far as such law has been, by this or any other enactment, altered or abolished, or has been modified by any such custom as is above referred to ;

(*c*) the rules contained in this Act ;

(*d*) the rules published in the local official *Gazette* as provided by section forty, or made under any other Act for the time being in force in Oudh ;

(*e*) the Regulations and Acts specified in the second Schedule hereto annexed, subject to the provisions of section four, and to the modifications mentioned in the third column of the same schedule ;

(*f*) subject to the modifications hereinafter mentioned, all enactments for the time being in force and expressly, or by necessary implication, applying to British India or Oudh, or some part of Oudh ;

(*g*) in cases not provided for by the former part of this section, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience.

Validity of local customs and mercantile usages.

4. All local customs and mercantile usages shall be regarded as valid, unless they are contrary to justice, equity, or good conscience, or have, before the passing of this Act, been declared to be void by any competent authority.

PART III.

CHAPTER I.

DOWER AMONG MUHAMMADANS.

Muhammadan dower-contracts how to be enforced.

5. Where the amount of dower stipulated for in any contract of dower by a Muhammadan is excessive with reference to the means of the husband, the entire sum provided in the contract shall not be awarded in any suit by decree in favour of the plaintiff, or by allowing it by way of set-off, lien or otherwise to the defendant; but the amount of the dower to be allowed by the Court shall be reasonable with reference to the means of the husband and the status of the wife.

Rule applicable after husband's death.

This rule shall be applicable whether the suit to enforce the contract be brought in the husband's lifetime or after his death.

CHAPTER II.

PRE-EMPTION.

Right of pre-emption.

6. The right of pre-emption is a right of the persons hereinafter mentioned or referred to, to acquire, in the cases hereinafter specified, immoveable property in preference to all other persons.

Presumption as to its existence.

7. Unless the existence of any custom or contract to the contrary is proved, such right shall, whether recorded in the settlement-record or not, be presumed—

(*a*) to exist in all village-communities, however constituted, and whether proprietary or under-proprietary, and in the cases referred to in section forty of the Oudh Land-Revenue Act, 1876, and

(*b*) to extend to the village site, to the houses built upon it, to all lands and shares of lands within the village-boundary, and to all transferable rights affecting such lands.

Its existence in towns to be proved.

8. The right of pre-emption shall not be presumed to exist in any town or city, or any sub-division thereof, but may be shown to exist therein, and to be exercisable therein by such persons and under such circumstances as the local custom prescribes.

Devolution of right when property to be sold or foreclosed is a proprietary or under-proprietary tenure.

9. If the property to be sold or foreclosed is a proprietary or under-proprietary tenure, or a share of such a tenure, the right to buy or redeem such property belongs, in the absence of a custom to the contrary,

1*st*, to co-sharers of the sub-division (if any) of the tenure in which the property is comprised, in order of their relationship to the vendor or mortgagor;

2*ndly*, to co-sharers of the whole mahál in the same order;

3*rdly*, to any member of the village-community; and

4*thly*, if the property be an under-proprietary tenure, to the proprietor.

Where two or more persons are equally entitled to such right, the person to exercise the same shall be determined by lot.

Notice to pre-emptors.

10. When any person proposes to sell any property, or when he forecloses a mortgage upon any property in respect of which any persons have a right of pre-emption, he shall give notice to the persons concerned of the price at which he is willing to sell such property, or of the amount due in respect of such mortgage, as the case may be.

Such notice shall be given through the Court within the local limits of whose jurisdiction the property or any part thereof is situate, and shall be deemed sufficiently given if it be stuck up on the chaupál or other public place of the village or city in which the property is situate.

Loss of right of pre-emption.

11. Any person having a right of pre-emption in respect of any property proposed to be sold, shall lose such right, unless within three months from the date of such notice he or his agent pays or tenders the price aforesaid to the person so proposing to sell.

Right of pre-emptor on foreclosure.

12. When the right of pre-emption arises in respect of the foreclosure of a mortgage, any person entitled to such right may, at any time within three months after the giving of the notice required by section ten, pay or tender to the mortgagee or his successor in title the amount specified in such notice, and shall thereupon acquire a right to purchase the property.

On completion of the purchase the person exercising the right of pre-emption shall be bound to pay to the mortgagee or his successor in title the amount specified in such notice, together with interest on the principal sum secured by the mortgage, at the rate specified by the instrument of mortgage, for any time which has elapsed since the date of the notice, and any additional costs which may have been properly incurred by the mortgagee or his successor in title.

Suit to enforce right of pre-emption.

13. Any person entitled to a right of pre-emption may bring a suit to enforce such right on any of the following grounds (namely)—

(*a*) that no due notice was given as required by section ten;

(*b*) that tender was made under section eleven or section twelve and refused;

(*c*) in the case of a sale, that the price stated in the notice was not fixed in good faith;

(*d*) in the case of a mortgage, that the amount claimed by the mortgagee was not really due on the footing of the mortgage and was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged.

If in the case of a sale, the Court finds that the price was not fixed in good faith, the Court shall fix such price as appears to it to be the fair market-value of the property sold.

If in the case of a mortgage, the Court finds that the amount claimed by the mortgagee was not really due on the footing of the mortgage, and that it was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged, the amount to be paid to the mortgagee shall not exceed what the Court finds to be such market-value.

Decree to fix time for payment.

14. If the Court find for the plaintiff, the decree shall specify a day on or before which the purchase-money or the amount to be paid to the mortgagee shall be paid.

Effect of non-payment of purchase-money.

15. If such purchase-money or amount is not paid into Court before it rises on that day, the decree shall become void, and the plaintiff shall, so far only as relates to such sale or mortgage, lose his right of pre-emption over the property to which the decree relates.

CHAPTER III.

PROCEDURE OF THE COURTS.

Rule of limitation.

16. The Judicial Commissioner's Circular No. 104 of July 1860, shall be held to have been a notification within the meaning of section twenty-four of Act No. XIV of 1859; and such Act shall be deemed to have been in force in Oudh from the fourth day of July 1862; and all orders and decrees passed under the rules contained in the said Circular, or under the said Act, shall be deemed to have been passed under a law in force for the time being.

Nothing in this section affects the provisions of sections 102, 104, 105, 106, 107 and 108 of the Oudh Rent Act (XIX of 1868) with regard to the limitation of suits under that Act.

Act XXXII of 1871, s. 28, to cease in any district from date of notification that it is no longer under settlement.

17. The provisions of the Oudh Civil Courts Act, 1871, section 28, shall cease, and be deemed to have ceased, to have effect in any district from the date of the notification under section 26 of that Act.

Recognized agent.

18. Section 17 of Act VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

"The recognized agents of parties by whom such applications and appearances may be made are—

"A permanent servant, partner, relation or friend, whom the Court may admit as a fit person to represent a party, and especially persons holding powers of attorney from absent parties, parties carrying on business on behalf of bankers and traders, managing agents of landlords, nearest male relations of women, and persons *ex officio* authorized to act for Government or for any prince or chief.

"Whenever the personal appearance of a party to a suit is required by this Act, such appearance may be made by his recognized agent, unless the Court shall otherwise direct; and anything which by this Act is required or permitted to be done by a party in person may be done by his recognized agent. Notices given to, or processes served on, a recognized agent, relative to a suit, shall be effectual for all purposes, in relation to the suit, as if the same had been given to or served on the party in person, unless the Court shall otherwise direct; and all the provisions of this Act, relative to the service of notices or processes on a party to a suit, shall be applicable to the service of notices and processes on such recognized agent."

Rules for taking evidence.

19. Section 172 of Act No. VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

"On the day appointed for the hearing of the suit, or on some other day to which the hearing may be adjourned, the evidence of the witnesses in attendance shall be taken orally in open Court in the presence and hearing and under the personal direction and superintendence of the Judge.

"A note of the essential points of the evidence of each witness is to be taken at the time, and in the course of oral examination, by the officer who tries the case, in his own language, or in English if he is sufficiently acquainted with that language, and such note shall be filed, and shall form part of the record of the case.

"If the evidence be taken down in a different language from that in which it has been given, and the witness does not understand the language in which it is taken down, the witness may require his deposition as taken down to be interpreted to him in the language in which it was given.

"It shall be in the discretion of the Court to take down, or cause to be taken down, any particular question and answer, if there appear any special reason for so doing, or any party or his pleader requires it.

"If any question put to a witness be objected to by either of the parties or their pleaders, and the Court allow the same to be put, the question and the answer shall be taken down, and the objection and the name of the party making it shall be noticed in taking down the depositions, together with the decision of the Court upon the objection.

"The Court shall record such remarks as it may think material respecting the demeanour of the witness while under examination.

"If the Judge be prevented from making a note as above required, he shall record the reason of his inability to do so, and shall cause such note to be made in writing from his dictation in open Court, and shall sign the same, and such note shall form part of the record."

Execution sale of ancestral and acquired property in land.

20. So much of section 205 of the Code of Civil Procedure, as renders land liable to sale in execution of a decree, shall be subject to the following restriction:—

No ancestral property in land shall be sold in satisfaction of a decree without the permission of the Chief Commissioner; no self-acquired property in land shall be so sold without the permission of the Commissioner.

Explanation.—In this section the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59.

21. Whenever the Civil Court thinks fit under the said Code, to provide for the management of land attached in execution of a decree, the Court shall issue a precept to the Deputy Commissioner of the district wherein such land is situate, directing him to take charge of such land, and to appoint a person for the care and management thereof under adequate security for the faithful discharge of his duty.

Appointment of manager of land attached.

The precept shall describe the land comprised in such direction, and the attachment shall not be withdrawn without a further precept from the Court to that effect.

Nothing in this section authorises a Civil Court to direct a Deputy Commissioner to take charge of land not in the actual possession of the judgment-debtor or of some one whom the judgment-debtor has a present right to remove from possession.

22. Notwithstanding anything contained in the said Code, any Civil Court sitting within the local limits of the jurisdiction of the Lucknow Civil Court, but exercising jurisdiction beyond such limits, may cause summonses, warrants, notices and other processes to be served within the local limits of the jurisdiction of the Lucknow Civil Court without causing the same processes to be served through such Court.

Service of process within jurisdiction of Lucknow Civil Court.

23. The following section is substituted for section 109 of the Oudh Rent Act:—

Section substituted for section 109, Act XIX of 1868.

"The provisions of the Code of Civil Procedure, as in force in Oudh, shall, so far as they are not inconsistent with the provisions herein contained, apply to all suits, appeals and proceedings under this Act."

24. Section 118 of the Oudh Rent Act is repealed, and the following section is substituted for it:—

Section substituted for section 118, Act XIX of 1868.

"118. No process of execution shall be issued on a decree under this Act on any application made after the lapse of three years from the date of such decree unless the decree be for a sum exceeding five hundred rupees, in which case the period within which execution may be had shall be regulated by the law in force as to the period allowed for the execution of decrees of the Civil Courts."

Execution not to issue on decree after lapse of three years from date.

25. Any proprietor or under-proprietor of a mahál or portion of a mahál, which is attached, transferred, held under direct management, farmed or sold under the provisions of the Code of Civil Procedure, who may at the date of the order for such attachment, transfer, management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner shall determine, and the rent to be paid by him for land so determined shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Right of occupancy in judgment-debtor's sír land.

26. Notwithstanding anything contained in Act No. XX of 1865, all persons duly admitted and enrolled as Revenue Agents under that Act in the territories for the time being under the administration of the Chief Commissioner of Oudh may appear, plead and act in suits under the Oudh Rent Act in the Courts of officers exercising the powers of Assistant Collectors, Deputy Collectors, Collectors and Commissioners under the same Act.

Revenue Agents authorized to appear, &c., in rent-suits.

27. With the sanction of the Chief Commissioner, the Judicial Commissioner may from time to time make rules consistent with this Act and with the Code of Civil Procedure,

Power to make rules for custody and sale of attached property.

(*a*) for the custody and sale of moveable property attached in execution of decrees;

(*b*) for the levy of a fee or commission on the sale of attached property, and the disposal of the funds accruing from such fees;

(*c*) as to the appointment and remuneration of persons by whom property is to be attached, kept in custody, and sold; and

(*d*) as to the appointment and remuneration of persons by whom local investigations under section 180, and investigations and adjustments of accounts under section 181, of the Code of Civil Procedure, are to be made.

28. The Judicial Commissioner may, at any time within one year from the time of the passing of any decree or order by any Court subordinate to him, call for the proceedings in the case, and may, if he see sufficient grounds, revise and alter, or reverse, or confirm, the said decree or order. But in such case, before revising, altering or reversing the decree or order, he shall cause the same notice to be given to the party in whose favour it was pronounced, and the same opportunity to such party to be heard in support thereof, and the same proceedings to be taken, as if a memorandum of appeal had been filed by the party aggrieved thereby.

Power to revise decrees and orders of subordinate Courts.

CHAPTER IV.

VILLAGE AND ROAD POLICE.

29. The nomination to the post of village policeman shall be made by the zamíndár of the village, or, where there are more zamíndárs than one, by the lambardár as their representative; and where there are more lambardárs than one, the opinion of the majority (unless there is some special provision to the contrary in the village administration paper) shall prevail.

Right to nominate village policemen.

30. Every person authorized to nominate to the office of village policeman shall, within fifteen days after the occurrence of a vacancy in such office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the district.

Obligation to nominate.

31. The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected at discretion by such Magistrate, or by some officer authorized by him in that behalf.

Discretion to appoint or reject nominee.

32. In default of such nomination within the said fifteen days, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Power to Magistrate to appoint.

If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made, but the nominee is again rejected, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Procedure in case of rejection of nominee.

33. Subject to the rules to be framed under section thirty-nine and for the time being in force, the Magistrate of the district may, from time to time, appoint persons to be the road police of his district.

Appointment of road police.

34. Every village policeman and every road policeman shall perform the following duties:—

Duties of village and road policemen.

(*a*).—He shall give immediate information to the officer in charge of the police-station appointed for his village or beat,

(1) of every unnatural, suspicious, or sudden death occurring in the village of which he is chaukídár, or within his beat;

(2) of each of the following offences occurring in such village or on such beat (that is to say,) murder, culpable homicide, rape, dacoity, theft, robbery, mischief by fire, house-breaking, counterfeiting coin, causing grievous hurt, riot, harbouring a proclaimed offender, exposure of a child, concealment of birth, administering stupefying drugs, kidnapping, lurking house-trespass, and

(3) of all attempts and preparations to commit, and abetments of, any of the said offences.

(*b*).—He shall keep the police informed of all disputes which are likely to lead to any riot or serious affray.

(*c*).—He shall arrest all proclaimed offenders, and all persons whom he may find in the act of committing any offence specified in paragraph (*a*), clause (2) of this section.

(*d*).—He shall observe, and from time to time report to the officer in charge of the police-station within the jurisdiction of which his village or beat may be situate, the movements of all bad characters in or on such village or beat.

(*e*).—He shall report to the officer in charge of such police-station the arrival of suspicious characters in the neighbourhood.

(*f*).—He shall supply to the best of his ability any local information which a Magistrate or any officer of police may require, and shall promptly execute all orders issued to him by competent authority.

35. Whenever a village policeman or road policeman arrests any person, he shall take him as soon as possible to the police-station within the jurisdiction of which his village or beat is situate.

Procedure on arrest by village or road policeman.

36. The Magistrate of the district may dismiss any village policeman or road policeman for any misconduct or neglect of duty.

Dismissal of village or road policeman.

Where any village policeman is guilty of neglect of duty or other misconduct, the person authorized to nominate to his office may report him for dismissal to the Magistrate of the District; and such Magistrate shall dismiss him accordingly, unless the Magistrate has reason to think that such dismissal would be improper.

37. Every village-policeman and road-policeman guilty of any wilful misconduct in his office, or of neglect of duty, such misconduct or neglect not being an offence within the meaning of the Indian Penal Code,

Acts punishable.

or withdrawing from the duties of his office without permission, and without having given at least two months' notice of his intention to withdraw from such duties to the persons authorized to nominate or appoint under sections twenty-nine, thirty-two and thirty-three (as the case may be),

or offering any unnecessary personal violence to any person in his custody,

shall be liable, on conviction before a Magistrate, to a penalty not exceeding three months' pay, or to imprisonment for a period not exceeding three months, or to both.

Penalty.

38. All fines levied under this Act on village policemen or road policemen shall be credited to such fund as the Local Government from time to time appoints.

Fines to be credited to such fund as Government appoints.

CHAPTER V.

SUBSIDIARY RULES.

39. The Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act as to—

Power to make rules.

(*a*) the discipline and remuneration of the village and road police and the regulation of their number, location and duties;

(*b*) the disposal of unclaimed property under Act No. V of 1861 (*for the regulation of Police,*) sections 25, 26 and 27;

(*c*) public health and conservancy at fairs and other large public assemblies, and the maintenance

of a proper watch and ward at such fairs and assemblies;

(*d*) imposing with the previous sanction of the Governor General in Council taxes for those purposes only;

(*e*) the manner in which records, civil, criminal and revenue, shall be kept; the appointment and removal of the persons entrusted with the custody of records, and all other matters connected with such custody, and the destruction from time to time of such records as it may be deemed unnecessary to keep;

(*f*) the appointment, duties, punishment and dismissal of all ministerial officers other than those employed in the Civil Courts and those in respect of whom provision is made in the Oudh Revenue Act;

(*g*) the extent of land in respect of which a proprietor or under-proprietor is to be held, under section twenty-five, to be a tenant with a right of occupancy.

Publication of rules.

40. All rules made by the Chief Commissioner under section thirty-nine, and all rules made by the Judicial Commissioner under section twenty-seven, shall be published in the local official *Gazette*, and shall thereupon have the force of law.

Rules prescribed in respect of matters for which rules may be made under this Act, to remain in force for twelve months.

41. All rules heretofore prescribed by competent authority in respect of any of the matters for which rules may be made under this Act, shall remain in force for twelve months after this Act comes into force, unless any rules on the same subject are previously issued by the Chief Commissioner or Judicial Commissioner.

Penalty for breach of rules.

42. Whoever breaks any rule made or continued under this Act, not being a rule made by the Judicial Commissioner, shall, on conviction before a Magistrate, be punishable with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to six months, or with both.

CHAPTER VI.

MISCELLANEOUS.

Honorary Civil Jurisdiction.

Power to invest Talukdárs with civil jurisdiction.

43. The Chief Commissioner may, from time to time, by notification in the official *Gazette*,

(*a*) invest such persons as he thinks fit to be Honorary Assistant Commissioners with the powers of a Civil Court of the first or of the second grade,

(*b*) declare what shall be in each such case the local limits of the jurisdiction so conferred, and

(*c*) withdraw such jurisdiction.

Honorary Police Officers.

Honorary police officers.

44. The Chief Commissioner may, from time to time, confer on any person whom he thinks fit any power which may be exercised by a police officer under any Act for the time being in force, and withdraw any power so conferred.

Creation and alteration of Districts and Sub-divisions.

Power to create new Districts.

45. The Governor General in Council may, by notification in the *Gazette of India*, create new Districts in any part of such territories, for any revenue, judicial or other purpose, and may alter the limits of existing Districts.

Power to form sub-divisions of Districts.

The Chief Commissioner may from time to time divide any District into sub-divisions, and from time to time alter the limits of such Sub-divisions.

All existing tahsíls shall be sub-divisions of Districts until they are so altered.

THE FIRST SCHEDULE.

(*See section* 2).

Number and year.	Title.	Extent of repeal.
	All Bengal Regulations now in force in Oudh, except those specified in the second schedule,	The whole.
	and, except when expressly provided otherwise in this Act, all rules, laws and regulations made for or extended to the Province of Oudh, or any part thereof, which have acquired the force of law under the Indian Councils Act.	The whole.
	Government Notification No. 4325 of 6th August 1861.	The whole.
XXI of 1857 ...	Gambling	Sections ten to fifteen.
XIX of 1863 ...	Partition	The whole.
XXXII of 1871 ...	The Oudh Civil Courts Act	Section thirty-one.

THE SECOND SCHEDULE.

(*See section* 3).

PART I.—BENGAL REGULATIONS.

Number and year.	Subject.	Modifications.
XXXIII of 1803 ...	Embezzlement by Native Officers.	In section I and in section II, clause *First, before* "sezawuls" *insert* "tahsíldárs." In section II, *after* the first clause, *insert* "*Second.* The responsibility of the sureties of tahsíldárs extends to the several cases provided for in this Regulation." In section III, *for* "Dewanny Adawlut of the Zillah, the Judge of which Court shall detain him" *read* "District, where he shall be detained;" *for* "real or personal" *read* "moveable or immoveable;" *for* "city" *read* "jurisdiction;" *for* "Board of Revenue" *read* "Chief Commissioner;" and *omit* the words and figures "and the rules in Regulation XXVII. 1803 regarding suits so carried on by the Collectors are to be held applicable to it." In section IV, *omit* the words "or in either of the cities of Patna, Dacca or Moorshedabad." *Omit* section VIII. *Omit* section I.
X of 1804 ...	Punishment by Courts Martial of certain State offences.	In section II, *for* "the British territories subject to the Government of the Presidency of Fort William" *read* "the territories under the administration of the Chief Commissioner of Oudh." In section III, *for* "real and personal" *read* "moveable or immoveable."

Number and year.	Subject.	Modifications.
XI of 1806 ...	Assistance to troops and travellers passing through Districts.	*Omit* sections I, VII, IX to XX (both inclusive), and so much of the rest of the Regulation as authorises Collectors and their native officers, or Magistrates and their police officers, to give their official aid in procuring coolies for the purpose of facilitating the march of troops or the progress of travellers. *For* "Collectors of Revenue" and "Collector" *read* "Deputy Commissioner" throughout the Regulation. In sections II and III, *for* "the Company's territories" *read* "Oudh." In section II, *omit* the last sentence. In section IV, clause *Third, for* "Governor General in Council" *read* "Chief Commissioner." In section V, *omit* "the Company's;" and *for* "Board of Revenue" *read* "Chief Commissioner." In section VI, *for* "Magistrate" *read* "Deputy Commissioner" and *for* "on the part of the Collector" *read* "by the Deputy Commissioner." In section VIII, *for* "the Company's provinces" *read* "Oudh;" and *omit* the words and figures ("under the rules prescribed by Regulation V. 1804,") and "in Regulation XXVII. 1803."
XVII of 1806 ...	Redemption and foreclosure of mortgages.	*Omit* sections I to VI (both inclusive), and in section VII, the first sentence as far as the word "designation" and the concluding sentence. In section VII, *omit* from the beginning down to and including "hereby provided that;" *for* "within one year (Bengal, Fassily or Willaity, according to the era current where the mortgage may take place)" *read* "within one calendar year;" *for* "Zillah or City Court of Dewanny Adawlut" *read* "Deputy Commissioner;" *for* "Dewanny Adawlut of the Zillah or City" *read* "Court of the Deputy Commissioner or other officer having jurisdiction with reference to the value of the subject matter;" and in the last sentence from "as allowed for the security" to the end of the section. In section VIII, *for* "preamble and preceding sections" *read* "preceding section;" *for* "Judge of the Zillah or City" *read* "Deputy Commissioner of the District," and *for* "Judge" *read* "Deputy Commissioner."
XX of 1810 ...	Military Bázárs.	
V of 1817 ...	Hidden Treasure ...	In section I, *omit* "to be in force as soon as promulgated throughout the provinces immediately subordinate to the Presidency of Fort William." In section V, *for* "Collectors of Land-revenue" *read* "Deputy Commissioners;" *for* "Board of Revenue" *read* "Chief Commissioner;" *for* "Judge" *read* "Deputy Commissioner." In section VI, *for* "Zillah or City Judge" *read* "Deputy Commissioner." In section VII, *omit* "sicca." In section VIII, *for* "Judge of the Zillah or City Court" *read* "Deputy Commissioner," and *omit* the words "on the application of the vakeel of Government under instructions from the Board of Revenue." For section IX, substitute the following: "IX. The decisions of Deputy Commissioners under this Regulation shall be open to appeal under Act No. XXXII of 1871."

Number and year.	Subject.	Modifications.
III of 1818 ...	State Prisoners ...	In section I, *omit* "situated within the territories dependent on the Presidency of Fort William," and from "which are to take effect" to the end of the section. In section II, clause *Third, omit* "within the territories subject to the Presidency of Fort William." In section IV, *omit* clause *First*. In the same section, clause *Second, for* "Zillah or City Magistrate" *read* "Deputy Commissioner," and *for* "Judge of Circuit" *read* "Commissioner of Division." In section IX, *for* "to the Provincial Court of Appeal and Circuit and to the Sudder Dewanny Adawlut and Nizamut Adawlut" *read* "and to the Judicial Commissioner." *Omit* section X.
VI of 1819 ...	Ferries	*Omit* sections I and II. *Omit* "or Joint Magistrates," "and Joint Magistrates" and "or Joint Magistrate," wherever they occur. In section III, clause *Second, omit* "by the Collectors." In the same section, clause *Third, after* "prepared" *insert* "through the Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner," and *add* "who shall fix the rates of toll to be levied at such ferries." In section IV, clause *First, omit* "for limiting the rates of toll to be levied at each ferry." In section V, *omit* "and in that of the Collector of the District." In section VI, clause *Second, after* "reported" *insert* "through the Commissioners of Divisions," and *for* "Government" *read* "the Chief Commissioner." In section VII, clause *First, omit* "they shall fix the rates of toll on a very moderate scale in no case exceeding, without an indispensable necessity, the rates which prevailed previous to the enactment of Regulation XIX. 1816." In the same section, clause *Third, for* "Bengal Fussily year according to the era current in the province" *read* "term of his lease." In the same section, clause *Fourth, for* "Magistrate and Collector," *read* "Deputy Commissioner," and *omit* "European." In section X, *for* the words "public money" to the end of the section, substitute "arrears of revenue." In section XI, *for* "Magistrates reserve to themselves" *read* "the Chief Commissioner reserves to himself." In section XII, clause *First*, line one, *for* "Magistrate" *read* "Chief Commissioner," and in line four *omit* "said." In section XIII, *omit* the *Second* clause.
XI of 1822 ...	Non-liability of Government for errors of a Court of Justice.	*Omit* the whole except section thirty-eight.

Number and year.	Subject.	Modifications.
VI of 1825 ...	Supply of troops on the march.	In the preamble, *omit* the last twenty words. In section II, *omit* "in pursuance of section III Regulation XI. 1806," and *omit* "sicca." In section IV, *for* "Board of Revenue in whose jurisdiction the district may be situate" and "Board" *read* "Commissioner." In section V, *omit* "on the stamped paper prescribed for other appeals to the Revenue Boards," and *for* "the proper Board" and "the Board" *read* "the Commissioner."
XI of 1825 ...	Alluvion and Diluvion ...	*Omit* section I. In section III, *omit* "either" and "or the sea." In section IV, clause *First*, *omit* "whether" and "or of the sea," and *for* "the provisions of Regulation II. 1819, or of any other Regulation," *read* "any law in force for the time being;" clause *Third*, *omit* "or in the sea" and "or sea;" clause *Fifth*, *omit* "or the sea." In section V, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners."
XX of 1825 ...	Military Courts of Requests	*Omit* sections I, III, and IV and section II, clause *Sixth*. In section II, clause *First*, *omit* from the beginning down to and including "provided, that;" and *for* "His Majesty or of the Hon'ble East India Company" *read* "Her Majesty;" and *for* "not within the territories subject to the Presidency of Fort William, or at any place within such territories which may be situated above one hundred and twenty miles from the aforesaid Presidency" *read* "within Oudh;" and *for* "a person attached to such body of troops in any of the capacities specified in sections XLV. and LX. of Statute IVth Geo. IV, cap. LXXXI," *read* "otherwise subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force;" and *omit* "as directed in such cases in the Regulations abovementioned;" and *for* "Act of Parliament" *read* "Mutiny Act for the time being in force." In the same section, clause *Third*, *for* "Act of Parliament" *read* "Mutiny Act;" and *for* "Magistrate of the Zillah or City" *read* "Deputy Commissioner." In the same section, clause *Fourth*, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners;" and *omit* "of the nature described in section II of Statute IV. Geo. IV. cap. LXXXI," and "under the provisions of the said Act" and "under the provisions of the Regulations hitherto in force."

PART II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Modifications.
XIX of 1853 ...	Section 26, Recusant witnesses.	*Omit* "in addition to any proceedings under this Act."
XX of 1856 ...	Chaukídárs	In the preamble, *after* "Bengal" *add* "and the territories under the administration of the Chief Commissioner of Oudh." *Omit* the words "of circuit" wherever they occur after "Commissioner." *Omit* section XL.
XLII of 1857 ...	Opium	In the title, *after* "the Presidency of Fort William in Bengal" *read* "and the territories under the administration of the Chief Commissioner of Oudh." In section two, *after* "Presidency of Fort William in Bengal," *read* "and the administration of the Chief Commissioner of Oudh." In section three, *omit* "being covenanted servants of the Company."
XL of 1858 ...	Minors	In the title, *for* "the Presidency of Fort William in Bengal" *read* "Oudh." In section two, *for* "estates paying revenue to Government" *read* "mahâls assessed to revenue or held revenue-free."
XXII of 1871 ...	Chaukídárs	In section one, *after* "Presidency" *insert* "or territories." In section three, *omit* the words "of circuit." *Omit* section six.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October 1876, and is hereby promulgated for general information:—

ACT No. XVII OF 1876.

THE OUDH LAND-REVENUE ACT, 1876.

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An Act to consolidate and define the law relating to Land-Revenue in Oudh.

Preamble. Whereas it is expedient to consolidate and define the law relating to land-revenue in Oudh; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Oudh Land Revenue Act, 1876":

Local extent. It extends only to the territories now under the administration of the Chief Commissioner of Oudh;

Commencement. And it shall come into force on the passing thereof.

But all rules now in force and relating to any of the matters hereinafter dealt with shall, so far as they are consistent with this Act, continue in force until they are superseded by rules made in exercise of the powers hereinafter conferred.

Interpretation-clause. **2.** In this Act, unless there be something repugnant in the subject or context—

"incumbrance" means a charge upon or claim against land arising out of contract between private persons:

"Incumbrance."

"agricultural year" means a year commencing on the first day of July and ending on the thirtieth day of June:

"Agricultural year."

"revenue officer" means any officer empowered by or under this Act to dispose of any matter connected with the land-revenue:

"Revenue officer."

"revenue-free" or "free of revenue" applies to land whereof the revenue has been wholly or in part released, compounded for, redeemed or assigned.

"Revenue-free."
"Free of revenue."

CHAPTER II.

REVENUE OFFICERS.

Chief Controlling Revenue Authority in revenue matters. **3.** The Chief Controlling Revenue Authority in all matters connected with land-revenue in Oudh shall be the Chief Commissioner.

Commissioners of Division. **4.** Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner shall—

(*a*) appoint in each Division a Commissioner, who shall, subject to the control of the Chief Commissioner, exercise authority over all the Revenue Officers in his Division:

Deputy Commissioner of the District. (*b*) appoint in each district an officer who shall be the Deputy Commissioner of the District:

Assistant Commissioner. (*c*) appoint to each district as many other persons as he thinks fit to be Assistant Commissioners of the first or of the second class.

Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner may suspend or remove any officer appointed under this section.

Subordination of Assistant Commissioners and other Revenue Officers. **5.** All such Assistant Commissioners, and all other persons employed in maintaining revenue-records or otherwise in or about the business of the land-revenue, shall be subordinate to the Deputy Commissioner of the District.

Assistant Commissioner in charge of Sub-division of District. **6.** The Chief Commissioner may place any Assistant Commissioner of the first class in charge of one or more Sub-divisions of a District, and may at any time remove him therefrom.

Such Assistant Commissioner shall be called an Assistant Commissioner in charge of a Sub-division of a District, and shall exercise the powers and discharge the duties conferred and imposed upon him by this Act or by any other law for the time being in force, subject to the control of the Deputy Commissioner of the District.

The Chief Commissioner may, from time to time, delegate his powers under this section to the Deputy Commissioner of the District, and may revoke such delegation.

Power to invest certain Assistant Commissioners with powers of Deputy Commissioner. **7.** Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer on any Assistant Commissioner in charge of a Sub-division of a District all or any of the powers of a Deputy Commissioner; and all powers so conferred shall be exercised subject to the control of the Deputy Commissioner of the District.

Subordination of Revenue Officers. **8.** Every officer of a Sub-division of a District employed in maintaining revenue-records or otherwise in or about the business of the land-revenue shall be subordinate to the Assistant Commissioner (if any) in charge of such Sub-division, subject to the general control of the Deputy Commissioner of the District.

9. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer upon any person all or any of the powers of an Assistant Commissioner of the first or of the second class, and may, in conferring those or any other powers under this Act, empower persons by name, or classes of officials generally by their official titles, and may vary or cancel any order conferring powers under this Act.

Conferring of powers.

Power to vary and cancel orders conferring powers.

10. The Deputy Commissioner of the District, or any Assistant Commissioner in charge of a Subdivision of a District, may make over any case, or class of cases, arising under the provisions of this Act or otherwise, for enquiry or decision, from his own file to any of his subordinates competent to deal with such case or class,

or may withdraw any such case, or class of cases from any Revenue Officer subordinate to him, and may deal with such case or class himself, or refer the same for disposal to any other such Revenue Officer competent to deal therewith.

Transfer of cases to subordinates.

Power to withdraw cases from subordinates.

11. If the Deputy Commissioner of the District dies, or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the District in revenue matters shall be held to be the Deputy Commissioner of the District under this Act until the Chief Commissioner appoints a successor to the Deputy Commissioner so dying or disabled, and such successor takes charge of his appointment.

Deputy Commissioner of the District in case of temporary vacancy.

12. Whenever any person holding an office in the service of Government, who has been invested with any powers under this Act in any District, is transferred to an equal or higher office of the same nature within another District, he shall, unless the Chief Commissioner otherwise directs, be held to be invested with the same powers in the District to which he is so transferred.

Powers of officers transferred to another district.

13. Tahsíldárs shall be appointed by the Chief Commissioner, subject to such rules as to qualification or otherwise as the Chief Commissioner may from time to time make under section 220.

Appointment of Tahsíldárs.

CHAPTER III.

SETTLEMENT.

14. Whenever the Chief Commissioner thinks that any District or other local area liable to be brought under settlement should be so brought, he shall, with the previous sanction of the Governor General in Council, publish a notification to that effect.

Notification as to settlement.

And if he thinks that a settlement record should be prepared for any District or other local area, he shall, with the like sanction, publish a notification to that effect.

Notification as to settlement record.

15. The Chief Commissioner shall, from time to time, with the previous sanction of the Governor General in Council, frame and issue rules regarding the mode in which the revenue demand in respect of any local area is to be assessed; and may from time to time make rules prescribing the manner in which Settlement Officers shall report for sanction the rates and method of assessment and the amounts they propose to assess.

Chief Commissioner to issue rules as to mode of assessment.

16. The Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what documents shall form the settlement-record, and frame and issue rules regarding (*a*) the mode in which such record is to be prepared, (*b*) the facts to be therein entered, and (*c*) the manner in which the entries shall be attested.

Settlement record.

The Chief Commissioner may from time to time, with the same sanction, alter such rules.

17. Every entry in such settlement record duly made and attested shall, until the contrary is proved, be presumed to be a correct record of the fact entered.

Presumption as to entries in settlement record.

18. Every local area shall be held to be under settlement from the date of any notification published under section 14, and relating thereto, until the issue of another notification declaring settlement operations to be closed therein.

Settlement to be deemed in progress until closing notified.

Every local area under settlement at the time of the passing of this Act shall be held to be under settlement within the meaning of this section without the issue of either of the notifications prescribed by section 14.

Settlements now in progress brought under operation of Act.

19. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, appoint an officer to be in charge of the settlement of any local area and as many Assistant Settlement Officers as the Chief Commissioner thinks fit; and such officers shall exercise the powers conferred on them respectively under this Act so long as such area is under settlement.

Appointment and powers of Settlement Officers.

20. In any local area in which a settlement of the land-revenue is in progress, the Chief Commissioner, with the previous sanction of the Governor General in Council, may by order confer on any officer making or controlling such settlement the powers of a Civil Court of any specified grade for the purpose of trying suits and appeals, or any specified class of suits and appeals, relating to property in land assessed or assessable to revenue, in such District, and may revoke any such order; and so long as such order remains in force the jurisdiction of the Civil Courts of the same grade shall be excluded in respect of such suits and appeals.

Power to invest Settlement Officers with powers of Civil Courts in certain cases.

21. Notwithstanding the existence of any such order, the Chief Commissioner may from time to time direct that any cases pending before the Settlement Officers invested with the powers mentioned in section nineteen, shall be transferred to the ordinary Civil Courts of the

Power to transfer cases from Settlement Officers to Civil Courts.

District if the state of business in his opinion requires such transfer.

22. If a suit relating as well to such land as other property be instituted before any officer so invested, he shall make a reference regarding the disposal of such suit to the Commissioner of the Division in which the District wherein the suit was instituted is included, who shall determine by what Court the suit shall be tried.

Trial of suit relating to land and to other property.

23. When any local area is under settlement, the Settlement Officer shall have power to call upon all proprietors, by proclamation to be stuck up in some conspicuous place in each village, to erect, within fifteen days from a date to be fixed in the proclamation, such boundary-marks as he may think necessary to define the limits of that village, or the maháls or fields contained therein; and in default of their compliance within the time specified in the notice, he may cause such boundary-marks to be erected, and he shall recover the cost of such erection from the proprietors as if it were an arrear of land-revenue.

Powers of Settlement Officers as to erection of boundary-marks and decision of disputes.

In case of dispute concerning any boundary-marks, the Settlement Officer shall decide such dispute on the basis of possession, or may refer it to arbitration, for decision on the merits as provided for in sections 191 to 202, both inclusive.

24. All Settlement Officers, and all officers in charge of a survey made in connection with the revenue, and their assistants, servants, agents and workmen, may do all acts necessary for any purpose connected with the settlement or survey, as the case may be.

Power of Settlement and Survey Officers to do necessary acts.

25. The Settlement Officer may order all persons whose presence is, in his opinion, necessary for any of the purpose of this chapter, to attend at any specified time and place, and to produce any written document in their possession or power; and all such persons shall be legally bound to obey such order.

Power to require attendance of persons concerned, and production of documents.

26. The settlement shall be made

With whom settlement to be made.

(*a*) in the case of a taluqdárí mahál with the taluqdár,

(*b*) in the case of other maháls with the proprietor of the mahál; or if in any such mahál there are two classes of proprietors, superior and inferior, with either of such classes as the Chief Commissioner directs,

or if the taluqdár or proprietor has transferred possession of his mahál to a mortgagee or conditional vendee, then with such mortgagee or vendee.

If, at the time of settlement, a mahál, or any share thereof, be in the possession of a lunatic, minor or other person incapable of making a contract, the settlement shall be made on his behalf with his guardian or with the manager of his property.

Settlement of estate in possession of lunatic or minor.

27. When several persons are in possession of a mahál, not being a taluqdárí mahál, the Settlement Officer shall have power to make a joint settlement with all such persons, or with their representatives.

Power to make joint settlement with several proprietors or their elected representatives.

28. The Settlement Officer shall, in accordance with the rules made under section fifteen, frame general proposals of assessment for any local area or any portion thereof regarding which a notification has been published under the first clause of section fourteen, and shall report such proposals through the Commissioner of the Division to the Chief Commissioner.

Framing and reporting general proposals of assessment.

29. After the receipt of the orders of the Chief Commissioner thereon, and subject to such orders, the Settlement Officer shall ascertain the amount of the assessment proper for each mahál in such area, and shall declare the same to the person with whom the settlement of such mahál is to be made.

Detailed assessment and declaration thereof to persons concerned.

If any mahál in any such area comprise two or more villages, or portions of villages, the Settlement Officer shall declare the assessment due on each of such villages or portions of villages, together with the aggregate amount of the assessment proper in his opinion for the whole mahál.

Such declaration shall be made on a date to be notified by proclamation at the tahsíl in which such mahál is situate.

30. If the persons with whom the settlement of such mahál is to be made agree to the assessment so proposed, they and those (if any) whom they represent in interest shall become liable from the date of such agreement, or from such subsequent date as the Chief Commissioner directs, to pay such assessment in respect of such mahál.

Effect of agreement to assessment proposed.

and in a mahál in which the land, or part of the land is held in severalty, the Settlement Officer shall distribute such assessment on the lands so held.

Distribution of assessment.

31. In any mahál where, by the established custom, the land or the amount of revenue payable by each co-sharer is subject to periodical re-distribution or re-adjustment, the Settlement Officer may, on application of one or more of the co-sharers, enforce such re-distribution or re-adjustment according to such custom.

Enforcement of custom as to re-distribution of land and adjustment of revenue of shares.

32. If the person to be settled with be a taluqdár and such taluqdár refuse to accept the assessment offered by the Settlement Officer in respect of his entire taluqá, or in respect of any portion thereof, or if, within thirty days from the date of the declaration by the Settlement Officer under section 29, such taluqdár fail to accept such assessment, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner.

Exclusion of taluqdár declining or failing to accept settlement.

The Chief Commissioner, after hearing and considering the reasons which the taluqdár may have to urge against the assessment, may direct that the taluqdár so refusing or failing be excluded from the settlement of his entire taluqá, or of any portion thereof, for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner shall fix; and the Settlement Officer or Deputy Commissioner shall either farm the taluq or any portion thereof or hold it under direct management during such term, or any part thereof:

provided that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council.

33. If a taluqdár be excluded from the settlement of any portion of his taluqá, and if such portion be held in sub-settlement by an under-proprietor, the farm of such portion shall be offered to such under-proprietor on such terms as the Chief Commissioner may in each case direct.

Offer of farm to under-proprietor.

34. If such under-proprietor accept the assessment so offered, the taluqdár so excluded shall be entitled to an allowance out of the profits of such portion to be fixed by the Chief Commissioner not exceeding the share of the gross assets, if any, to which he would have been entitled had he accepted the assessment.

Allowance to excluded taluqdár.

In other cases, the taluqdár so excluded shall (subject to the orders of the Chief Commissioner) be entitled to an allowance out of the profits of such portion of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

35. In a mahál other than a taluqdárí mahál, if the person to be settled with refuse to accept the assessment offered by the Settlement Officer, or fail to accept such assessment within thirty days from the date of the declaration by the Settlement Officer under section 29, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner,

Exclusion of person declining or failing to accept settlement in a mahál.

and the Chief Commissioner may direct that the person so refusing or failing be excluded from the settlement for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner thinks fit,

and the Settlement Officer or the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either farm the mahál or hold it under direct management during such term or any part thereof.

In such case the person so excluded shall be entitled (subject to the orders of the Chief Commissioner) to an allowance out of the profits of the mahál, of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

Allowance to person excluded.

36. If in a mahál held on a pattídárí or imperfect pattídárí tenure any of the co-sharers refuse or fail within thirty days from the date of the declaration by the Settlement Officer under section 29 to accept the proposed assessment, the shares of such co-sharers shall be dealt with under the provisions of section 35, and they shall receive an allowance, as provided in that section, in proportion to their respective shares in the mahál.

Procedure in case of some of several proprietors refusing assessment.

If the Settlement Officer farms any share in such mahál, the farm of such share shall be offered in the first instance to those co-sharers who have accepted the proposed terms.

Farm of shares of proprietors refusing.

37. Any proprietor excluded from settlement under sections 35 and 36 shall be entitled to hold as a tenant with a right of occupancy so much of the land in the mahál actually cultivated by him as the Settlement Officer may determine, and the rent to be paid by such proprietor for such land during such exclusion shall be fixed by the Settlement Officer at the rate which would have been paid by a tenant-at-will for the said land less four annas in the rupee.

Adjustment of rent of the sir land of proprietors of mahál farmed under section 35 or 36.

38. The aggregate amount of any allowance assigned under section 35 or section 36 to any proprietor of a mahál who has been excluded from settlement, and of the difference between the rent fixed under section 37, and the rent which he would be liable to pay if he were a tenant-at-will, shall not be less than five or more than fifteen per cent. on the amount proposed by the Settlement Officer to be assessed on such mahál.

Amount of allowance assigned under section 35 or 36 to excluded proprietor, and of difference between rent fixed under section 37, and rent payable by him if he were a tenant-at-will.

39. On the expiration of the term fixed under section 32 or section 35, the settlement of such mahál portion, or share comprised therein shall be offered by the Deputy Commissioner to the person then entitled to be settled with in respect of such mahál portion or share, at such assessment for the remainder of the term of settlement of the District as the Chief Commissioner may direct.

Offer of settlement to excluded proprietor on expiry of term of exclusion.

And if such person refuse to accept the offer, the Deputy Commissioner shall report such refusal through the Commissioner of the Division to the Chief Commissioner, and such person may be excluded from settlement for such period not exceeding the term of the settlement of the District, as the Chief Commissioner may direct, and the provisions of sections 32 to 38 (both inclusive) shall, so far as may be applicable, apply to his case.

Procedure on refusal.

40. The Settlement Officer shall, in accordance with the provisions of the Oudh Sub-settlement Act, 1866, so far as they are applicable, determine the rent to be paid to the proprietor by all under-proprietors in a mahál and by all holders of heritable, non-transferable leases, whose rent has not been fixed by contract.

Determination of rent payable to proprietor.

When the rent is so determined the co-sharers may at their option agree with the Settlement Officer that the rent shall be paid either by them collectively or by one of them on behalf of himself and the others. Whenever, whether before or after the passing of this Act, rent payable by such under-proprietors or lessees has been determined by a Settlement Officer or other competent authority, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

Nothing in this section applies to rent payable by a tenant with a right of occupancy.

41. All land shall be deemed liable to be charged with the payment of revenue to Government, unless some competent authority has declared it exempt from such payment.

Saving of liability for Government revenue.

And no length of occupancy of any land, nor any grant of land made by the proprietor, shall release such land from such liability.

42. The Settlement Officer shall enquire into the case of all lands released, conditionally or for a term, from the payment of revenue, and shall assess such lands if it appear to him that the conditions have been transgressed or the term has expired.

Inquiry into cases of land released from payment of revenue.

43. Every settlement shall be made subject to confirmation by the Governor General in Council.

Confirmation of settlement.

44. The Governor General in Council shall, at some time before confirming the settlement, fix the period for which the settlement is to be made. Such period shall be fixed with reference to the agricultural year.

Period for which settlement is to be made.

45. The assessment of any mahál may be revised at any time before it is confirmed by the Governor General in Council, and in such case the revised assessment shall be proposed to the proprietors of such mahál, and the provisions of sections 23 to 40 (both inclusive) shall apply.

Revision of assessment before confirmation.

Alteration of assessment during the currency of a Settlement.

46. The Deputy Commissioner shall enquire annually into the cases of all land released from the payment of revenue conditionally, or for a term, or for the life of the grantee.

Annual enquiry as to revenue-free grants.

If the condition be broken, he shall report the case through the Commissioner of the Division to the Chief Commissioner for orders,

and if the term has expired, or (where the grant is for the life of the grantee) if the grantee has died, the Deputy Commissioner shall assess the land comprised therein, and shall report his proceedings through the Commissioner of the Division to the Chief Commissioner for sanction.

47. All land added by alluvion to a mahál is liable to assessment. Such land may be assessed and settled under rules to be framed under section 220.

Assessment of land added by alluvion.

48. Where such land is held by an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such rent shall be increased proportionately to the increase of revenue effected by such assessment.

Proportionate increase of rent payable by under-proprietor.

49. Where the revenue assessed on a mahál has, by order of the Chief Commissioner, been reduced or been wholly or in part remitted or suspended, and the land on account of which the revenue has been so reduced, remitted or suspended is in the possession of an under-proprietor or lessee whose rent has been fixed by a Settlement Officer or other competent authority, the Chief Commissioner may declare that such under-proprietor or lessee shall be entitled (where the revenue has been reduced or remitted) to a proportionate reduction or remission of the rent payable by him in respect of such land, or (where the revenue has been suspended) to a suspension of the payment of such rent for the time during which the revenue has been so suspended, and such under-proprietor or lessee shall thereupon be entitled accordingly.

Proportionate reduction or remission of rent payable by under-proprietor or lessee.

50. Assessments under sections 46 and 47 shall be made by the Deputy Commissioner in the same manner and with the same powers as if he were an officer in charge of a settlement.

Deputy Commissioner to have powers of officer in charge of settlement.

51. At any time during the currency of a settlement, the Chief Commissioner may, with the previous sanction of the Governor General in Council, invest any officer with all or any of the powers of an officer in charge of a settlement under this Act within such limits, and with such restrictions, and for such period as he thinks fit;

Power to invest officer with Settlement Officer's powers.

but not so as to enable him to enhance the total amount of revenue payable on account of any mahál except in respect of land added thereto or becoming liable to payment of revenue since the confirmation of the settlement.

Resumption of rent-free grants.

52. All grants (whether in writing or otherwise) by proprietors, or the persons whom they represent, of land to be held exempt from the payment of rent or at a favourable rate of rent, are hereby declared to be liable to resumption, unless such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner.

Liability of rent-free grants to resumption.

Provided that if such grants are held under a written instrument (whether executed before or after the passing of this Act) by which the grantor expressly agrees that the grant shall not be resumed, shall be held valid against him (but not as against his representatives after his death) during the continuance of the settlement of the District in which the land is situate which was current at the date of the grant.

Grants under certain instruments.

53. Proprietors wishing to resume any grants mentioned in section 52 and made by themselves or the persons whom they represent shall apply by petition to the principal Court of original civil jurisdiction of the District in which the land is situate for a declaration of the liability of the grant to resumption.

Application for declaration of such liability.

The Court shall cause notice of such application to be served on the grantee, and shall fix a day for hearing his objections (if any) to the declaration; and thereupon, after considering such objections (if any), may either dismiss the application with or without costs to be paid by the applicant, or declare that the grant is liable, in whole or in part, to resumption.

54. If the Court find that the grant has been made in consideration of the loss or surrender of a right previously vested in the grantee, but has not been sanctioned or confirmed as mentioned in section 52, the Court shall refer the case to the Chief Commissioner, who shall make such order in the case as he thinks fit.

Procedure where grant has been made in lieu of a right, but has not been sanctioned or confirmed.

55. Nothing in section 52 or section 53 applies to either of the following cases :—

Exemptions from sections 52 and 53.

(*a*) where land is held rent-free under a judicial decision;

(*b*) where previously to the passing of this Act, land held rent-free has been acquired for a valuable consideration and the right to resume it has been barred by the law of limitation.

CHAPTER IV.

REGISTRATION, INCLUDING THE PREPARATION AND MAINTENANCE OF REVENUE RECORDS.

56. The Deputy Commissioner of the District shall, on the basis of the settlement record, and in accordance with such rules as the Chief Commissioner from time to time prescribes in this behalf, prepare the following lists and registers :—

Lists and registers to be prepared by Deputy Commissioner.

(*a*) A list of all the villages in each pargana or tahsíl of his District;

The pargana register.

(*b*) A list of all the revenue-paying mahálsin each pargana or tahsíl, shewing the revenue assessed on each mahál, and the name of the person responsible for its payment whether as sole proprietor or as lambardár;

The málguzárí register.

(*c*) A register of all the co-sharers in each mahál with the nature and extent of the interest of each co-sharer;

The khewat.

(*d*) A register of all mahálsin which the rent of any under-proprietor or lessee has been fixed by the Settlement Officer, the names of all the co-sharers in such mahals, together with the nature and extent of the interest of such co-sharers.

Register of sub-settled mahálswith khewat.

(*e*) For each mahál a list—

Register of under-proprietary and other tenures.

(1) of all under-proprietors and lessees whose rent has been so fixed, and of all tenants with a right of occupancy, with the nature and extent of the interest of each such person, and the rent (if any) which he is liable to pay therefor,

(2) of all other persons (if any) holding land free of rent, or revenue free.

Register of revenue-free tenures.

(*f*) A register—

(1) of all land in his District held revenue free, with the names of the holders, and the conditions of the grant under which they hold,

(2) of all land declared by competent authority to be waqf or nazul, or the property of the State.

(*g*) A register of all mahálson which a málikána allowance has been sanctioned by competent authority, with the names of the persons entitled to such allowance, the amount of such allowance, and the conditions under which it was given.

The málikána register.

(*h*) A register of all jungle-grants, the names of the grantees, and the conditions of the grants.

Register of jungle-grants.

57. In the preparation of the said lists and registers, the Deputy Commissioner shall correct any errors in the settlement records which the parties interested admit to have been made therein; and any dispute arising regarding any entry in such record shall be investigated and decided on the basis of actual possession; and all persons not in possession, but claiming the right to be so, shall be referred to a Court of competent jurisdiction: Provided that if the claim is founded on a decree of such Court, and if, when the claim is made, the decree is capable of execution, the entry shall be in accordance with such decree.

Correction of errors in settlement record.

58. The Deputy Commissioner shall keep and maintain the said lists and registers,

Deputy Commissioner to keep the lists and registers.

and he shall from time to time cause to be registered all events and transactions affecting any of the rights or interests recorded in the said registers, to such extent as the Chief Commissioner may from time to time prescribe.

59. The Chief Commissioner shall prescribe the forms in which the lists and registers mentioned in section 56 are to be prepared,

Forms of lists and registers.

and the manner in which, the persons by whom, and the occasions on which, the alterations referred to in section 57 and section 58 are to be recorded.

60. The Chief Commissioner may prescribe proper fees for alteration in the lists and registers formed under the said rules: Provided that no fee for a single alteration shall exceed one hundred rupees.

Power to prescribe fees for mutations.

Such fee shall be levied from the person in whose favour the mutation is made, and shall be expended in such manner as the Chief Commissioner thinks fit.

Levy of fees.

Fees how spent.

61. All persons obtaining the possession of land or the profits thereof, whether by succession, purchase or other form of transfer, as proprietors or under-proprietors, or as lessees whose rents have been fixed by a Settlement Officer, or as mortgagees, shall give notice of the same immediately after it has taken place to the tahsíldár of the tahsíl in which the mahál to which such land belongs is situated, or to the Deputy Commissioner of the District.

Notice of transfer of possession.

If the notification be made to the tahsíldár, that officer shall report such notice to the Deputy Commissioner.

62. The Deputy Commissioner on receiving such notice or report shall make such enquiry as the Chief Commissioner may from time to time prescribe to ascertain the fact of the alleged transfer of the property, and if the transfer appears to have taken place, he shall, subject to the rules framed by the Chief Commissioner under section 207, record the same in the appropriate register:

Enquiry as to truth of transfer.

Provided that no such entry shall be held to affect the rights of any other person who may claim and establish in any Court of competent jurisdiction any interest in the land to which the entry has reference.

63. If the person so succeeding is a minor or otherwise under disability, the guardian or other person who has charge of his property shall give the notice required by section 61.

Notification in case of minority or other disqualification.

64. Any person neglecting to give the notice prescribed in section 61 within three months from the date of the occurrence of the fact to be notified, shall be liable, at the discretion of the Deputy Commissioner, to a fine not exceeding five times the amount of the fee which would otherwise have been payable under section 60.

Fine for neglect to notify.

65. If in the course of enquiry made under section 62, a dispute regarding the possession of the property arises, and the Deputy Commissioner is unable to satisfy himself as to which party is in possession, he shall ascertain by summary enquiry who is the person *primâ facie* entitled to the property and shall put such person in possession, and make the necessary entry in the record accordingly, subject to any order that may be subsequently passed by the Civil Court.

Power to put one party in possession in certain cases of dispute.

66. When any person obtains possession of land or of the profits thereof, for any interest other than those referred to in section 61, the transfer of such possession shall be recorded in such manner as the Chief Commissioner from time to time directs;

Registry of transfers of interests in land other than those referred to in section 61.

and all disputed cases shall be reported to the Deputy Commissioner who shall make such enquiry as may be necessary to ascertain the fact of the alleged transfer, and cause the record to be amended accordingly.

Enquiry in disputed cases.

67. All registers prepared under the preceding sections of this chapter shall be deemed to be public documents and the property of Government, and shall be open to public inspection at such hours and on such conditions as to fees or otherwise as the Chief Commissioner may from time to time prescribe.

Inspection of registers.

CHAPTER V.

PARTITION AND UNION OF MAHALS.

68. Partition is either perfect or imperfect.

Partitions.

'Perfect partition' means the division of a mahál into two or more mahals, severally responsible for the revenue assessed on each.

'Perfect partition.'

'Imperfect partition' means the division of any mahál, or of any portion of a mahál, into two or more portions jointly responsible for the revenue assessed on the whole mahál.

'Imperfect partition.'

69. Any recorded co-sharer in a mahál and any person in whose favour a decree has been passed by any Civil Court, awarding to him the proprietary right in a portion of a mahál, whether such portion consists of a fractional share in the whole or a part of the mahál, or of specific boundaries, is entitled to claim perfect partition of his share.

Persons entitled to perfect partition.

Any two or more recorded co-sharers may claim that their shares be divided from the other shares by a perfect partition, and be held by them as a single mahál.

If any recorded co-sharer be under disability, the person in possession of his property shall, for the purpose of this section, be deemed to be a recorded co-sharer.

70. Applications for perfect partition are to be made in writing to the Deputy Commissioner of the district in which the mahál is situated;

Application for perfect partition.

and shall be accompanied by a certified copy of the record, showing the share held by the applicant in the mahál:

Provided that, if the mahál be situated in two or more districts, the application may be made in any one of those districts, and the partition shall be made by such one of the Deputy Commissioners of those districts as the Chief Commissioner any direct.

Provision as to estates situated in more than one district.

71. The Deputy Commissioner, on receiving an application for partition shall, if the application be in order and not open to objection on the face of it, publish a notification of the same at his office, and at some conspicuous place in the mahál to which the application relates,

Notification of application.

and shall serve a notice on all such of the recorded co-sharers in the mahál as have not joined in the application, requiring any co-sharer in possession who may object to the partition to appear before him to state his objection, either in person or by a duly authorized agent, on a day to be specified in the notice, not less that thirty, or more than sixty, days from the date on which such notice was issued.

Notice to co-sharers not joining.

72. Where, from any cause, notice cannot be personally served on any co-sharer, the notification so published shall be deemed sufficient notice.

Notification when alone sufficient.

73. If, on or before the day so specified, any objection is made to the partition by any co-sharer in possession, and the Deputy Commissioner, on a consideration of such objection, is of opinion that there is any good and sufficient reason why the partition should be absolutely disallowed, he may refuse the application, recording the grounds of his refusal.

Power to refuse partition when objection admitted.

74. If the objection raises any question of title, or of proprietary right, which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner may either decline to grant the application until the question in dispute has been determined by a competent Court, or he may proceed to enquire into the merits of the objection.

Procedure if question of title be raised.

In the latter case the Deputy Commissioner after making the necessary inquiry and taking such evidence as may be adduced, shall record a proceeding declaring the nature and extent of the interests of the party or parties applying for the partition, and any other party or parties who may be affected thereby.

The procedure to be observed by the Deputy Commissioner in trying such cases shall be that laid down in the Code of Civil Procedure for the trial of original suits, and he may, with the consent of the parties, refer any question arising in such case to arbitration, and the provisions of chapter VI (relative to arbitrators) of the same Code shall apply to such references.

Procedure in such cases.

Reference to arbitration.

75. All orders and decisions passed by the Deputy Commissioner under the last preceding section, for declaring the rights of parties, shall be held to be decisions of a Court of civil judicature of first instance, and shall be open to appeal under the provisions of the Oudh Civil Courts Act.

Deputy Commissioner's decision equivalent to decision of Civil Court.

Appeal thereupon.

Upon such appeal being made, the appellate Court may issue a precept to the Deputy Commissioner, desiring him to stay the partition, pending the decision of the appeal.

Appellate Court may stay partition.

76. When it has been decided to make a partition under this chapter, the Deputy Commissioner shall either give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he shall make the partition himself or cause it to be made by any Assistant Commissioner subordinate to him, and when made by an Assistant Commissioner, it shall be reported to the Deputy Commissioner for his confirmation.

Option to make partition themselves or to appoint arbitrators.

77. If arbitrators are appointed, the provisions of sections 191 to 202, both inclusive, shall apply.

Partition by arbitrators.

In making a partition, arbitrators shall not be bound by the provisions of sections 80 to 83 both inclusive; but they shall deliver a full and complete paper of partition, specifying the separate mahâls into which they propose that the mahâl shall be divided; the names of the parties to whom the several mahâls are proposed to be allotted, and the amount of land revenue which in the opinion of the arbitrators should be assessed on each of such mahâls.

78. In making partitions, the Deputy Commissioner, and any person appointed by him, shall have the same powers to enter on the land under partition, for marking out the boundaries, surveying the mahâl, and other purposes, as are conferred on Settlement Officers under this Act.

Power to enter on land for purposes of partition.

79. When a Deputy Commissioner has decided that a partition shall be made, he may, with the sanction of the Commissioner, hold the mahâl under direct management, pending the completion of the partition.

Power to hold mahâl under direct management, pending partition.

The provisions of the law in force for the time being, for the management of mahâls held under direct management under section 119 for arrears of revenue shall be applicable to mahâls, the management of which is assumed under this section.

The collections of the mahâl shall be applied to the payment of the Government revenue, and, after defraying the expenses of management and any other expenses with which the mahâl is chargeable, the residue shall be divided amongst the recorded co-sharers in proportion to their respective shares at such periods as the Deputy Commissioner may see fit.

80. Where there are no lands held in common, the lands held in severalty by the applicant for partition shall be declared a separate mahâl, and shall be separately assessed to the Government revenue.

Partition of lands held only in severalty.

81. Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of such lands in accordance with village custom, if any such exist.

Partition of lands some of which are held in common.

If no such custom exist, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the common lands.

82. The portion of the common lands falling by such partition to the share of the applicant shall be added to the land held by him in severalty, and the mahâls thus formed shall be assessed and declared separate mahâls.

Formation of separate mahâls from shares allotted in partition.

83. In making partitions under this Act, the Deputy Commissioner shall give effect to any transfer of lands held in severalty and forming part of the mahâl, which has been agreed to by the parties, previous to the declaration of the partition.

Transfers to be effectuated in making partition.

84. Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the mahâl.

Partition where all lands are held in common.

85. In all cases each mahâl shall be made as compact as possible: Provided that, except with the sanction of the Chief Commissioner, no partition be disallowed solely on the ground of incompactness.

Estate to be compact.

86. If in making the partition it be necessary to include in the mahâl assigned to one sharer, the land occupied by a dwelling-house or other building in the possession of another co-sharer, such other co-sharer shall be allowed to retain it, with the buildings thereon (if any) on condition of his paying a reasonable ground-rent therefor to the sharer into whose portion it may fall.

Rule when dwelling-house of one sharer is included in mahâl assigned to another.

The limits of such land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

87. Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

Rule as to tanks, wells, water-courses and embankments.

Where, from the extent, situation or construction of such works, it is found necessary that they should continue the joint property of the proprietors of two or more of the mahâls into which the mahâl may be divided, the Deputy Commissioner shall determine the extent to which the proprietors of each mahâl may make use of the said works, and the proportion of the charges for repairs of such works to be borne by such proprietors respectively, and the manner in which the profits, if any, derived form such works, shall be divided.

88. Places of worship and burial-grounds, held in common previous to the partition of a mahâl, shall continue to be so held, unless the persons who so held them otherwise agree among themselves.

Rules as to places of worship and burial-grounds.

In such cases they shall state in writing the agreement into which they have entered, and such writing shall be filed with the record.

89. In all cases whether partition has been made by arbitrators or otherwise, the amount of revenue to be paid in respect of each portion of a mahâl partitioned under this chapter shall be determined by the Deputy Commissioner, provided that the aggregate revenue payable in respect of the new mahâls shall not exceed the revenue assessed on the mahâl immediately before partition;

Determination of revenue payable by each division of a mahâl.

and the proprietor of each new mahâl shall be held liable for the portion of the revenue assessed on his mahâl, whether a new engagement be taken from him or not.

Liability of proprietors.

90. If at any stage of any proceedings under this chapter there appears to be any reason for stopping the partition, the Deputy Commissioner may of his own motion, or on the report of the Assistant Commissioner making the partition, stay the partition and order the proceedings to be quashed.

Power to stay partition.

91. A partition, whether made by the Deputy Commissioner himself or otherwise, shall not be deemed to be complete unless the Deputy Commissioner has made an order confirming it.

Order confirming partition.

On making such order, he shall publish a notification of the fact at his office and at some conspicuous place in each of the new mahâls,

Notification of order.

and the partition shall take effect on and from the first day of July next after the date of such notification.

Partition when to take effect.

92. An appeal against the decision of the Deputy Commissioner confirming a partition, shall lie to the Commissioner of the division within one year from the date on which such partition takes effect.

Appeal to Commissioner from orders of Deputy Commissioner.

93. Where the land-revenue is fraudulently or erroneously distributed at the time of the partition, the Chief Commissioner may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the land-revenue upon the several mahâls into which the mahâl has been divided, on an estimate of the assets of each mahâl at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

Power to order new allotment of revenue on proof of fraud or error in first distribution.

94. Imperfect partition shall be carried out according to the provisions of sections 69 to 92 (both inclusive) so far as they are applicable: Provided that no application for imperfect partition shall be entertained unless the consent of recorded co-sharers holding in the aggregate more than one moiety of the property of which partition is sought be first obtained.

Making of imperfect partitions.

95. No Civil Court shall entertain any suit or application for perfect or imperfect partition.

Civil Courts barred from entertaining applications for partitions.

96. All imperfect partitions and all partitions perfect or imperfect of under-proprietary mahâls hitherto made, shall be deemed to have been made under the provisions of this Act.

Previous imperfect partitions and partitions of under-proprietary mahâls.

97. If two or more revenue-paying mahâls have originally formed portions of the same village, the proprietor shall be entitled to have such mahâls united and to hold them as a single mahâl.

Union of mahâls originally part of same village.

98. Every application for the union of such mahâls shall be made in writing to the Deputy Commissioner of the district in which the mahâls are situate.

Application for such union.

If the Deputy Commissioner see no objection, he shall comply with the application, and cause the necessary entries to be made in the register of his office, reporting the case to the Commissioner of the division.

Application how dealt with.

99. The provisions of this chapter, so far as they are applicable, may be applied by order of the Deputy Commissioner to the partition or union of mahâls held free of revenue.

Partition or union of revenue-free mahâls.

100. The partition of taluqdârî and under-proprietary mahâls and of mahâls held by lessees whose rent has been fixed by the Settlement Officer or other competent authority, shall be carried out accordingly to the provisions of sections 69 to 93 (both inclusive), so far as they are applicable.

Partition of taluqdârî and under-proprietary mahâls.

(*a*) In the partition of taluqdârî mahâls, all mahâls, whether under-proprietary or held by lessees whose rent has been fixed by the Settlement Officer or other competent authority shall, if practicable, be assigned to one or other of the new taluqâs to be formed by the partition;

Assignment of inferior mahâls.

(*b*) if any such mahâl cannot be assigned in whole, the assignment shall be made by thoks, pattís or other existent sub-divisions;

(*c*) and if no other satisfactory arrangement can be made, such mahâl shall be partitioned;

(*d*) in cases in which one portion of any such mahâl is assigned to one taluqá and another portion to another taluqá, each portion shall be deemed a separate mahâl, the joint responsibility of the co-sharers being limited to such portion.

101. Whenever a partition of a mahál, whether under-proprietary or held by lessees whose rent has been fixed as aforesaid, is effected under this Act, the amount of rent to be paid in respect of each portion shall be determined by the Deputy Commissioner, and the person to whom such rent is payable may present an application in writing to the Deputy Commissioner objecting to the distribution of the rental over the several parts into which the mahál has been divided, and praying that such objection may be heard and determined; and his objection shall be heard and determined, and the Deputy Commissioner shall record his reasons for such determination.

Objection to distribution of rental.

CHAPTER VI.

MAINTENANCE OF BOUNDARIES.

102. The Deputy Commissioner and his subordinates shall have power to enter upon and survey land, and to demarcate the boundaries of mahál, villages and fields.

Power of Deputy Commissioner to enter and survey.

103. All owners of mahál, villages or fields, are bound to maintain and keep in repair at their own cost the boundary-marks lawfully erected thereon.

Obligations of owners as to boundary-marks.

104. Any person convicted before a Deputy Commissioner of wilfully erasing, removing or damaging any such boundary-mark, may be ordered by the convicting officer to pay such sum not exceeding fifty rupees for each mark so erased, removed or damaged, as may be necessary to defray the expense of restoring such mark, and of rewarding the informer (if any) through whom the conviction was obtained.

Payment for erasing, removing or injuring marks.

105. Whenever the person erasing, removing or damaging any such mark cannot be discovered, or if for any other reason the sum which he has been so ordered to pay cannot be recovered, the mark shall be re-erected or repaired at the charge of the owner or owners of such one or more of the conterminous field or mahál as to the Deputy Commissioner seems fit.

Who is to be charged for re-erection and repair when offenders not discoverable.

106. The Deputy Commissioner may decide, on the basis of possession, all disputes concerning boundaries, and may at any time direct the owners of mahál villages or fields, by written notice served upon them,

Powers of Deputy Commissioner as to boundary disputes and boundary-marks.

(*a*) to cause proper boundary-marks to be erected in such mahál, villages or fields,

(*b*) to repair the boundary-marks lawfully erected in such mahál, villages or fields.

107. In default of compliance with such direction within fifteen days from the date of the service of the notice, the Deputy Commissioner shall cause such boundary-marks to be erected or repaired, as the case may be, and shall charge the cost of such erections or repairs to the owners of the conterminous mahál, villages or fields in such proportion as he thinks fit.

Power to erect or repair boundary-marks.

CHAPTER VII.

COLLECTION OF THE LAND-REVENUE.

108. In the case of every mahál the entire mahál shall be charged with, and all the proprietors jointly and severally shall be responsible to Government for the revenue for the time being assessed on the mahál.

Responsibility of proprietors of mahál for land-revenue.

The term "proprietors" shall, for the purposes of this chapter, include all persons in possession for their own benefit.

109. The Chief Commissioner may, from time to time, make rules as to the instalments in which, and the persons, places and times to whom, and at which, the revenue payable in respect of any land shall be paid.

Chief Commissioner may make rules as to payment of revenue.

110. Until the issue of such rules the said revenue shall be paid in the instalments, to the persons, and at the times and places in which, to whom, and at which, it is now paid.

Payment until issue of rules.

111. Any sum not so paid becomes thereupon an arrear of revenue, and the proprietor responsible for it becomes a defaulter.

Effect of non-payment.

No interest shall be demanded on any arrear of land-revenue.

112. If the settlement of any land has been made with a lambardár, and if there be an arrear of revenue due in respect of such land, both the lambardár and the co-sharers of the mahál from which the arrear is due shall be deemed defaulters.

Defaulters in case of settlements with lambardars.

113. A statement of account certified by the tahsíldar shall, for the purposes of this chapter, be conclusive evidence of the existence of the arrear, of its amount, and of the person who is the defaulter.

Evidence of arrear.

114. When an arrear of land-revenue has accrued, a writ of demand or summons to appear may issue, calling on the defaulter to pay the amount within a time therein stated.

Writ of demand.

115. At any time after an arrear of land-revenue becomes due, such officer as the Chief Commissioner from time to time empowers in this behalf, may arrest the defaulter and detain him in custody for fifteen days, unless the arrear, together with the costs of arrest, is sooner paid.

Arrest and detention of defaulter.

116. If the arrear be not paid within fifteen days, and no good reason for the non-payment is shown, the Deputy Commissioner may issue an order to the jailor of the civil jail of the district, directing him to confine the defaulter therein as a civil prisoner until the arrear is paid, or until the expiration of such period, not exceeding six months from the date of the order, as the Deputy Commissioner thinks fit; and such

Imprisonment in civil jail.

person shall be confined according to the terms of such order:

Provided that no person exempted under the law for the time being in force from personal attendance in the Civil Courts, no taluqdár and no female, shall be subject to arrest or imprisonment under this and the preceding section.

117. The Deputy Commissioner may, whether the defaulter has been arrested and imprisoned or not, order the attachment and sale of so much of his moveable property as will, as nearly as may be, defray the arrear.

Attachment and sale of moveables.

Nothing herein contained shall authorize the attachment and sale of articles set aside exclusively for the use of religious endowments: or, in the case of an agriculturist, of instruments of husbandry and of cattle *bonâ fide* kept for the cultivation of his land, or in the case of an artisan, of his tools, nor of any other articles exempted by the law for the time being in force from sale in execution of decrees of Civil Courts.

118. Every attachment and sale ordered under the preceding section shall be conducted according to the law in force for the time being, for the attachment and sale of moveable property under the decree of a Civil Court.

Conduct of sale.

119. When an arrear of land-revenue has become due in respect of a share, pattí or mahál, the Deputy Commissioner may in addition to, or instead of, the processes hereinbefore specified, cause such share, pattí or mahál to be attached and taken under the direct management of any agent whom he appoints for that purpose.

Property may be attached and taken under direct management.

For the purpose of managing the property so attached, the agent so appointed shall have all the rights, and be subject to all the liabilities, with respect to such property, of the person for whose default it was attached;

Powers and obligations of agent.

until the arrears of land-revenue due therefrom have been satisfied, or until the Deputy Commissioner directs him to restore the person whose interest has been attached to the management thereof.

120. All surplus profits of the property so attached after defraying thereout any instalment of land-revenue that may become due during such management, and the cost of such attachment and direct management, shall be applied to discharging the arrear of revenue on account of which it was ordered.

Application of surplus profits.

And no such management shall continue after such arrear has been discharged as aforesaid, and any surplus remaining after payment of the charges mentioned in the first clause of this section shall be handed over to the proprietor.

Termination of management.

121. If an arrear of land-revenue has become due in respect of the share of any member of a village community, such community, or any member thereof, may tender payment of such arrear, or may offer to pay such arrear by instalments.

Transfer of share of defaulter to solvent co-sharers.

If such tender be made, or if the Deputy Commissioner considers such offer satisfactory, the Deputy Commissioner may transfer the share of the defaulting member to the community or member making the tender or offer on such terms as the Deputy Commissioner thinks fit, and either for a term of years, or until such arrear is paid.

In case of conflicting tenders or offers under this section, the co-sharer who, in case the share were sold, would have a right of pre-emption under section 9 of the Oudh Laws Act, shall be preferred.

122. If such share is so transferred until the arrear is repaid, and if the arrear is not repaid within twelve years from the date of the transfer, the community or member to whom the share has been so transferred, may apply in writing to the Deputy Commissioner to publish a notification that, if the arrear is not paid within one year from the date thereof, such transfer will become absolute.

When transfer of share is to become absolute.

The Deputy Commissioner shall publish such notification accordingly, and if the arrear is not repaid before the expiration of one year from the date of the notification, the transfer to such community or member shall become absolute.

123. The procedure prescribed in the two preceding sections shall not affect the joint liability of the co-sharers of the mahál.

Procedure not to affect joint liability of co-sharers.

124. When any arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner is of opinion that the processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of, any such process, report, through the Commissioner of the division, the matter to the Chief Commissioner, and the Chief Commissioner may thereupon order the existing settlement of such pattí or mahál to be annulled.

When settlement may be annulled.

The provisions of this section shall not be put in force for the recovery of any arrear of land-revenue which may have accrued on land,

Exception of certain arrears.

(*a*) while attached under section 119, or

(*b*) while in charge of the Court of Wards.

125. When the settlement of any pattí or mahál has been annulled under the last preceding section, the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either manage the land by himself or an agent, or let it in farm to any person willing to accept the same, for such term and on such conditions as may be approved by the Chief Commissioner:

When settlement has been annulled, the Deputy Commissioner may manage the land himself, or by agent, or let it in farm.

Provided that the term for which a pattí or mahál may be so managed or let be not longer than fifteen years from the first day of July next after the date of such annulment.

And no interest in or right to such pattí or mahál, or any part thereof, created or assigned by any person who, immediately before the annulment of the settlement, was in possession of the whole or any part of the land comprised therein, or

Suspension of contracts.

by any person through whom he claims, shall, during the continuance of such term, be binding on the Deputy Commissioner or his agent or lessee.

Proclamation of attachment or annulment of settlement.

126. When the Deputy Commissioner attaches any land under section 119, or when the settlement of any land has been annulled under section 124, he shall make public proclamation thereof on the mahál.

And he may realize all arrears of rent becoming due in respect of such land by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, as if they were arrears of land-revenue.

Payments thereafter to defaulter not to discharge payer.

127. No payment made after such proclamation on account of rent or other profit of the land so attached, or of which the settlement has been so annulled to any person other than the Deputy Commissioner or his agent or lessee, shall be credited to the person making such payment, or relieve him from liability to payment to the Deputy Commissioner, his agent or lessee.

Payments to defaulter in anticipation of due date.

128. No payment made to the defaulter in anticipation of the usual period for the payment of rents, shall, without the special sanction of the Deputy Commissioner, be credited to the person making the same in account with the Deputy Commissioner, or with his agent or lessee.

Recovery of balance due by farmer.

129. When any land has been let in farm under section 125 any balance due by the lessee as such may be recovered from him or his surety (if any) as if it were an arrear of revenue.

Suspension of responsibility of co-sharers for revenue of portion of mahál as to which settlement is annulled.

130. Whenever the settlement of any portion of a mahál is annulled under section 124, the joint responsibility of the co-sharers of the mahál for the revenue of such portion subsequently becoming due, shall be in abeyance until a new settlement of such portion is made under section 131.

Offer of settlement to proprietor on expiry of period for which land is managed or farmed.

131. After the expiration of the period for which any land has been managed or let in farm under section 125, the Deputy Commissioner shall offer to the person entitled to be settled with under section 26 a new settlement, on such conditions as the Chief Commissioner may direct, for the remainder of the term of the settlement of the district; and if such person refuse such offer, the Deputy Commissioner may (with the previous sanction of the Chief Commissioner) either manage the land by himself or an agent, or let the same in farm, under the provisions of sections 30 to 38, both inclusive.

Power to sell land to recover revenue-arrears.

132. When an arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner of the district is of opinion that the other processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of all or any such other processes, and subject to the provisions next hereinafter contained, and with the previous sanction of the Chief Commissioner, sell by auction the pattí or mahál in respect of which such arrear is due:

Provided that no pattí or mahál shall be sold—

(*a*) for any arrears of land-revenue which may have become due in respect thereof while it was under the management of the Court of Wards, or held under the provisions of the Oudh Taluqdárs' Relief Act, or when the proprietor or under-proprietor thereof was, at the time the arrear accrued, a female deemed by the Chief Commissioner incompetent to manage her estate, a minor, an idiot, or a lunatic;

(*b*) for any arrears of land-revenue which may have become due while it was under attachment under section 119; or

(*c*) for any arrears of land-revenue which may have become due while it was under direct management by the Deputy Commissioner, or in farm by any other person under sections 32, 35, 125, or 131.

Land to be sold free of incumbrances.

133. Land sold under the last preceding section shall be sold free of all incumbrances,

Grants and contracts void against purchaser.

and all grants and contracts previously made by any person other than the purchaser in respect of such land shall become void as against the purchaser at the auction-sale.

Exceptions.

Nothing in the former part of this section applies to leases of lands at fair rents, for the erection of dwelling-houses or manufactories, or for mines, gardens, tanks, canals, places of worship or burying grounds.

Power to direct sale to be made subject to incumbrances.

134. The Chief Commissioner may, notwithstanding anything contained in section 133, at any time before a sale of land for arrears of revenue has been actually made, direct it to be made subject to such of the interests in or rights to such land created by the proprietor in possession thereof, or any person through whom he claims, as the Chief Commissioner thinks fit.

Power to cancel restricted sale and re-sell under section 134.

When the proceeds of a sale so made are not equal to the arrears due at the time of sale, the Chief Commissioner may, at any time before the Commissioner of the Division has confirmed the sale, direct it to be cancelled and a new sale of the land to be made under section 133.

Power to proceed against defaulter's other immoveable property.

135. If the arrear cannot be recovered by any of the above processes, and the defaulter is in possession of any other immoveable property, the Deputy Commissioner may proceed against such other property, as if it were the land on account of which the revenue is due under the provisions of this Act:

Provided that no interest save those of the defaulter alone, shall be so proceeded against, and no incumbrances created or contracts entered into by him in good faith shall be rendered invalid by such proceeding.

Procedure in effecting sale.

136. On the receipt of the sanction of the Chief Commissioner to the sale of any land, the Deputy Commissioner of the district shall issue a proclamation, in the vernacular language of the district, of the intended sale, specifying the time and place of sale,

and (when the land to be sold is a mahál or part of a mahál paying revenue to Government) the revenue assessed upon it, together with any other particulars he may think necessary.

Contents of proclamation.

137. When the land is sold for arrears of revenue due in respect thereof, the proclamation shall declare that the land is to be sold free of every incumbrance except the leases mentioned in section 133, and except the interests and rights, if any, referred to in the first paragraph of section 134.

The particulars of such leases, interests and rights shall be given in the proclamation.

Such proclamation shall be made at the headquarters of the tahsíl in which the land is situate, and also in the village of which it is a part.

Notification of sale.

138. A written notice of the intended sale and of the time and place thereof shall be affixed in the office of the Deputy Commissioner of the district, and where the Assistant Commissioner in charge of the sub-division in which the land is situate has a separate office, then also in such office, and a copy of such notice shall be served on the defaulter.

Sale by whom to be made.

139. Every sale under this chapter shall be made either by the Deputy Commissioner of the district in person or by an Assistant Commissioner specially appointed by him in this behalf.

Time when sale may be made.

No such sale shall take place on a Sunday or other authorized holiday, or until after the expiration of at least thirty days from the date on which the said notice thereof has been affixed in the office of the Deputy Commissioner of the district, and proclamation of the sale has been made in the village in which the land is situate.

The Deputy Commissioner of the district may, from time to time, postpone the sale, reporting such postponement to the Commissioner of the division.

When sale may be stayed.

140. If the defaulter pay the arrear of revenue in respect of which the land is to be sold at any time before the day fixed for the sale, to the person appointed by Government under section 109, to receive payment of the revenue assessed on such land, or to the Deputy Commissioner of the district, or the Assistant Commmissioner in charge of the sub-division of the district, the sale shall be stayed.

Deposit by purchaser.

141. The person declared to be the purchaser shall be required to deposit immediately twenty-five per cent. on the amount of his bid, and in default of such deposit the land shall forthwith be again put up and sold.

Re-sale in default of deposit.

Purchase-money when to be paid.

142. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the sale of the land took place, or, if the said fifteenth day be a Sunday or other authorized holiday, then on the first office day after such fifteenth day;

and in default of payment within such period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold.

Resale in case of default.

Liability of purchaser for loss by re-sale.

143. If the proceeds of the sale which is eventually made be less than the price bid by such defaulting purchaser, the difference shall be leviable from him under the rules contained in the Code of Civil Procedure for the execution of a decree for money.

Notification before re-sale.

144. No re-sale under section 142 in default of payment of the purchase-money shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale.

Application to set aside sale.

145. At any time within thirty days from the date of the sale, application in writing may be made to the Commissioner of the Division to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it.

When sale may be set aside.

146. No sale shall be set aside on such ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake complained of.

Order confirming or setting aside.

147. After the expiration of the said thirty days, if no such application as is mentioned in section 145, has been made, or if such application has been made and rejected, the Commissioner of the Division shall make an order confirming the sale;

and if such application be made and allowed the Commissioner shall make an order setting aside the sale.

Every order made under this section shall be final.

Bar of claims against Government.

148. If no such application be made within the time allowed by section 145, all claims founded on the irregularity or mistake complained of shall, as against the Government, be barred.

Nothing herein contained shall preclude the institution of a suit in a Civil Court for the purpose of setting aside a sale on the ground of fraud.

Refund of purchase-money when sale set aside.

149. Whenever the sale of any land is set aside, the purchaser shall be entitled to receive back his purchase-money, with or without interest, at such rate not exceeding six per cent. per annum, as the Commissioner of the Division thinks fit.

On confirmation of sale, purchaser to be put in possession.

150. After a sale of land in respect of which an arrear of revenue is due has been confirmed in manner aforesaid, the Deputy Commissioner of the District shall, unless the purchase has been made subject to a right of some other person to possession, put the person declared to be the purchaser into possession of the land, and shall grant him a certificate, to the effect that he has purchased the land to which the certificate

refers, and such certificate shall be deemed to be a valid transfer of such land, but need not be stamped or registered as a conveyance.

If the land has been sold on account of an arrear of revenue due in respect thereof, the certificate shall also either state that the purchaser has purchased the land to which the certificate refers free of every incumbrance other than the leases mentioned in section 133, or shall specify the incumbrances subject to which the land has been sold.

151. The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

Bar of suit against certified purchaser.

152. When a sale of land has been confirmed under section 147, the proceeds of the sale shall be applied in the first place to defraying the expenses of sale and to the payment of any arrears due in respect of such land at the date of the confirmation of such sale and recoverable as an arrear of land-revenue,

Application of proceeds of sale.

and the surplus (if any) shall be paid to the person whose land has been sold;

or, if the land sold were held in shares, then to the co-sharers collectively, or according to the amount of their recorded interests, at the discretion of the Deputy Commissioner of the District.

153. Such surplus shall not (except under an order of a Civil Court) be payable to any creditor of the person whose land has been sold, nor shall it (except under a like order) be retained in the Government treasury.

Surplus not to be paid to creditors, nor retained by Government except under order of Court.

154. The person named in the certificate of title as purchaser of any land shall be liable for all instalments of land-revenue becoming due in respect of such land subsequently to the date of the confirmation of the sale.

Liability of purchaser for revenue.

155. Where any land sold under section 132 is a pattí of a mahál, any recorded co-sharer, not being himself in arrear with regard to the revenue due in respect of such land, may, if the lot has been knocked down to a stranger, claim to take the said land at the sum last bid:

Pre-emption by co-sharers when land sold is a pattí of a mahál.

Provided that such claim be made on the day of sale, and before the officer conducting the sale has left the office for the day, and provided that the claimant fulfil all the other conditions of the sale.

156. Whenever proceedings are taken under this chapter against any person for the recovery of any arrear of revenue, he may pay the amount claimed under protest to the officer taking such proceedings,

Payment under protest and suit for recovery.

and upon such payment the proceedings shall be stayed,

and (subject to the pecuniary limitations prescribed by law) the person against whom such proceedings were taken may sue the Government for the amount so paid in any Civil Court situate in the district where such proceedings were taken;

and in such suit, the plaintiff may, notwithstanding section 113, give evidence of the amount which he alleges to be due from him.

157. Any proprietor or under-proprietor of a mahál or portion of a mahál, that is attached, transferred, held under direct management, farmed or sold under the provisions of this Act, who may, at the date of the order of such attachment, transfer, direct management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner may determine, and the rent to be paid by him for such land shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Proprietor of mahál when to be deemed a tenant with right of occupancy.

158. Whenever a mahál or pattí is held in sub-settlement, or under a heritable, non-transferable lease, the rent payable under which has been fixed by the Settlement Officer or other competent authority, and the rent of such mahál or pattí falls into arrear, the proprietor, instead of suing the defaulter under Act No. XIX of 1868, may, within the period limited for such a suit, apply in writing to the Deputy Commissioner requesting him to realize such arrear.

Assistance to recover rent of mahál held in sub-settlement.

The Deputy Commissioner shall, on receipt of such application, satisfy himself as to the existence of such arrear, and shall then, subject to such rules as may from time to time be made in this behalf by the Chief Commissioner, proceed to recover such arrear as if it was an arrear of revenue.

If in addition to or in lieu of the other remedies applicable to the recovery of arrears of revenue, the Deputy Commissioner thinks it necessary or expedient to annul the sub-settlement of any such mahál or pattí, he shall refer the case with his opinion thereon to the Chief Commissioner, and the Chief Commissioner may thereupon annul the existing sub-settlement of such mahál or pattí for such period (not exceeding fifteen years) as he thinks fit; and the new sub-settlement to be made on the expiration of such period shall be made in accordance with the provisions of section 40 and (so far as is practicable) with those of section 131.

159. If the term for which any settlement has been made expires before a new settlement is made, all persons with whom a settlement has been made, who continue after the expiration of such term to occupy the land comprised in the expired settlement shall, until a new settlement is made, hold the said land upon the conditions of the expired settlement.

Tenure of land under expired settlement until new settlement is made.

160. The provisions of this Act with regard to the recovery of arrears of revenue shall apply to all arrears of land-revenue and sums of money recoverable as arrears of land-revenue and due when this Act comes into force.

Provisions applied to arrears due at commencement of Act.

CHAPTER VIII.

COURTS OF WARDS.

161. Deputy Commissioners shall, subject to the control of the Commissioner of the Division and of the Chief Commissioner, have the power of a Court of Wards within their respective districts for the superintendence of the persons and property of all persons who may become entitled as proprietors or under-proprietors, or lessees whose rent has been fixed by a Settlement Officer, to any beneficial interest in a mahál or portion of a mahál assessed to the payment of land-revenue or held free of revenue, and who are either disqualified for the management of their own estates or are committed by a Civil Court to the care of the Deputy Commissioner:

Deputy Commissioners to be Courts of Wards.

Provided that the Court of Wards shall not take charge of or administer any beneficial interest in an estate, in which more persons than one have a joint undivided interest, unless all such persons are so circumstanced as to be subject to the Court of Wards.

Bar of jurisdiction in certain cases.

162. Persons shall be held to be disqualified to manage their own estates when they are

Persons when disqualified to manage their estates.

(*a*) females deemed by the Chief Commissioner incompetent to manage their estates,

(*b*) minors,

(*c*) idiots,

(*d*) lunatics,

(*e*) persons who may in the opinion of the Chief Commissioner be otherwise rendered incapable by physical defects or infirmities from managing their estates,

(*f*) persons convicted of a non-bailable offence and disqualified in the opinion of the Chief Commissioner by vice or bad character from managing their estates,

(*g*) persons declared by the Chief Commissioner on their own application to be disqualified from managing their estates.

163. The Deputy Commissioner may make an inquiry into the disqualification of any person, whom he has reason to believe disqualified within the meaning of section 162, clauses (*b*), (*c*) or (*d*), and into the circumstances and property of any such person, and may make an order declaring him to be subject to the jurisdiction of the Court of Wards.

Inquiry into minority, lunacy, idiocy, &c.

164. The Court of Wards may assume or refrain from assuming the superintendence of the person or property of any disqualified person and may at any time release any person or property from its superintendence: Provided that such person or property has not been placed under the Court of Wards by any competent authority whose order is necessary to his or its release.

Jurisdiction of Court of Wards.

165. If in any case not specially provided for by this or any other law for the time being in force, the right of the Court of Wards to assume or retain the superintendence of the estate of a disqualified person is disputed by such person, the case shall be reported to the Chief Commissioner whose orders thereon shall be final.

Report to Chief Commissioner when right of Court of Wards is disputed by persons other than those specially provided for.

166. The jurisdiction of the Court of Wards shall extend to the care and education, and to the management of the property, of the persons subject thereto.

Extent of jurisdiction.

167. The Court of Wards may appoint managers of the property of disqualified proprietors, and if such proprietors be minors, idiots or lunatics, may appoint guardians for the care of their persons, and may remove and control such managers and guardians.

Appointment, removal and control of guardians.

168. Proprietors may appoint guardians for their heirs, if disqualified, by will executed and attested in manner required in case of Taluqdárs by Act No. I of 1869, and in case of other proprietors by the Indian Succession Act, 1865; but the Court of Wards shall be competent to remove such guardian for any sufficient reason.

Power of proprietors to appoint guardians for disqualified heirs.

169. The Court of Wards may direct where all male minors under its jurisdiction shall reside for the purpose of education or otherwise.

Powers of Courts of Wards as to male minors within its jurisdiction.

170. The manager appointed by the Court of Wards shall have power to collect the rents of the land entrusted to him, as well as all other money due to the disqualified proprietor, and to grant receipts therefor;

Powers of manager.

and he may, subject to the control of the Court, grant or renew such leases and farms, not being for a longer period than five years, as may be necessary for the good management of the property.

171. The manager shall manage the property committed to him diligently and faithfully for the benefit of the proprietor, and shall in every respect act to the best of his judgment for the proprietor's interest as if the property were his own.

Duties of manager.

172. The Court of Wards shall have power to give such leases or farms of the whole or parts of the immoveable property under its charge, and to mortgage or sell any part of such property, and to do all such other acts, as it may judge to be most for the benefit of the property and the advantage of the disqualified proprietors.

Power of Court of Wards as to land under its charge.

173. Persons whose property is under the superintendence of the Court of Wards shall not be competent to create without the sanction of the Court any charge upon or interest in such property or any part thereof.

Disabilities of persons subject to Court of Wards.

174. No such property shall be liable to be taken in execution of a decree made in respect of any contract entered into by any such person while his property is under such superintendence.

Their property exempt from being taken in execution of certain decrees.

175. All disqualified proprietors whose property is in charge of the Court of Wards shall sue and be sued by and in the name of their guardians, where guardians have been appointed:

Suits by and against disqualified proprietors in charge of Court of Wards.

Provided that no such suit shall be maintained or defended by any guardian without the sanction of the Court of Wards.

Suits by such proprietors when no guardian appointed.

176. If no such guardian has been appointed, the disqualified proprietors shall sue and be sued by and in the name of the Court of Wards.

Rules relating to managers.

177. Every manager appointed by the Court of Wards shall—

(*a*) give such security as the Court of Wards thinks fit, duly to account for what he shall receive in respect of the rents and profits of the property for which he is appointed;

(*b*) pass his accounts at such periods and in such form as the Court of Wards directs;

(*c*) pay the balance due from him thereon;

(*d*) apply for the sanction of the Court of Wards to any act which may involve the property in expense not previously sanctioned by such Court;

(*e*) be entitled to such allowance as the Court of Wards thinks fit for his care and pains in the execution of his duties;

(*f*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

CHAPTER IX.

POWERS OF OFFICERS.

A.—Powers of Assistant Commissioners.

Powers of Assistant Commissioners of the first class.

178. An Assistant Commissioner in charge of a sub-division shall as such have the following powers:—

(*a*) to refer cases for inquiry or decision to his subordinates;

(*b*) to withdraw cases from his subordinates and to deal with them himself, or to refer them for disposal to any other subordinate officer competent to deal with them;

(*c*) to order changes in the proprietary register;

(*d*) to levy fees for mutations;

(*e*) to receive notices of, and to enquire into cases of reported transfers;

(*f*) to levy fines, under section 64;

(*g*) to declare the person best entitled to property and put him in possession, under section 65;

(*h*) to enquire into and dispose of disputes under section 66.

(*i*) to report on revenue-free holdings, and to assess revenue on resumed grants;

(*j*) to assess alluvial lands;

(*k*) to receive applications for and make partitions under chapter V, of this Act, subject to the confirmation of the Deputy Commissioner of the District.

(*l*) to impose fines for injuries to boundary-marks, and in certain cases apportion the charges of re-erecting and repairing boundary-marks;

(*m*) to call on owners to erect or repair boundaries, and, in default, to erect and repair and charge the cost to owners, and to decide disputes regarding boundaries;

(*n*) to attach and sell moveable property of defaulters, under section 117;

(*o*) to fix under section 157 the area of the land to be held as a tenant with right of occupancy and the rent to be paid for it by proprietors of mahâls which have been attached, transferred, held under direct management, farmed or sold, under the provisions of this Act, for land in their cultivating occupancy;

(*p*) to give orders as to the appointment, suspension, dismissal, punishment, remuneration and supervision of patwárís under sections 206 to 212, both inclusive.

Powers of Assistant Commissioners of first class not in charge of sub-divisions.

179. Assistant Commissioners of the first class, not in charge of sub-divisions of districts, shall exercise all or any of the powers conferred on Assistant Commissioners of the first class in charge of sub-divisions, in such cases or class of cases as the Deputy Commissioner of the District may, from time to time, refer to them for disposal.

Powers of Assistant Commissioners of second class.

180. All Assistant Commissioners of the second class shall have power to investigate and report on such cases as the Deputy Commissioner of the District or Assistant Commissioner in charge of a sub-division of a district may, from time to time, commit to them for investigation and report.

B.—Powers of Settlement Officers.

Powers of officers in charge of a settlement.

181. Officers in charge of a settlement may exercise all the powers conferred by or under this Act on Settlement Officers, and by section ten on the Deputy Commissioner of the District, but none but an officer in charge of a settlement or an Assistant Settlement Officer specially empowered by the Chief Commissioner shall have power—

(*a*) to frame proposals for assessment;

(*b*) to distribute the assessment;

(*c*) to re-distribute land or revenue under section 31;

(*d*) to determine the rent payable under section 40 by under-proprietors or lessees;

(*e*) to exclude proprietors from settlement for refusal to engage;

(*f*) to adjust the rent of excluded proprietors;

(*g*) to resume and assess revenue-free land.

Powers of Assistant Settlement Officers.

182. All other powers conferred on Settlement Officers by this Act shall be exercised by Assistant Settlement Officers, under such restrictions as the officer in charge of a settlement may from time to time impose.

Investing of Settlement Officers with powers of Deputy Commissioner and Assistant Commissioner.

183. The Chief Commissioner may with the previous section of the Governor General in Council invest any officer in charge of a settlement with all or any of the powers of a Deputy Commissioner under this Act, and any Assistant Settlement Officer with all or any of the powers conferrible on an Assistant Commissioner under this Act within such limits, and with such restrictions, and for such period as he thinks fit.

CHAPTER X.

APPEALS.

Officers to whom appeals lie.

184. Appeals shall lie under this Act as follows:—

(*a*) to the Chief Commissioner from any order passed by a Commissioner except such orders as are made on appeal from orders passed by Deputy Commissioners in the exercise of their appellate jurisdiction;

(*b*) to the Commissioner from orders, original or appellate, passed by Deputy Commissioners or officers in charge of a settlement in any proceeding held under the provisions of this Act;

(*c*) to the Deputy Commissioner from orders passed by any Assistant Commissioner;

(*d*) to the officer in charge of a settlement from orders passed by an Assistant Settlement Officer.

Limitation of appeals.

185. No appeal under section 184, clauses (*c*) and (*d*), shall be brought after the expiration of thirty days from the date of the order complained of.

No appeal under the same section, clause (*b*), shall be brought after the expiration of six weeks from the date of the order complained of, unless otherwise specially provided.

No appeal under the same section, clause (*a*), shall be brought after the expiration of two months from the date of the order complained of.

Time to be excluded.

186. In computing the period prescribed for an appeal under this chapter, the day on which the order complained of was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

Admission of appeal after period of limitation.

187. Any appeal under this chapter may be admitted after the period of limitation prescribed therefor, when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within such period.

No appeal shall lie against an order under this section admitting an appeal.

Procedure on admitting appeal.

188. The officer to whom the appeal lies may either admit or summarily reject the appeal. If he admit the appeal, he may reverse, modify or confirm the order appealed against, or he may direct such further investigation to be made or such additional evidence to be taken as he may think necessary, or he may himself take such additional evidence.

Suspension of order appealed against.

189. In every case in which an appeal is admitted, the execution of the order appealed may, pending the result of the appeal, be suspended.

Power to call for files of subordinate officers.

190. The Chief Commissioner and every Commissioner shall have power to call for the file of any proceeding held by any officer subordinate to him, and to pass such orders thereon as he thinks fit.

CHAPTER XI.

REFERENCE TO ARBITRATION.

Power to refer disputes to arbitration.

191. The Chief Commissioner, a Commissioner of a Division, a Deputy Commissioner, an Assistant Commissioner of the first class, an officer in charge of a settlement, or an Assistant Settlement Officer may, with the consent of the parties, by order, refer any dispute before him to arbitration; and any officer acting under the provisions of sections 102 to 107, both inclusive, may, with the consent of the parties, refer to arbitration any dispute arising before him respecting the matters mentioned in the same sections.

What to be specified in order of reference.

192. In referring any such dispute to arbitration, the officer making the reference shall specify, in the order of reference, the precise matter submitted to the arbitrators, and such period as he may think reasonable for the delivery of the award;

and he may from time to time extend such period.

Appointment of arbitrators.

193. The parties to the case may each nominate either one or two arbitrators, provided that each party shall nominate the same number;

and a third or fifth arbitrator (as the case may be) shall be appointed by the parties, or, in the event of their being unable to agree, by the officer making the reference.

Power to excuse arbitrator from serving, and to call for nomination of substitute.

194. Every officer making a reference under this chapter may, on good cause shown, excuse any person from serving as an arbitrator, and may call on the party who nominated such person to nominate another in the place of the person so excused.

Nomination of new arbitrator in place of one dying or failing to act.

195. If an arbitrator die, desire to be discharged, or refuse or become incapable to act, the party who nominated him shall nominate another person in his place.

Nomination by officer when parties fail.

196. If in any of the cases provided for by section 194 or section 195 any party fail for a week to nominate in manner aforesaid, the officer making the reference shall appoint some person to act as arbitrator.

Award.

The arbitrators shall determine and award concerning the matters referred to them for arbitration; and the parties disputing, and all persons claiming through them respectively, shall abide by and perform the award of the arbitrators.

Summoning parties to give evidence.

197. If the arbitrators require the presence of the parties, or any other persons whose evidence may be necessary, they shall ap-

ply to the officer making the reference, who shall summon such parties or persons;

and all such parties or persons shall be bound to attend, either in person or by agent, as the arbitrators may require, and to state the truth as to the subject-matter of the reference, and to produce such documents and other things as may be required before the arbitrators.

Obligation of persons summoned.

198. The award shall be made in writing under the hands of the arbitrators, and shall be submitted by them to the officer making the reference, who shall cause notice to be served on the parties to attend and hear the award.

Preparation and submission of award.

199. The officer making the reference may remit the award or any of the matters referred to arbitration to the re-consideration of the same arbitrators.

In what cases award or subject of arbitration may be remitted to arbitrators.

(*a*) if the award has left undetermined some of the matters referred to arbitration, or if it determine matters not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of the award.

200. No ward shall be liable to be set aside except on the ground of corruption or misconduct of all or any of the arbitrators.

Grounds on which award may be set aside.

Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

Application to set aside.

201. If the officer making the reference does not see cause to remit the award or any of the matters referred to arbitration for re-consideration in the manner aforesaid,

and if no application has been made to set aside the award,

or if he has refused such application,

he shall decide in accordance with the award of the majority of the arbitrators,

and shall fix the amount to be allowed for the expenses of the arbitration, and direct by and to whom, and in what manner, the same shall be paid.

Decision according to award.

202. Such decision shall not be open to appeal, and shall be at once carried out;

Bar to appeal any suit in Civil Court.

and no Civil Court shall entertain any suit for the purpose of setting it aside or against the arbitrators on account of their award.

CHAPTER XII.

OF PATWARIS.

203. The Chief Commissioner may require the appointment of a patwárí for any village, villages, or local area, for which, by reason of prior usage or of the requirements of the locality, he thinks that a separate patwárí is necessary.

Power to require appointment of patwárí.

204. All proprietors and under-proprietors shall be responsible for the nomination of duly qualified persons to fill the office of patwárí, and for the punctual and accurate performance by their nominees of the duties prescribed for them by the rules framed under the next following section.

Responsibility of proprietors in respect of patwáris.

The mortgagees and conditional vendees of such proprietors and under-proprietors shall, if in possession of the land mortgaged or conditionally sold, be deemed to be, for the purpose of this chapter, proprietors and under-proprietors.

205. The Chief Commissioner may, from time to time, make rules, consistent with this Act, for regulating the qualifications, enrolment and duties of patwárís.

Power to make rules as to qualifications, &c., of patwáris.

206. Appointments of patwárís shall ordinarily be made by the Deputy Commissioner on the nomination of the proprietors or under-proprietors. If, in the area for which the patwárí is to act there are more proprietors or under-proprietors than one, the nominee of those proprietors or under-proprietors who own the largest extent of land in that area shall be deemed to have been nominated for the appointment.

Patwárís by whom appointed.

If a mahál is under direct management, or under the charge of the Court of Wards, or under the management of a manager appointed under the Oudh Taluqdárs' Relief Act, the Deputy Commissioner shall, for the purpose of nominating a patwárí, be deemed to be a proprietor or under-proprietor.

207. If the proprietors or under-proprietors fail to nominate a patwárí within a reasonable time, the Deputy Commissioner shall give them notice in writing to do so, and if they further fail to do so for fifteen days after the receipt of such notice, he may appoint a patwárí.

Procedure where proprietors fail to nominate.

208. If the Deputy Commissioner considers that a nominee is not qualified for the office of patwárí, he shall refuse to appoint him, and shall call upon the proprietors or under-proprietors to nominate some other fit person, and if no fit person be nominated within the following fifteen days, he shall himself appoint a person to the vacant office.

Procedure where nominee is not qualified.

209. The Deputy Commissioner shall remove a patwárí from his office, if all the persons entitled to appoint to the office request his removal, unless the Deputy Commissioner has reason to think that such request is caused by a fraudulent or other improper motive.

Removal of patwárí on request of all the persons entitled to appoint.

210. The Deputy Commissioner may remove a patwárí from his office, if any of the proprietors or under-proprietors or any of the tenants of the local area for which such patwárí has been appointed, apply to the Deputy Commissioner for his removal: but the Deputy Commissioner shall first give to the patwárí and to the proprietors or under-proprietors (if any) who have not joined in the application, reasonable opportunity of showing cause why such patwárí should not be removed.

Removal on request of some of such persons.

211. If the Deputy Commissioner thinks that a patwárí whose removal is applied for ought to be continued in office, or if he thinks that a patwárí is not qualified for his office, he may order that the patwárí shall be continued in office or be removed, as he thinks fit.

Procedure where Deputy Commissioner thinks that patwárí should be continued.

212. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act, for the appointment, suspension, dismissal, punishment, remuneration and supervision of patwárís. Such rules may, among other things, prescribe the amount to be paid for the salaries of patwárís, for the necessary expenses of their office, and for the remuneration of the kánúngos (if any) appointed to supervise them, and the persons by whom such payments are to be made.

Power to make rules as to appointment, &c. of patwáris.

213. The provisions contained in sections 206 to 212 inclusive shall not, by force only of this Act, apply to the appointment, dismissal, punishment, or remuneration of patwárís for taluqás which are in the possession of their owners; but the Chief Commissioner may order all or any of such provisions to be so applied in the cases mentioned in section 215.

Exemption from sections 206 to 212.

214. If in any such taluqá, the taluqdár fails to appoint a patwárí as required by this Act, or if the patwárí fails to prepare or submit any of the papers or accounts required by this Act or any rules made hereunder, the Deputy Commissioner may for any one year cause such papers or accounts to be prepared and submitted at the expense of the taluqdár.

Power to order patwáris papers to be prepared at expense of taluqdár.

215. On the request of any taluqdár,

or if any taluqdár persistently or repeatedly fails

(1) to nominate persons to fill the office of patwárí, or

(2) to ensure the punctual and accurate performance by his nominees of the duties prescribed for them by the rules framed under this chapter,

the Chief Commissioner may order that all or any of the provisions contained in sections 206 to 212 inclusive, shall be applied to the taluqá of the taluqdár making such request or default, or to any local area therein, for such term as the Chief Commissioner thinks fit; and may rescind or modify such order.

Provided that, in the case of the taluqdár making such request, the term shall not exceed his life, and that, in the case of the taluqdár making such default, the term shall not exceed his life or fifteen years, whichever period first expires.

Power to apply sections 206 to 212 to local areas.

CHAPTER XIII.

MISCELLANEOUS.

216. Subject to the orders of the Chief Commissioner,

Place for holding Court.

(*a*) a Commissioner may hold his Court at any place within his division that he thinks fit:

(*b*) a Deputy Commissioner, an Assistant Commissioner (whether in charge or not of a sub-division of a district), or an officer in charge of a settlement or Assistant Settlement Officer may hold his Court at any place within the limit of the district to which he is appointed; and

(*c*) a Tahsíldár may hold his Court at any place within the limits of his tahsíl.

217. The Chief Commissioner and any officer mentioned in the last preceding section shall have power to summon any person whose attendance he considers necessary for the purpose of any investigation, suit or other business before him.

Power to summon persons to give evidence and produce documents.

All persons so summoned shall be bound to attend either in person or by authorized agent as such officer may direct,

and to state the truth upon any subject respecting which they are examined to make statements,

and to produce such documents and other things as may be required.

218. All proceedings held under the provisions of this Act shall be conducted according to the rules for the time being prescribed under section 220.

Conduct of proceedings.

219. No Civil Court shall exercise jurisdiction over any of the following matters:—

Matters excepted from cognizance of Civil Courts.

(*a*) the claim of any person to be settled with, or

the validity of any engagement with Government for the payment of revenue, or

the amount of revenue, cess or rate to be assessed on any mahál, or portion of a mahál under this or any other Act for the time being in force: or

the rent to be paid to a proprietor by an under-proprietor or a lessee whose rent has been fixed by the Settlement Officer.

(*b*) any claims connected with or arising out of any process enforced on account of neglect or refusal to accept the assessment or terms of sub-settlement proposed by the Settlement Officer:

(*c*) the formation of the settlement record,

the preparation, signing, or attestation of any of the documents contained therein, or

the notification of settlement:

(*d*) the distribution on partition of the land or allotment of the revenue of a mahál or of the rent of an under-proprietary tenure, or of rent payable by lessees whose rent has been fixed by a Settlement Officer,

(*e*) the determination of the rent to be paid by any person under section 86:

(*f*) claims connected with, or arising out of, the collection of revenue or any process enforced on account of an arrear of revenue, or on account of any sum which is by this or any other Act realizable as revenue other than claims under section 156;

(*g*) claims to set aside a sale for arrear of revenue other than claims under section 148.

In all the above cases, jurisdiction shall rest with the revenue officers only.

220. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make and issue rules consistent with this Act, and relating to the following matters :—

Power to make rules for purposes of Act.

(*a*) the qualifications, appointment, duties, remuneration, punishment and dismissal of—

(1) tahsíldárs.

(2) lambardárs or representatives of village communities,

(3) kánúngos or superintendents of revenue records,

(*b*) for regulating the assessment of land gained by alluvion or the reduction of the assessment of a mahál in consequence of diluvion ;

(*c*) the procedure to be followed by any officer or other person who, under any provision of this Act, is required or empowered to take action in any matter ;

(*d*) the person by whom, and the time, and manner at or in which, anything for the doing of which provision is hereinbefore made in this Act, shall be done ;

(*e*) the form and contents of reports to be furnished by officers required or empowered to take action in any matter, and the period within which such reports shall be furnished ;

(*f*) the form and contents of the registers and lists kept under this Act ; and

(*g*) the mode of recovering arrears of rent under section 158, the extent to which they may be recovered, and the amount which may be retained by the Deputy Commissioner to defray the expenses of such recovery ;

(*h*) the cases in which taluqdárí mahals and mahals whether under-proprietary or held by lessees whose rents have been fixed by the Settlement Officer or other competent authority may be partitioned under this Act ;

(*i*) the costs of partitions under this Act and the persons by whom they are to be paid, and the mode of enforcing such payment against such persons or their shares in the property of which partition has been made ;

(*j*) the issue under section 114, of writs of demand or summons to appear, and the costs recoverable from the defaulter, and the officer by whom such writs and summonses shall be issued ;

(*k*) and generally to carry out the provisions of this Act.

221. All fees, fines, costs and other moneys ordered to be paid under this Act, shall be recoverable as if they were an arrear of land-revenue.

Recovery of fines and costs.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October 1876, and is hereby promulgated for general information :—

ACT No. XVIII OF 1876.

THE OUDH LAWS ACT, 1876.

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SECOND SCHEDULE.

An Act to declare and amend the laws to be administered in Oudh.

Preamble.

Whereas it is expedient to declare and amend the laws to be administered in Oudh ; It is hereby enacted as follows :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be called "The Oudh Laws Act, 1876."

Local extent.

It extends only to the territories for the time being under the administration of the Chief Commissioner of Oudh ;

Commencement.

And it shall come into force on the passing thereof.

Repeal of enactments.

2. The Regulations, Acts, Rules and Orders mentioned or referred to in the first Schedule hereto annexed shall be repealed to the extent mentioned in the third column of the said schedule.

PART II.

GENERAL LAWS TO BE ADMINISTERED IN OUDH.

Statutory law to be administered in Oudh.

3. The law to be administered by the Courts of Oudh shall be as follows :—

(*a*) the laws for the time being in force regulating the assessment and collection of land-revenue ;

(*b*) in questions regarding succession, special property of females, betrothal, marriage, divorce, dower, adoption, guardianship, minority, bastardy, family relations, wills, legacies, gifts, partitions or any religious usage or institution, the rule of decision shall be—

(1) any custom applicable to the parties concerned which is not contrary to justice, equity, or good conscience, and has not been, by this or any other enactment, altered or abolished, and has not been declared to be void by any competent authority ;

(2) the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, except in so far as such law has been, by this or any other enactment, altered or abolished, or has been modified by any such custom as is above referred to ;

(*c*) the rules contained in this Act ;

(*d*) the rules published in the local official *Gazette* as provided by section forty, or made under any other Act for the time being in force in Oudh ;

(*e*) the Regulations and Acts specified in the second Schedule hereto annexed, subject to the provisions of section four, and to the modifications mentioned in the third column of the same schedule ;

(*f*) subject to the modifications hereinafter mentioned, all enactments for the time being in force and expressly, or by necessary implication, applying to British India or Oudh, or some part of Oudh ;

(*g*) in cases not provided for by the former part of this section, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience.

Validity of local customs and mercantile usages.

4. All local customs and mercantile usages shall be regarded as valid, unless they are contrary to justice, equity, or good conscience, or have, before the passing of this Act, been declared to be void by any competent authority.

PART III.

CHAPTER I.

DOWER AMONG MUHAMMADANS.

5. Where the amount of dower stipulated for in any contract of dower by a Muhammadan is excessive with reference to the means of the husband, the entire sum provided in the contract shall not be awarded in any suit by decree in favour of the plaintiff, or by allowing it by way of set-off, lien or otherwise to the defendant; but the amount of the dower to be allowed by the Court shall be reasonable with reference to the means of the husband and the status of the wife.

Muhammadan dower-contracts how to be enforced.

This rule shall be applicable whether the suit to enforce the contract be brought in the husband's lifetime or after his death.

Rule applicable after husband's death.

CHAPTER II.

PRE-EMPTION.

6. The right of pre-emption is a right of the persons hereinafter mentioned or referred to, to acquire, in the cases hereinafter specified, immoveable property in preference to all other persons.

Right of pre-emption.

7. Unless the existence of any custom or contract to the contrary is proved, such right shall, whether recorded in the settlement-record or not, be presumed—

Presumption as to its existence.

(*a*) to exist in all village-communities, however constituted, and whether proprietary or under-proprietary, and in the cases referred to in section forty of the Oudh Land-Revenue Act, 1876, and

(*b*) to extend to the village site, to the houses built upon it, to all lands and shares of lands within the village-boundary, and to all transferable rights affecting such lands.

8. The right of pre-emption shall not be presumed to exist in any town or city, or any sub-division thereof, but may be shown to exist therein, and to be exercisable therein by such persons and under such circumstances as the local custom prescribes.

Its existence in towns to be proved.

9. If the property to be sold or foreclosed is a proprietary or under-proprietary tenure, or a share of such a tenure, the right to buy or redeem such property belongs, in the absence of a custom to the contrary,

Devolution of right when property to be sold or foreclosed is a proprietary or under-proprietary tenure.

1*st*, to co-sharers of the sub-division (if any) of the tenure in which the property is comprised, in order of their relationship to the vendor or mortgagor;

2*ndly*, to co-sharers of the whole mahál in the same order;

3*rdly*, to any member of the village-community; and

4*thly*, if the property be an under-proprietary tenure, to the proprietor.

Where two or more persons are equally entitled to such right, the person to exercise the same shall be determined by lot.

10. When any person proposes to sell any property, or when he forecloses a mortgage upon any property in respect of which any persons have a right of pre-emption, he shall give notice to the persons concerned of the price at which he is willing to sell such property, or of the amount due in respect of such mortgage, as the case may be.

Notice to pre-emptors.

Such notice shall be given through the Court within the local limits of whose jurisdiction the property or any part thereof is situate, and shall be deemed sufficiently given if it be stuck up on the chaupál or other public place of the village or city in which the property is situate.

11. Any person having a right of pre-emption in respect of any property proposed to be sold, shall lose such right, unless within three months from the date of such notice he or his agent pays or tenders the price aforesaid to the person so proposing to sell.

Loss of right of pre-emption.

12. When the right of pre-emption arises in respect of the foreclosure of a mortgage, any person entitled to such right may, at any time within three months after the giving of the notice required by section ten, pay or tender to the mortgagee or his successor in title the amount specified in such notice, and shall thereupon acquire a right to purchase the property.

Right of pre-emptor on foreclosure.

On completion of the purchase the person exercising the right of pre-emption shall be bound to pay to the mortgagee or his successor in title the amount specified in such notice, together with interest on the principal sum secured by the mortgage, at the rate specified by the instrument of mortgage, for any time which has elapsed since the date of the notice, and any additional costs which may have been properly incurred by the mortgagee or his successor in title.

13. Any person entitled to a right of pre-emption may bring a suit to enforce such right on any of the following grounds (namely)—

Suit to enforce right of pre-emption.

(*a*) that no due notice was given as required by section ten;

(*b*) that tender was made under section eleven or section twelve and refused;

(*c*) in the case of a sale, that the price stated in the notice was not fixed in good faith;

(*d*) in the case of a mortgage, that the amount claimed by the mortgagee was not really due on the footing of the mortgage and was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged.

If in the case of a sale, the Court finds that the price was not fixed in good faith, the Court shall fix such price as appears to it to be the fair market-value of the property sold.

If in the case of a mortgage, the Court finds that the amount claimed by the mortgagee was not really due on the footing of the mortgage, and that it was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged, the amount to be paid to the mortgagee

shall not exceed what the Court finds to be such market-value.

14. If the Court find for the plaintiff, the decree shall specify a day on or before which the purchase-money or the amount to be paid to the mortgagee shall be paid.

Decree to fix time for payment.

15. If such purchase-money or amount is not paid into Court before it rises on that day, the decree shall become void, and the plaintiff shall, so far only as relates to such sale or mortgage, lose his right of pre-emption over the property to which the decree relates.

Effect of non-payment of purchase-money.

CHAPTER III.

PROCEDURE OF THE COURTS.

16. The Judicial Commissioner's Circular No. 104 of July 1860, shall be held to have been a notification within the meaning of section twenty-four of Act No. XIV of 1859; and such Act shall be deemed to have been in force in Oudh from the fourth day of July 1862; and all orders and decrees passed under the rules contained in the said Circular, or under the said Act, shall be deemed to have been passed under a law in force for the time being.

Rule of limitation.

Nothing in this section affects the provisions of sections 102, 104, 105, 106, 107 and 108 of the Oudh Rent Act (XIX of 1868) with regard to the limitation of suits under that Act.

17. The provisions of the Oudh Civil Courts Act, 1871, section 28, shall cease, and be deemed to have ceased, to have effect in any district from the date of the notification under section 26 of that Act.

Act XXII of 1871, s. 28, to cease in any district from date of notification that it is no longer under settlement.

18. Section 17 of Act VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

Recognized agent.

"The recognized agents of parties by whom such applications and appearances may be made are—

"A permanent servant, partner, relation or friend, whom the Court may admit as a fit person to represent a party, and especially persons holding powers of attorney from absent parties, parties carrying on business on behalf of bankers and traders, managing agents of landlords, nearest male relations of women, and persons *ex officio* authorized to act for Government or for any prince or chief.

"Whenever the personal appearance of a party to a suit is required by this Act, such appearance may be made by his recognized agent, unless the Court shall otherwise direct; and anything which by this Act is required or permitted to be done by a party in person may be done by his recognized agent. Notices given to, or processes served on, a recognized agent, relative to a suit, shall be effectual for all purposes, in relation to the suit, as if the same had been given to or served on the party in person, unless the Court shall otherwise direct; and all the provisions of this Act, relative to the service of notices or processes on a party to a suit, shall be applicable to the service of notices and processes on such recognized agent."

19. Section 172 of Act No. VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

Rules for taking evidence.

"On the day appointed for the hearing of the suit, or on some other day to which the hearing may be adjourned, the evidence of the witnesses in attendance shall be taken orally in open Court in the presence and hearing and under the personal direction and superintendence of the Judge.

"A note of the essential points of the evidence of each witness is to be taken at the time, and in the course of oral examination, by the officer who tries the case, in his own language, or in English if he is sufficiently acquainted with that language, and such note shall be filed, and shall form part of the record of the case.

"If the evidence be taken down in a different language from that in which it has been given, and the witness does not understand the language in which it is taken down, the witness may require his deposition as taken down to be interpreted to him in the language in which it was given.

"It shall be in the discretion of the Court to take down, or cause to be taken down, any particular question and answer, if there appear any special reason for so doing, or any party or his pleader requires it.

"If any question put to a witness be objected to by either of the parties or their pleaders, and the Court allow the same to be put, the question and the answer shall be taken down, and the objection and the name of the party making it shall be noticed in taking down the depositions, together with the decision of the Court upon the objection.

"The Court shall record such remarks as it may think material respecting the demeanour of the witness while under examination.

"If the Judge be prevented from making a note as above required, he shall record the reason of his inability to do so, and shall cause such note to be made in writing from his dictation in open Court, and shall sign the same, and such note shall form part of the record."

20. So much of section 205 of the Code of Civil Procedure, as renders land liable to sale in execution of a decree, shall be subject to the following restriction:—

Execution sale of ancestral and acquired property in land.

No ancestral property in land shall be sold in satisfaction of a decree without the permission of the Chief Commissioner; no self-acquired property in land shall be so sold without the permission of the Commissioner.

Explanation.—In this section the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59.

21. Whenever the Civil Court thinks fit under the said Code, to provide for the management of land attached in execution of a decree, the Court shall issue a precept to the Deputy Commissioner of the district wherein such land is situate, directing him to take charge of such land, and to appoint a person for the care and management thereof under adequate security for the faithful discharge of his duty.

Appointment of manager of land attached.

The precept shall describe the land comprised in such direction, and the attachment shall not be withdrawn without a further precept from the Court to that effect.

Nothing in this section authorises a Civil Court to direct a Deputy Commissioner to take charge of land not in the actual possession of the judgment-debtor or of some one whom the judgment-debtor has a present right to remove from possession.

22. Notwithstanding anything contained in the said Code, any Civil Court sitting within the local limits of the jurisdiction of the Lucknow Civil Court, but exercising jurisdiction beyond such limits, may cause summonses, warrants, notices and other processes to be served within the local limits of the jurisdiction of the Lucknow Civil Court without causing the same processes to be served through such Court.

Service of process within jurisdiction of Lucknow Civil Court.

23. The following section is substituted for section 109 of the Oudh Rent Act:—

Section substituted for section 109, Act XIX of 1868.

"The provisions of the Code of Civil Procedure, as in force in Oudh, shall, so far as they are not inconsistent with the provisions herein contained, apply to all suits, appeals and proceedings under this Act."

24. Section 118 of the Oudh Rent Act is repealed, and the following section is substituted for it:—

Section substituted for section 118, Act XIX of 1868.

"118. No process of execution shall be issued on a decree under this Act on any application made after the lapse of three years from the date of such decree unless the decree be for a sum exceeding five hundred rupees, in which case the period within which execution may be had shall be regulated by the law in force as to the period allowed for the execution of decrees of the Civil Courts."

Execution not to issue on decree after lapse of three years from date.

25. Any proprietor or under-proprietor of a mahál or portion of a mahál, which is attached, transferred, held under direct management, farmed or sold under the provisions of the Code of Civil Procedure, who may at the date of the order for such attachment, transfer, management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner shall determine, and the rent to be paid by him for land so determined shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Right of occupancy in judgment-debtor's sir land.

26. Notwithstanding anything contained in Act No. XX of 1865, all persons duly admitted and enrolled as Revenue Agents under that Act in the territories for the time being under the administration of the Chief Commissioner of Oudh may appear, plead and act in suits under the Oudh Rent Act in the Courts of officers exercising the powers of Assistant Collectors, Deputy Collectors, Collectors and Commissioners under the same Act.

Revenue Agents authorized to appear, &c., in rent-suits.

27. With the sanction of the Chief Commissioner, the Judicial Commissioner may from time to time make rules consistent with this Act and with the Code of Civil Procedure,

Power to make rules for custody and sale of attached property.

(*a*) for the custody and sale of moveable property attached in execution of decrees;

(*b*) for the levy of a fee or commission on the sale of attached property, and the disposal of the funds accruing from such fees;

(*c*) as to the appointment and remuneration of persons by whom property is to be attached, kept in custody, and sold; and

(*d*) as to the appointment and remuneration of persons by whom local investigations under section 180, and investigations and adjustments of accounts under section 181, of the Code of Civil Procedure, are to be made.

28. The Judicial Commissioner may, at any time within one year from the time of the passing of any decree or order by any Court subordinate to him, call for the proceedings in the case, and may, if he see sufficient grounds, revise and alter, or reverse, or confirm, the said decree or order. But in such case, before revising, altering or reversing the decree or order, he shall cause the same notice to be given to the party in whose favour it was pronounced, and the same opportunity to such party to be heard in support thereof, and the same proceedings to be taken, as if a memorandum of appeal had been filed by the party aggrieved thereby.

Power to revise decrees and orders of subordinate Courts.

CHAPTER IV.

VILLAGE AND ROAD POLICE.

29. The nomination to the post of village policeman shall be made by the zamíndár of the village, or, where there are more zamíndárs than one, by the lambardár as their representative; and where there are more lambardárs than one, the opinion of the majority (unless there is some special provision to the contrary in the village administration paper) shall prevail.

Right to nominate village policemen.

30. Every person authorized to nominate to the office of village policeman shall, within fifteen days after the occurrence of a vacancy in such office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the district.

Obligation to nominate.

31. The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected at discretion by such Magistrate, or by some officer authorized by him in that behalf.

Discretion to appoint or reject nominee.

32. In default of such nomination within the said fifteen days, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Power to Magistrate to appoint.

If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made, but the nominee is again rejected, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Procedure in case of rejection of nominee.

33. Subject to the rules to be framed under section thirty-nine and for the time being in force, the Magistrate of the district may, from time to time, appoint persons to be the road police of his district.

Appointment of road police.

34. Every village policeman and every road policeman shall perform the following duties:—

Duties of village and road policemen.

(*a*).—He shall give immediate information to the officer in charge of the police-station appointed for his village or beat,

(1) of every unnatural, suspicious, or sudden death occurring in the village of which he is chaukídár, or within his beat;

(2) of each of the following offences occurring in such village or on such beat (that is to say,) murder, culpable homicide, rape, dacoity, theft, robbery, mischief by fire, house-breaking, counterfeiting coin, causing grievous hurt, riot, harbouring a proclaimed offender, exposure of a child, concealment of birth, administering stupefying drugs, kidnapping, lurking house-trespass, and

(3) of all attempts and preparations to commit, and abetments of, any of the said offences.

(*b*).—He shall keep the police informed of all disputes which are likely to lead to any riot or serious affray.

(*c*).—He shall arrest all proclaimed offenders, and all persons whom he may find in the act of committing any offence specified in paragraph (*a*), clause (2) of this section.

(*d*).—He shall observe, and from time to time report to the officer in charge of the police-station within the jurisdiction of which his village or beat may be situate, the movements of all bad characters in or on such village or beat.

(*e*).—He shall report to the officer in charge of such police-station the arrival of suspicious characters in the neighbourhood.

(*f*).—He shall supply to the best of his ability any local information which a Magistrate or any officer of police may require, and shall promptly execute all orders issued to him by competent authority.

35. Whenever a village policeman or road policeman arrests any person, he shall take him as soon as possible to the police-station within the jurisdiction of which his village or beat is situate.

Procedure on arrest by village or road policeman.

36. The Magistrate of the district may dismiss any village policeman or road policeman for any misconduct or neglect of duty.

Dismissal of village or road policeman.

Where any village policeman is guilty of neglect of duty or other misconduct, the person authorized to nominate to his office may report him for dismissal to the Magistrate of the District; and such Magistrate shall dismiss him accordingly, unless the Magistrate has reason to think that such dismissal would be improper.

37. Every village-policeman and road-policeman guilty of any wilful misconduct in his office, or of neglect of duty, such misconduct or neglect not being an offence within the meaning of the Indian Penal Code,

Acts punishable.

or withdrawing from the duties of his office without permission, and without having given at least two months' notice of his intention to withdraw from such duties to the persons authorized to nominate or appoint under sections twenty-nine, thirty-two and thirty-three (as the case may be),

or offering any unnecessary personal violence to any person in his custody,

shall be liable, on conviction before a Magistrate, to a penalty not exceeding three months' pay, or to imprisonment for a period not exceeding three months, or to both.

Penalty.

38. All fines levied under this Act on village policemen or road policemen shall be credited to such fund as the Local Government from time to time appoints.

Fines to be credited to such fund as Government appoints.

CHAPTER V.

SUBSIDIARY RULES.

39. The Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act as to—

Power to make rules.

(*a*) the discipline and remuneration of the village and road police and the regulation of their number, location and duties;

(*b*) the disposal of unclaimed property under Act No. V of 1861 (*for the regulation of Police,*) sections 25, 26 and 27;

(*c*) public health and conservancy at fairs and other large public assemblies, and the maintenance

of a proper watch and ward at such fairs and assemblies;

(*d*) imposing with the previous sanction of the Governor General in Council taxes for those purposes only;

(*e*) the manner in which records, civil, criminal and revenue, shall be kept; the appointment and removal of the persons entrusted with the custody of records, and all other matters connected with such custody, and the destruction from time to time of such records as it may be deemed unnecessary to keep;

(*f*) the appointment, duties, punishment and dismissal of all ministerial officers other than those employed in the Civil Courts and those in respect of whom provision is made in the Oudh Revenue Act;

(*g*) the extent of land in respect of which a proprietor or under-proprietor is to be held, under section twenty-five, to be a tenant with a right of occupancy.

Publication of rules.

40. All rules made by the Chief Commissioner under section thirty-nine, and all rules made by the Judicial Commissioner under section twenty-seven, shall be published in the local official *Gazette*, and shall thereupon have the force of law.

Rules prescribed in respect of matters for which rules may be made under this Act, to remain in force for twelve months.

41. All rules heretofore prescribed by competent authority in respect of any of the matters for which rules may be made under this Act, shall remain in force for twelve months after this Act comes into force, unless any rules on the same subject are previously issued by the Chief Commissioner or Judicial Commissioner.

Penalty for breach of rules.

42. Whoever breaks any rule made or continued under this Act, not being a rule made by the Judicial Commissioner, shall, on conviction before a Magistrate, be punishable with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to six months, or with both.

CHAPTER VI.

MISCELLANEOUS.

Honorary Civil Jurisdiction.

Power to invest Taluqdárs with civil jurisdiction.

43. The Chief Commissioner may, from time to time, by notification in the official *Gazette*,

(*a*) invest such persons as he thinks fit to be Honorary Assistant Commissioners with the powers of a Civil Court of the first or of the second grade,

(*b*) declare what shall be in each such case the local limits of the jurisdiction so conferred, and

(*c*) withdraw such jurisdiction.

Honorary Police Officers.

Honorary police officers.

44. The Chief Commissioner may, from time to time, confer on any person whom he thinks fit any power which may be exercised by a police officer under any Act for the time being in force, and withdraw any power so conferred.

Creation and alteration of Districts and Sub-divisions.

Power to create new Districts.

45. The Governor General in Council may, by notification in the *Gazette of India*, create new Districts in any part of such territories, for any revenue, judicial or other purpose, and may alter the limits of existing Districts.

Power to form sub-divisions of Districts.

The Chief Commissioner may from time to time divide any District into sub-divisions, and from time to time alter the limits of such Sub-divisions.

All existing tahsíls shall be sub-divisions of Districts until they are so altered.

THE FIRST SCHEDULE.

(*See section* 2).

Number and year.	Title.	Extent of repeal.
	All Bengal Regulations now in force in Oudh, except those specified in the second schedule,	The whole.
	and, except when expressly provided otherwise in this Act, all rules, laws and regulations made for or extended to the Province of Oudh, or any part thereof, which have acquired the force of law under the Indian Councils Act.	The whole.
	Government Notification No. 4325 of 6th August 1861.	The whole.
XXI of 1857 ...	Gambling	Sections ten to fifteen.
XIX of 1863 ...	Partition	The whole.
XXXII of 1871 ...	The Oudh Civil Courts Act	Section thirty-one.

THE SECOND SCHEDULE.

(*See section* 3).

PART I.—BENGAL REGULATIONS.

Number and year.	Subject.	Modifications.
XXXIII of 1803 ...	Embezzlement by Native Officers.	In section I and in section II, clause *First, before* "sezawuls" *insert* "tahsíldárs." In section II, *after* the first clause, *insert* "*Second.* The responsibility of the sureties of tahsíldárs extends to the several cases provided for in this Regulation." In section III, *for* "Dewanny Adawlut of the Zillah, the Judge of which Court shall detain him" *read* "District, where he shall be detained;" *for* "real or personal" *read* "moveable or immoveable;" *for* "city" *read* "jurisdiction;" *for* "Board of Revenue" *read* "Chief Commissioner;" and *omit* the words and figures "and the rules in Regulation XXVII. 1803 regarding suits so carried on by the Collectors are to be held applicable to it." In section IV, *omit* the words "or in either of the cities of Patna, Dacca or Moorshedabad." *Omit* section VIII.
X of 1804 ...	Punishment by Courts Martial of certain State offences.	*Omit* section I. In section II, *for* "the British territories subject to the Government of the Presidency of Fort William" *read* "the territories under the administration of the Chief Commissioner of Oudh." In section III, *for* "real and personal" *read* "moveable or immoveable."

Number and year.	Subject.	Modifications.
XI of 1806 ...	Assistance to troops and travellers passing through Districts.	*Omit* sections I, VII, IX to XX (both inclusive), and so much of the rest of the Regulation as authorises Collectors and their native officers, or Magistrates and their police officers, to give their official aid in procuring coolies for the purpose of facilitating the march of troops or the progress of travellers. *For* "Collectors of Revenue" and "Collector" *read* "Deputy Commissioner" throughout the Regulation. In sections II and III, *for* "the Company's territories" *read* "Oudh." In section II, *omit* the last sentence. In section IV, clause *Third*, *for* "Governor General in Council" *read* "Chief Commissioner." In section V, *omit* "the Company's;" and *for* "Board of Revenue" *read* "Chief Commissioner." In section VI, *for* "Magistrate" *read* "Deputy Commissioner" and *for* "on the part of the Collector" *read* "by the Deputy Commissioner." In section VIII, *for* "the Company's provinces" *read* "Oudh;" and *omit* the words and figures ("under the rules prescribed by Regulation V. 1804,") and "in Regulation XXVII. 1803."
XVII of 1806 ...	Redemption and foreclosure of mortgages.	*Omit* sections I to VI (both inclusive), and in section VII, the first sentence as far as the word "designation" and the concluding sentence. In section VII, *omit* from the beginning down to and including "hereby provided that;" *for* "within one year (Bengal, Fassily or Willaity, according to the era current where the mortgage may take place)" *read* "within one calendar year;" *for* "Zillah or City Court of Dewanny Adawlut" *read* "Deputy Commissioner;" *for* "Dewanny Adawlut of the Zillah or City" *read* "Court of the Deputy Commissioner or other officer having jurisdiction with reference to the value of the subject matter;" and in the last sentence from "as allowed for the security" to the end of the section. In section VIII, *for* "preamble and preceding sections" *read* "preceding section;" *for* "Judge of the Zillah or City" *read* "Deputy Commissioner of the District," and *for* "Judge" *read* "Deputy Commissioner."
XX of 1810 ...	Military Bázárs.	
V of 1817 ...	Hidden Treasure ...	In section I, *omit* "to be in force as soon as promulgated throughout the provinces immediately subordinate to the Presidency of Fort William." In section V, *for* "Collectors of Land-revenue" *read* "Deputy Commissioners;" *for* "Board of Revenue" *read* "Chief Commissioner;" *for* "Judge" *read* "Deputy Commissioner." In section VI, *for* "Zillah or City Judge" *read* "Deputy Commissioner." In section VII, *omit* "sicca." In section VIII, *for* "Judge of the Zillah or City Court" *read* "Deputy Commissioner," and *omit* the words "on the application of the vakeel of Government under instructions from the Board of Revenue." For section IX, substitute the following: "IX. The decisions of Deputy Commissioners under this Regulation shall be open to appeal under Act No. XXXII of 1871."

Number and year.	Subject.	Modifications.
III of 1818 ...	State Prisoners ...	In section I, *omit* "situated within the territories dependent on the Presidency of Fort William," and from "which are to take effect" to the end of the section. In section II, clause *Third*, *omit* "within the territories subject to the Presidency of Fort William." In section IV, *omit* clause *First*. In the same section, clause *Second*, *for* "Zillah or City Magistrate" *read* "Deputy Commissioner," and *for* "Judge of Circuit" *read* "Commissioner of Division." In section IX, *for* "to the Provincial Court of Appeal and Circuit and to the Sudder Dewanny Adawlut and Nizamut Adawlut" *read* "and to the Judicial Commissioner." *Omit* section X.
VI of 1819 ...	Ferries	*Omit* sections I and II. *Omit* "or Joint Magistrates," "and Joint Magistrates" and "or Joint Magistrate," wherever they occur. In section III, clause *Second*, *omit* "by the Collectors." In the same section, clause *Third*, *after* "prepared" *insert* "through the Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner," and *add* "who shall fix the rates of toll to be levied at such ferries." In section IV, clause *First*, *omit* "for limiting the rates of toll to be levied at each ferry." In section V, *omit* "and in that of the Collector of the District." In section VI, clause *Second*, *after* "reported" *insert* "through the Commissioners of Divisions," and *for* "Government" *read* "the Chief Commissioner." In section VII, clause *First*, *omit* "they shall fix the rates of toll on a very moderate scale in no case exceeding, without an indispensable necessity, the rates which prevailed previous to the enactment of Regulation XIX. 1816." In the same section, clause *Third*, *for* "Bengal Fussily year according to the era current in the province" *read* "term of his lease." In the same section, clause *Fourth*, *for* "Magistrate and Collector," *read* "Deputy Commissioner," and *omit* "European." In section X, *for* the words "public money" to the end of the section, substitute "arrears of revenue." In section XI, *for* "Magistrates reserve to themselves" *read* "the Chief Commissioner reserves to himself." In section XII, clause *First*, line one, *for* "Magistrate" *read* "Chief Commissioner," and in line four *omit* "said." In section XIII, *omit* the *Second* clause.
XI of 1822 ...	Non-liability of Government for errors of a Court of Justice.	*Omit* the whole except section thirty-eight.

Number and year.	Subject.	Modifications.
VI of 1825 ...	Supply of troops on the march.	In the preamble, *omit* the last twenty words. In section II, *omit* "in pursuance of section III Regulation XI. 1806," and *omit* "sicca." In section IV, *for* "Board of Revenue in whose jurisdiction the district may be situate" and "Board" *read* "Commissioner." In section V, *omit* "on the stamped paper prescribed for other appeals to the Revenue Boards," and *for* "the proper Board" and "the Board" *read* "the Commissioner."
XI of 1825 ...	Alluvion and Diluvion ...	*Omit* section I. In section III, *omit* "either" and "or the sea." In section IV, clause *First, omit* "whether" and "or of the sea," and *for* "the provisions of Regulation II. 1819, or of any other Regulation," *read* "any law in force for the time being;" clause *Third, omit* "or in the sea" and "or sea;" clause *Fifth, omit* "or the sea." In section V, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners."
XX of 1825 ...	Military Courts of Requests	*Omit* sections I, III, and IV and section II, clause *Sixth*. In section II, clause *First, omit* from the beginning down to and including "provided, that;" and *for* "His Majesty or of the Hon'ble East India Company" *read* "Her Majesty;" and *for* "not within the territories subject to the Presidency of Fort William, or at any place within such territories which may be situated above one hundred and twenty miles from the aforesaid Presidency" *read* "within Oudh;" and *for* "a person attached to such body of troops in any of the capacities specified in sections XLV. and LX. of Statute IVth Geo. IV, cap. LXXXI," *read* "otherwise subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force;" and *omit* "as directed in such cases in the Regulations abovementioned;" and *for* "Act of Parliament" *read* "Mutiny Act for the time being in force." In the same section, clause *Third, for* "Act of Parliament" *read* "Mutiny Act;" and *for* "Magistrate of the Zillah or City" *read* "Deputy Commissioner." In the same section, clause *Fourth, for* "Zillah and City Magistrates" *read* "Deputy Commissioners;" and *omit* "of the nature described in section II of Statute IV. Geo. IV. cap. LXXXI," and "under the provisions of the said Act" and "under the provisions of the Regulations hitherto in force."

PART II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Modifications.
XIX of 1853 ...	Section 26, Recusant witnesses.	*Omit* "in addition to any proceedings under this Act."
XX of 1856 ...	Chaukídárs	In the preamble, *after* "Bengal" *add* "and the territories under the administration of the Chief Commissioner of Oudh." *Omit* the words "of circuit" wherever they occur after "Commissioner." *Omit* section XL.
XIII of 1857 ...	Opium	In the title, *after* "the Presidency of Fort William in Bengal" *read* "and the territories under the administration of the Chief Commissioner of Oudh." In section two, *after* "Presidency of Fort William in Bengal," *read* "and the administration of the Chief Commissioner of Oudh." In section three, *omit* "being covenanted servants of the Company."
XL of 1858 ...	Minors	In the title, *for* "the Presidency of Fort William in Bengal" *read* "Oudh." In section two, *for* "estates paying revenue to Government" *read* "mahals assessed to revenue or held revenue-free."
XXII of 1871 ...	Chaukídárs	In section one, *after* "Presidency" *insert* "or territories." In section three, *omit* the words "of circuit." *Omit* section six.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 16th December 1876, and is hereby promulgated for general information:—

ACT No. XIX OF 1876.

An Act for the better control of public dramatic performances.

WHEREAS it is expedient to empower the Government to prohibit public dramatic performances, which are scandalous, defamatory, seditious or obscene; It is hereby enacted as follows:— Preamble.

1. This Act may be called "The Dramatic Performances Act, 1876:" Short title.

It extends to the whole of British India; Local extent.

And it shall come into force at once. Commencement.

2. In this Act "Magistrate" means, in the Presidency Towns a Magistrate of Police, and elsewhere the Magistrate of the District. "Magistrate" defined.

3. Whenever the Local Government is of opinion that any play, pantomime, or other drama performed or about to be performed in a public place is— Power to prohibit certain dramatic performances.

(*a*) of a scandalous or defamatory nature, or

(*b*) likely to excite feelings of disaffection to the Government established by law in British India, or

(*c*) likely to deprave and corrupt persons present at the performance,

the Local Government, or outside the Presidency Towns and Rangoon, the Local Government or such Magistrate as it may empower in this behalf, may by order prohibit the performance.

Explanation.—Any building or enclosure to which the public are admitted to witness a performance on payment of money, shall be deemed a "public place" within the meaning of this section.

4. A copy of any such order may be served on any person about to take part in the performance so prohibited, or on the owner or occupier of any house, room or place in which such performance is intended to take place; and any person on whom such copy is served, and who does, or willingly permits, any act in disobedience to such order, shall be punished on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both. Power to serve order of prohibition. Penalty for disobeying order.

5. Any such order may be notified by proclamation, and a written or printed notice thereof may be stuck up at any place or places adapted for giving information of the order to the persons intending to take part in or to witness the performance so prohibited. Power to notify order.

6. Whoever, after the notification of any such order— Penalty for disobeying prohibition.

(*a*) takes part in the performance prohibited thereby, or in any performance substantially the same as the performance so prohibited, or

(*b*) in any manner assists in conducting any such performance, or

(*c*) is in wilful disobedience to such order present as a spectator, during the whole or any part of any such performance, or

(*d*) being the owner or occupier, or having the use of, any house, room or place, opens, keeps or uses the same for any such performance, or permits the same to be opened, kept or used for any such performance,

shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

7. For the purpose of ascertaining the character of any intended public dramatic performance, the Local Government or such officer as it may specially empower in this behalf, may apply to the author, proprietor or printer of the drama about to be performed, or to the owner or occupier of the place in which it is intended to be performed, for such information as the Local Government or such officer thinks necessary.

Power to call for information.

Every person so applied to shall be bound to furnish the same to the best of his ability, and whoever contravenes this section shall be deemed to have committed an offence under section 176 of the Indian Penal Code.

8. If any Magistrate has reason to believe that any house, room or place is used, or is about to be used, for any performance prohibited under this Act, he may, by his warrant, authorize any officer of police to enter with such assistance as may be requisite, by night or by day, and by force if necessary, any such house, room or place, and to take into custody all persons whom he finds therein, and to seize all scenery, dresses and other articles found therein and reasonably suspected to have been used, or to be intended to be used, for the purpose of such performance.

Power to grant warrant to Police to enter and arrest and seize.

9. No conviction under this Act shall bar a prosecution under section 124A or section 294 of the Indian Penal Code.

Saving of prosecutions under Penal Code, sections 124A and 294.

10. Whenever it appears to the Local Government that the provisions of this section are required in any local area, it may, with the sanction of the Governor General in Council, declare, by notification in the local official Gazette, that such provisions are applied to such area from a day to be fixed in the notification.

Power to prohibit dramatic performances in any local area, except under license.

On and after that day, the Local Government may order that no dramatic performance shall take place in any place of public entertainment within such area, except under a license to be granted by such Local Government, or such officer as it may specially empower in this behalf.

The Local Government may also order that no dramatic performance shall take place in any place of public entertainment within such area, unless a copy of the piece, if and so far as it is written, or some sufficient account of its purport, if and so far as it is in pantomime, has been furnished, not less than three days before the performance, to the Local Government, or to such officer as it may appoint in this behalf.

A copy of any order under this section may be served on any keeper of a place of public entertainment, and if thereafter he does, or willingly permits, any act in disobedience to such order, he shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

11. The powers conferred by this Act on the Local Government may be exercised also by the Governor General in Council.

Powers exercisable by Governor General.

12. Nothing in this Act applies to any *jātras* or performances of a like kind at religious festivals.

Exclusion of performances at religious festivals.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 16th December 1876, and is hereby promulgated for general information:—

ACT No. XX OF 1876.

An Act to give better effect to certain agreements with the Thákur of Bhaunagar.

Preamble.

WHEREAS the villages mentioned in the Schedule hereto annexed (hereinafter called the Scheduled villages) are the property of the Thákur of Bhaunagar, and were by the Treaty of Bassein dated the thirty-first day of December 1802, separated from the Native State or States known as the territory of Káthiáwár and ceded to the British Government:

And whereas, by Regulation VI of 1816 of the Governor of Bombay in Council, the Regulations in force throughout the Presidency of Bombay were extended to the said villages, and such villages thereby became subject to the jurisdiction of the Revenue, Civil and Criminal Courts established in that Presidency:

And whereas the said Thákur of Bhaunagar is also the proprietor of divers villages, forming part of the said Territory, and hereinafter called the Káthiáwár villages:

And whereas the British Government have exercised certain powers of Government over the said territory, but such territory has never been treated as being British territory, nor as having been vested in the East India Company, nor in Her Majesty the Queen of Great Britain and Ireland and Empress of India, and the said Káthiáwár villages have consequently never been subject to the laws in force in the Presidency of Bombay:

And whereas in the year 1820 the British Government established a Political Agency for the said territory of Káthiáwár:

And whereas in the year 1857 the said Thákur was, by an order of the British Government, invested in respect of the same villages with certain powers of sovereignty limited by and subject to the rules laid down for the government and conduct of the said Káthiáwár Political Agency:

And whereas for divers reasons of State affecting the welfare of British India, the British Government became desirous of ceding to the Thákur of Bhaunagar the Scheduled villages, to be held by him on the same conditions as those on which he holds the Káthiáwár villages, and for that purpose certain agreements were made and certain notifications published which were intended to operate as a cession of the Scheduled villages:

And whereas on the twenty-ninth day of January 1866, the Governor of Bombay in Council published a notification declaring that, in accordance with the agreement last hereinbefore recited, the Scheduled villages were from and after the first day of February 1866, removed from the jurisdiction of the Revenue, Civil and Criminal Courts of the Bombay Presidency and transferred to the supervision of the said Political Agency in Káthiáwár on the same conditions as to jurisdiction as the said Káthiáwár villages:

And whereas the intention of the said agreements and notifications was that the villages comprised therein should be ceded to and vested in the Thákur of Bhaunagar, to be held by him on the terms on which he holds the Káthiáwár villages:

And whereas ever since the first day of February 1866, the Scheduled villages have been governed according to the intention of the said agreements, and acts of executive authority have been done, proceedings taken and decrees and sentences passed by the Thákur of Bhaunagar and his officers, and by the officers of the said Political Agency, and by the Courts of Justice appointed to exercise jurisdiction within the limits of the said Political Agency:

And whereas it now appears that such agreements and notifications were not worded so as to express their true intention, and that the Scheduled villages did not thereby cease to be British territory, or to be subject to the laws in force in the Presidency of Bombay:

And whereas by a notification, dated the fifth day of December 1876, after reciting to the effect above recited, and reciting that the Secretary of State for India, had on behalf of Her Majesty the Queen of Great Britain and Empress of India, given his sanction to the cession intended to be thereby effected, the Governor General in Council, with the sanction aforesaid, did thereby cede and grant to the said Thákur of Bhaunagar, his heirs and successors, the said Scheduled villages, to hold the same unto the said Thákur his heirs and successors, on the terms and subject to the rules on and subject to which he holds the said Káthiáwár villages: but it was thereby provided that, in case the said Thákur his heirs or successors should commit, any acts of misgovernment which, in the opinion of the Governor General in Council, rendered it inexpedient that the said Thákur his heirs and successors should continue to hold the said Scheduled villages, the Governor General in Council might resume the villages thereby ceded and reannex the same to Her Majesty's dominions:

And whereas it is expedient (so far as relates to any past or future proceedings in British India) to ratify the aforesaid acts, proceedings and sentences of the Thákur of Bhaunagar and the officers and Courts aforesaid, and to indemnify the said Thákur and officers against any liability in respect thereof, and to provide that no title to property shall be disturbed by any act, proceeding or sentence of any other authority; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Bhaunagar Act, 1876:"

Local extent.

It extends only to British India;

Commencement.

And it shall come into force at once.

Scheduled villages excluded from jurisdiction of Bombay Courts.

2. The said Scheduled villages shall be deemed to have been, on and after the said first day of February 1866, excluded from the jurisdiction of the Revenue, Civil and Criminal Courts of the Bombay Presidency.

Validation of acts done after 1st February 1866.

3. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed subsequently to the first day of February 1866, and which would have been valid if the Scheduled villages had been ceded according to the intention of the said agreements and notification, shall be as valid and operative in British India as if such cession had actually been effected;

Bar of suits.

and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that the Scheduled villages did not cease to be British territory on the first day of February 1866.

Saving of personal jurisdiction of Courts of British India.

4. Nothing in this Act shall affect any jurisdiction which any Court of Justice in British India may for the time being be entitled to exercise over persons resident or being beyond the limits of British India.

SCHEDULE.

Bhaunagar Taluqa.

Bhaunagar.	Málanka.	Háthab.
Wadwá.	Bhutesar.	Khadsuliu.
Ruhá.	Bhumlí.	Bhadbadiu.
Akwárá.	Ratanpur Juná.	Alápur.
Adhiwárá.	Ratanpur Nuwá.	Thalsar.
Tarsamía.	Koliak.	Lákhanka.
Jaspará.	Kobri.	Sultánpur.
Phulsar.	Bhurí.	Wávri.
Karmadiu.	Bhundariu.	Rámpura.
Surká.	Churi.	Bhenswari. } *waste.*
Tarak Pálrí.	Sánkrásar.	Jhánjrá. }
Nárí.	Bhádole.	
Budhel.	Nágdhaníba.	

Sihór Taluqa.

Sihór.	Ratanpur *near* Táná.	Rájpura.
Usrad.	Wadiu.	Khakhriu.
Agiáli.	Waláwad.	Kardej.
Táná.	Megwadar.	Surká.
Bordi.	Ghángli.	Jámbálu.
Kájawadar.	Nesra.	Kuchotiu (*waste*).

Chirora *(waste)*.

New Villages.

Gundi.	Trápaj	Píthalpur.
Mándwá.	Bapárá.	Khántarí.
Sosiá.	Páuchpíplá.	Deogána.
Paniálí.	Rájpura.	Thordí.

Khadarpur Mitiverdi.

Inám Villages.

Wartej.	Sámpura.	Sodwadra.
Sidhsar.	Phariádku.	Sedhawadar.
	Kálví (*waste*).	

DHANDUKA PARGANA.

Pátna Taluqa.

Pátna.	Kánutalao.	Dantretía.
Bharbír.	Ratanwau.	Samandiála.
Chakampur.	Keriá.	Kariání.
Sarwui.	Jamrála.	Láthídhar.
Jhinjhawadar.	Ujalwau.	Weláwadar.
Pátí.	Jotingra.	Vírdhi *or* Rájghar.
Keria *near* Pátí.	Shírthali.	Sajelí.
Bhámbhan.	Dhíkwáli.	Oteriá.
Samandeála, 2.	Wajelí.	Sándherá.
Tájpur.	Lundrá.	Nágalpur.
	Málpur.	

RANPUR PARGANA.

Botád Taluqa.

Botád.	Dánkniá.	Kániád.
Hardar.	Khankói.	Rájpura.
Sírwániu.	Turkhá.	Juriá.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 17th December 1876, and is hereby promulgated for general information :—

ACT No. XXI OF 1876.

An Act to amend the Land Improvement Act, 1871.

WHEREAS doubts have arisen as to the effect of certain provisions of the Land Improvement Act, 1871, and it is expedient, with a view to removing such doubts, to amend the said Act; It is hereby enacted as follows :—

Preamble.

Local extent.

1. This Act extends to the whole of British India :

It shall be read with, and taken as part of, the said Land Improvement Act, 1871, and it shall be deemed to have come into force on the twenty-eighth day of September 1871, being the day on which the said Act came into force.

Construction.

Commencement.

Definition of "improvement" explained.

2. The definition of "improvement" in section one of the said Act includes works for the storage, supply or distribution of water for the use of men and cattle employed in agriculture.

Amendment of Act XXVI of 1871, section 14.

3. To section fourteen of the said Act the following clause shall be added (namely)—

"(*e*). If such security consists of a charge upon land, the position, extent and boundaries of such land."

Amendment of Act XXVI of 1871, section 15.

4. Section fifteen of the said Act is repealed, and instead thereof the following section shall be substituted :—

"15. All sums advanced under this Act shall, when they become due, be recoverable in all or any of the following ways :—

(*a*) from the borrower, as if they were arrears of land-revenue due from him :

(*b*) from the surety (if any), as if they were arrears of land-revenue due from him :

(*c*) out of the land to be improved, as if they were arrears of land-revenue due on account of such land :

(*d*) out of the property comprised in the collateral security (if any), according to the terms of such security :

Provided—

(*e*) that if the borrower is the landlord, any proprietary or cultivating interest which a tenant may have in the land to be improved shall not, unless the tenant has given such interest as collateral security for the advance, be liable to sale for the recovery of such advance :

(*f*) that if the borrower is such a tenant as is mentioned in section seven, the landlord's interest in the land to be improved shall not be liable to sale for the recovery of the advance :

(*g*) and if the advance is recovered from the surety or out of his property, to the exoneration of the borrower or of the land to be improved, the surety shall have the same rights against the borrower and the land to be improved, as the Government had when the advance was due, and may enforce such rights by ordinary process of law."

Power to authorize Collector to delegate certain powers.

5. The Local Government may authorize the Collector (as defined in the said Act) to delegate to any officer subordinate to him such of his powers under the said Act as the Local Government may from time to time prescribe.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 17th December 1876, and is hereby promulgated for general information :—

ACT No. XXII OF 1876.

An Act to provide for the management of the Public Museum at Calcutta.

WHEREAS, by Act No. XVII of 1866, reciting that it was expedient to provide for the establishment of a Public Museum at Calcutta, to be called the Indian Museum, it was enacted that the Governor General in Council should cause to be erected at the expense of the Government of India a suitable building in Calcutta, to be devoted in part to collections illustrative of Indian Archæology and of the several branches of Natural History, in part to the preservation and exhibition of other objects of interest, whether historical, physical or economical, in part to the records and offices of the Geological Survey of India, and in part to the fit accommodation of the Asiatic Society of Bengal and to the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that the Government of India should keep the said building in repair and pay and defray the salaries, allowances and pensions of the officers and servants, and all other expenses connected with the said Museum; and by the Act now in recital certain officials and other persons therein mentioned or referred to, to the number of thirteen, and their successors, were constituted a Body Corporate by the name of the Trustees of the Indian Museum, and the said Trustees were empowered to receive bequests, donations and subscriptions, and to deal with the same in the manner therein mentioned for the purposes of their trusts therein mentioned; and it was also enacted that the said Trustees should have the exclusive possession, occupation and control, for the purposes of such trusts, of the said building, other than those portions thereof which, upon its completion, should be set apart by the said Trustees for the records and offices of the said Geological Survey and for the accommodation of the said Asiatic Society and the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that all officers and servants, salaried or otherwise, employed in the care or management of the trust-property, should be appointed, and might be removed or suspended, by the said Trustees, subject to such regulations and conditions as the said Trustees should think proper; and it was also enacted that the Council of the said Asiatic Society should cause the collections belonging to such Society, and illustrative of Indian Archæology and the several branches of Natural History, and all additions that might be made thereto, to be removed to and deposited in the said building at the expense of the Government of India as soon as the same should be completed so far as to be in a condition to receive the said collections, and that an inventory of the articles in such collections should be made by the said Society, one copy whereof was to be signed by the said Trustees and kept by the said Society, and another copy was to be signed by the said Society and kept by the said Trustees, and that the said Society should continue to have the same exclusive property in and control over their said library, manuscripts, maps, coins, busts, pictures and engravings which they then possessed, and that the Council of the said Society should have the exclusive possession, occupation and control, for the purposes of the said Society, of those portions of the said building which should be set apart for the accommodation of the said Society and the reception of their Library and other property thereinbefore mentioned;

And whereas the Government of India has caused the said building to be erected, and the Council of the said Society has caused the said collections belonging to the same Society to be removed to and deposited in the said building at the expense of the Government of India; and an inventory of the articles in such collections has been made by the said Society, one copy whereof has been signed by the said Trustees and delivered to the said Society, and another copy has been signed by the Council of the said Society and delivered to the said Trustees;

And whereas the said Trustees have, in pursuance of the said Act, set apart certain portions of the said building for the said records and offices of the Geological Survey of India;

And whereas, in consideration of a sum of one hundred and fifty thousand rupees paid to them by the Government of India, the Council of the said Society has relinquished the exclusive possession, occupation and control secured to them by the said Act, of the portions of the said building which, under the said Act, were to be set apart for the accommodation of the said Society and the reception of their said Library and other property;

And whereas it is expedient to alter the constitution of the said Body Corporate and to amend the law relating to the appointment and salaries of the said officers :

And whereas under the circumstances aforesaid it is expedient to repeal the said Act, and to re-enact it with the modifications hereinafter appearing; It is hereby enacted as follows :—

Preliminary.

Short title.

1. This Act may be called "The Indian Museum Act, 1876."

Repeal of Act No. XVII of 1866.

2. Act No. XVII of 1866 (*to provide for the establishment of a Public Museum at Calcutta*) shall be repealed. But all persons nominated under the said Act as Trustees of the Indian Museum, and all officers and servants appointed under the same Act and now holding office, shall be deemed to have been respectively nominated and appointed under this Act.

Incorporation of the Trustees.

Trustees of the Indian Museum incorporated.

3. The Trustees of the said Indian Museum shall be—

such Secretary to the Government of India as the Governor General in Council from time to time directs in this behalf,

the Accountant General,

five other persons to be nominated by the Governor General of India in Council,

the President of the Asiatic Society of Bengal and four other Members of the Council of the said Society for the time being, to be nominated by the Council of the said Society,

the Superintendent of the Geological Survey of India,

and three other persons to be elected by the Trustees for the time being and appointed under their common seal;

and such Trustees and their successors shall, subject to the provisions hereinafter contained, be and are hereby constituted a Body Corporate by the name of the "Trustees of the Indian Museum," and shall have a common seal, and by such name shall have perpetual succession; and all the powers of the said Corporation may be exercised so long and so often as there shall exist seven Members thereof.

Ex officio Members.

4. The persons for the time being holding the offices respectively mentioned in section three shall be *ex officio* Members of the said Body Corporate,

and shall cease to be such Members respectively upon ceasing to hold the said offices respectively.

Provided that, whenever the said Secretary to the Government of India, Accountant General or Superintendent of the Geological Survey of India is also the President of the said Society, the Council of the said Society may nominate any other person, being a Member of the said Society, to be a Trustee under this Act so long as such Presidency is held by the said Secretary, Accountant General or Superintendent.

Power to appoint new Trustees.

5. If any of the said Trustees for the time being dies or is absent from India for more than twelve consecutive months, or desires to be discharged, or refuses or becomes incapable to act, or not having been an *ex officio* Member of the said Body Corporate becomes such, or if any of the Trustees to be nominated by the Council of the said Society ceases to be a Member of such Council, then and in every such case the authority which appoints the Trustee so dying, being absent from India, desiring to be discharged, refusing or becoming incapable to act, or becoming an *ex officio* Member as aforesaid, or ceasing to be such Member of Council as aforesaid, may appoint a new Trustee in his place according to the provisions of section three,

and every Trustee so appointed shall thereupon become and be a Member of the said Body Corporate as fully and effectually as if he had been hereby constituted a Trustee.

Powers of the Trustees.

Trustees empowered to receive bequests, donations and subscriptions.

6. It shall be lawful for the said Trustees (*a*) to receive bequests, donations and subscriptions of land, buildings, money and any such objects of interest as aforesaid, and (*b*) to hold the same and to lay out such money for the maintenance, improvement and enlargement of the collections deposited in, presented to, or purchased for, the said Indian Museum, and otherwise for the purposes of the same Museum;

and all such collections shall become the property of the said Trustees for the purposes of their trusts herein mentioned;

and the said Trustees shall have the exclusive possession, occupation and control, for the purposes of such trusts, of the whole of the said building, other than those portions thereof which have been set apart by the said Trustees for the records and offices of the Geological Survey of India.

Power to Trustees to make bye-laws.

7. The said Trustees may from time to time make bye-laws consistent with this Act—

(*a*) for the management of the said Museum;

(*b*) for the summoning, holding and adjournment of General and Special Meetings of the said Trustees;

(*c*) for securing their attendance at such meetings;

(*d*) for the provision and keeping of minute-books and account-books;

(*e*) for the compiling of catalogues, and

(*f*) for all other purposes necessary for the execution of their trusts.

Power to Trustees to appoint officers and servants.

8. Subject to such regulations and conditions as the Trustees think fit, they shall appoint, and may remove or suspend, all officers and servants, salaried or otherwise, employed in the care or management of the trust-property: provided—

(*a*) that no officer be appointed without the approval of the Governor General in Council if such officer be, at the date of his appointment, in India, or without the approval of the Secretary of State for India in Council if such officer be not then in India;

(*b*) that no new office be created, and no salaries of officers be altered, without the previous sanction of the Governor General in Council.

Trustees may exchange or sell duplicates.

9. The said Trustees may from time to time order any duplicates of printed books, medals, coins, specimens of Natural History or other curiosities deposited in the Indian Museum to be exchanged for manuscripts, books or other objects of interest, or direct any such duplicates to be sold and the money to arise from such sale to be laid out in the purchase of manuscripts, books, maps, medals, coins, specimens of Natural History or other curiosities that may be proper for the said Museum.

Quorum.

10. At all meetings of the said Trustees three shall be a quorum for the transaction of business and for the exercise of any of the powers conferred upon them by this Act.

Duties of the Trustees.

Trustees shall furnish annual reports and accounts.

11. The said Trustees shall furnish to the Government of India, on or before the first day of December in each year, a report of their several proceedings for the past twelve months, and further shall furnish, on or before the same day in each year, to such Auditor as the Governor General in Council appoints in this behalf, accounts of all moneys expended by the Trustees during the past twelve months, supported by the necessary vouchers.

The said Trustees shall cause such report and accounts to be annually published for general information.

Collections of Asiatic Society to be kept distinguished in the Museum.

12. The said Trustees shall cause every article in the said collections belonging to the Asiatic Society, and all additions that may hereafter be made thereto otherwise than by purchase under section six, to be marked and numbered, and (subject to the provisions contained in sections nine and fifteen) to be kept and preserved in the said Indian Museum with such marks and numbers; and an inventory of such additions shall be made by the said Society, one copy whereof shall be signed by the said Trustees and delivered to the said Society, and another copy shall be signed by the Council of the said Society and delivered to the said Trustees, and shall be kept by them along with the inventory already delivered to the said Trustees as aforesaid.

Articles received in exchange and moneys paid on sale to be held on trust.

13. All objects taken in exchange under section nine for, and all moneys payable on sale under the same section of, any of such articles, shall be held on trusts and subject to powers and declarations corresponding as nearly as may be with the trusts, powers and declarations by this Act limited and declared concerning the same articles.

Miscellaneous.

Officers under Act to be public servants.

Their salaries, pensions and leave.

14. All officers and servants appointed under this Act shall be considered public servants within the meaning of the Indian Penal Code; and so far as regards their salaries, allowances and pensions and their leave of absence from duty, they shall be subject to the rules for the time being applicable to uncovenanted civil servants of the Government of India.

In case of determination of trust, Asiatic Society may reclaim their collections.

15. In the event of the trust hereby constituted being determined, all collections then in the said Indian Museum, other than those next hereinafter mentioned, shall become the property of the Government of India, and the collections and additions mentioned in section twelve shall become the property of the said Society or their assigns.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 1, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following further Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 22nd June 1876:—

We, the undersigned Members of the Select Committee to which the Bill to extend certain parts of the Code of Criminal Procedure to the Courts of the Police Magistrates in the Presidency towns was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Note by the Hon'ble A. G. Macpherson, dated 28th February 1876.
Proposed re-arrangement of the Bill by the Secretary, Legislative Department.
From Government of Bombay, No. 1279, dated 24th February 1876.
" Honorary Secretary, British Indian Association, dated 8th March 1876.
" Honorary Secretary to the Calcutta Attornies' Association, dated 4th March 1876.
Opinion by W. E. B. Forsyth, Esq., dated 25th February 1876.
Remarks by the Senior Magistrate, Madras, dated 7th March 1876.
From Government of Bengal, No. 938 J., dated 13th March 1876, and enclosures.
Summary of demi-official remarks by the Senior Magistrates of Madras and Bombay.
From Superintendent and Remembrancer of Legal Affairs, No. 1773, dated 29th March 1876.
From Government of Madras, No. 719, dated 13th April 1876, and enclosures.
From Government of Bombay, No. 3996, dated 12th July 1875.
From Government of Madras, No. 1673, dated 19th July 1875, and enclosures.
Petition from Bombay Association, dated 18th May 1876.
Memorial of the British Indian Association, dated 2nd June 1876.
From Home Department, No. 872 J., dated 1st June 1876, and enclosures.
Note by Hon'ble T. C. Hope, dated 6th June 1876.
From Home Department, No. 971 J., dated 12th June 1876, and enclosures.
" do. do., No. 981 J., dated 14th June 1876, forwarding letter from Government of Bengal, No. 3234, dated 17th November 1875.
From Home Department, No. 979 J., dated 14th June 1876, forwarding letter from Government of Bombay, No. 2990, dated 30th September 1875, and enclosures.

2. We have provided (section 1) that the Bill shall come into force, not at once, but on such day as the Governor General in Council directs by notification.

3. We have defined the word 'place,' and have struck out as unnecessary the definitions of 'special and local law,' 'inquiry,' 'inquired into,' 'cognizable and non-cognizable offence,' 'Magistrate,' 'High Court.'

4. For the same reason we have omitted the clause relating to the salaries of Presidency Magistrates.

5. We have also omitted the provision that such Magistrates shall exercise the powers which under any law may be exercised by two Justices of the Peace.

6. We have struck out the clause declaring that *all* existing Magistrates of Police (honorary as well as stipendiary) shall be deemed Presidency Magistrates under the proposed Act. The Local Governments will therefore have to make timely arrangements for re-appointing

such of those Magistrates as they may deem fit to exercise the enhanced powers which Presidency Magistrates will possess.

7. We have provided (section 11) that no punishment inflicted by a Presidency Magistrate shall exceed the punishment provided for the offence by the Penal Code or other law creating it. Under the Bill, as it recently stood, a Magistrate might give two years' imprisonment for criminal trespass.

8. We have struck out as unsuited to the Presidency towns the provisions authorizing the issue of process upon mere suspicion entertained by a Magistrate.

9. We do not think it expedient that any previous conviction should be allowed to be proved in order to enhance punishment: we have therefore (section 94) confined for this purpose previous convictions to those of offences against property, of offences relating to coin and stamps, and of the other offences enumerated in sections 2 and 4 of the Whipping Act.

10. We think that a Presidency Magistrate should record the evidence in all appealable cases, *i. e.*, as the Bill now stands, in all cases in which he inflicts a fine exceeding Rs. 200, or imprisonment for a term exceeding six months. We have altered section 115 accordingly. We have also amended the rules (section 16) relating to the record of confessions.

11. As the powers of Presidency Magistrates will be so much increased, we think that in all serious cases a formal charge should be compulsory. We therefore propose (section 116) to require a charge in all cases punishable with imprisonment for a term exceeding six months; and we have taken from the Code of Criminal Procedure, sections 126 and 127, provisions as to the time at which the charge shall be drawn up and as to explaining it to the accused.

12. We think that whenever the Magistrate inflicts imprisonment, or fine exceeding Rs. 50 (and not merely in cases which are appealable to the High Court), he should add to the final order a brief statement of the reasons for the conviction. We have provided for this in section 126.

13. We have empowered (section 146) a Presidency Magistrate to obtain, for the purposes of inquiries and trials, not only letters, but telegrams. But we have provided that when he is not the Senior (or, as we propose to call him, the Chief) Magistrate, the direction to deliver the letter or telegram required must come from the Chief Magistrate.

14. We have enabled (section 153) the Magistrate to examine the Chemical Examiner. As the latter official usually resides near at hand, there is not the same objection as there would be to calling him in the mofussil.

15. We have provided (section 158) that commissions addressed to the Magistrate of the District may be executed by such Magistrate of the first class as he appoints.

16. In the part of the Bill (sections 159—166) which relates to search-warrants, we have added sections corresponding with sections 382 and 386 of the Criminal Procedure Code.

17. We have extended (section 167) the right of appeal against convictions. As the Bill now stands, convicted persons may appeal where the Magistrate has sentenced them to imprisonment for a term exceeding *six* months, or to fine exceeding Rs. 200. The jurisdiction of the Magistrates without appeal will thus nearly correspond to what it is at present.

18. We see no objection to the principle of giving power to Government to appeal in case of acquittal—a principle which is recognized in the Code of Criminal Procedure. But by section 168 we have diminished, from six to two months, the period within which such appeals must be presented under the proposed Act; and we have empowered the High Court, on admitting the appeal, to order the accused to be arrested and to commit him to prison or release him on bail: in this respect the Code seems defective.

19. We have altered the section (181) relating to applications under Act X of 1875, section 147. Section 181 now provides that whenever such an application is made, the applicant shall give notice to the Public Prosecutor, &c., and that no order shall be made on the merits unless at least twenty-four hours have elapsed between the giving of the notice and the hearing.

20. We have struck out the clause giving appeals to the High Court in cases of contempt. Such cases will stand on the same footing with other decisions of Magistrates.

21. We have taken away the power to award costs as distinguished from compensation.

22. We have also struck out the power (taken from Madras Act VIII of 1868, section 15) to order the restitution of property forming the subject of a charge on which a conviction has been obtained. The matter seems to a majority of us sufficiently provided for by section 242.

23. The Bill in many cases required that a seal be affixed to warrants, charges and decisions. We see no practical advantage in these requirements and have therefore struck them out.

24. We have provided (section 232) that the sections relating to security for good behaviour shall not apply to European British subjects in cases where they may be dealt with under the European Vagrancy Act.

25. We have found it expedient to re-arrange the Bill. As last published, it closely followed the order of the present Code of Criminal Procedure, which order may for our purpose be usefully altered.

We have therefore divided the Bill into four Parts and nineteen Chapters, arranged as follows:—

Part I contains the usual preliminary matter, and a chapter dealing with the constitution and powers of the Presidency Magistrates Courts.

Part II treats of an ordinary case from its inception to execution. It deals successively with the following subjects: the place of enquiry: complaints: prosecutions in certain cases: summons: warrant: bail: enquiry into cases triable by the High Court: the charge: trial of cases: evidence: appeals: execution.

Part III relates to special proceedings and treats of the following subjects: criminal lunatics: contempts: security for keeping the peace: security for good behaviour: restoring possession of immoveable property: maintenance of wives and children.

Part IV contains some miscellaneous matters. It treats, for instance, of offences against the Railway, Telegraph, Post Office and Arms Acts. It provides for references of questions of law to the High Court: for the disposal of property respecting which an offence has been committed: for the payment of the expenses of complainants and witnesses: for giving information of certain offences; and for assisting the Magistrates and the Police to prevent a breach of the peace, to suppress a riot, and to take a person whose arrest is authorized.

26. We have found it expedient to make a number of amendments in the wording of the sections taken from the Code of Criminal Procedure.

27. We have been urged to extend to the Presidency Towns Chapter XXXIX (as to Local Nuisances) of the Code of Criminal Proceedure. But we think that the matter is more properly provided for by the local Municipal Acts.

28. We think that the Bill has been so altered that it should be republished, and we accordingly recommend that it be republished in the *Gazette of India*, in the *Calcutta Gazette*, the *Fort St. George Gazette* and the *Bombay Government Gazette*, and that its further consideration be stayed until the Council re-assembles in Calcutta.

T. C. HOPE.
A. HOBHOUSE.
E. C. BAYLEY.
JOHN INGLIS.
F. R. COCKERELL.

The 14th June 1876.

No. V.

THE PRESIDENCY MAGISTRATES' BILL, 1876.

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THE FIRST SCHEDULE—ENACTMENTS REPEALED.

THE SECOND SCHEDULE—TABULAR STATEMENT OF OFFENCES.

THE THIRD SCHEDULE—FORMS.

A Bill to regulate the procedure and increase the jurisdiction of the Courts of Magistrates in the Presidency Towns.

Preamble. Whereas it is expedient to consolidate and amend the law regulating the procedure of the Courts of Magistrates in the Presidency towns, and to increase the jurisdiction of such Courts; It is hereby enacted as follows:—

PART I.

CHAPTER I.—PRELIMINARY.

1. This Act may be called "The Presidency Magistrates' Act, 1876".

Short title.

Commencement. And it shall come into force on such day as the Governor General in Council directs by notification in the *Gazette of India*.

2. On and from that day the Acts mentioned in the first schedule hereto annexed are repealed to the extent specified in the third column of the said schedule.

Repeal of Acts.

3. Nothing in this Act shall be deemed to restrict any power conferred by any special or local law.

Saving of powers under local laws.

4. The Court by which an offence is triable under this Act is indicated by the seventh column of the second schedule hereto annexed and by the third explanatory note prefixed to such schedule.

Matters indicated in second schedule.

The cases in which the Police may arrest without warrant or not, in the case of each offence under the Indian Penal Code or any law referred to in section fourteen,

whether a warrant or a summons shall ordinarily issue in the first instance, and

whether the offence is bailable or not,

are indicated respectively by the third, fourth and fifth columns of the same schedule.

The punishment for each offence under the Indian Penal Code is indicated by the sixth column of the same schedule.

5. Cases pending when this Act comes into force in any of the Courts of Police Magistrates, or in the town of Bombay in the Court of Petty Sessions, shall be dealt with, as far as may be, according to the procedure herein provided.

Pending cases.

6. In this Act, unless there be something repugnant in the subject or context:—

Definitions.

"writing" includes print, lithography, photography and engraving:

"writing."

"bailable offence" means an offence for, and "bailable case" means a case in, which bail may be taken under any law in force for the time being:

"bailable offence or case."

"non-bailable offence" means an offence for, and "non-bailable case" means a case in, which bail may not be taken under any law in force for the time being:

"non-bailable offence or case."

"chapter" means a chapter of this Act.

"chapter."

"place" includes also house, building and vessel; and

"place."

words which refer to acts done extend also to illegal omissions.

Words referring to acts done.

CHAPTER II.—CONSTITUTION AND POWERS OF THE PRESIDENCY MAGISTRATES' COURTS.

7. The Local Government may, with the sanction of the Governor General in Council,

Establishment of Presidency Magistrates' Courts.

(*a*) constitute within the towns of Calcutta, Madras, and Bombay respectively so many divisions as the said Government thinks fit,

(*b*) define the extent thereof respectively,

(*c*) from time to time alter the number of such divisions and their respective extents, and

(*d*) establish a Presidency Magistrate's Court for each of such divisions.

8. The Local Government may also from time to time appoint a sufficient number of fit persons to be Magistrates for the said towns respectively, and may suspend or remove any person so appointed.

Appointment of Presidency Magistrates.

Any such person may sit and act as a Magistrate in any of the said Courts.

Such persons shall be called Presidency Magistrates.

Every such person shall, by virtue of his office, be a Justice of the Peace for the town of which he is a Magistrate,

Presidency Magistrates to be Justices of the Peace.

and shall exercise jurisdiction in all places within the local limits of the ordinary original criminal jurisdiction of the High Court, and within the limits of the port of such town and of any navigable river or channel leading thereto as such limits are defined under the law for the time being in force for the regulation of ports and port-dues.

Local limits of jurisdiction.

The area comprised within such local limits shall be deemed to be a district within the meaning of the Code of Criminal Procedure and of this Act.

Every Presidency Magistrate in the town of Bombay shall exercise all powers and jurisdictions which under any law in force immediately before the passing of this Act may be exercised by the Court of Petty Sessions, and such Court is hereby abolished.

Bombay Court of Petty Sessions.

9. In each of the said towns the Local Government shall appoint one of the Presidency Magistrates to be Chief Magistrate. Such Magistrate shall exercise in such town all the powers which by any law or rule are required to be exercised by any Senior or Chief Magistrate, and may, with the previous sanction of the Local Government, make rules consistent with this Act, to regulate the conduct of business and secure uniformity of practice in the Courts of the Presidency Magistrates.

Appointment and powers of Chief Magistrate.

Notwithstanding anything in the last paragraph of section 8, appeals under the law for the time being regulating the municipality of Bombay shall lie to the Chief Magistrate only.

10. All references in any Act now in force to Magistrates of Police shall be deemed to be made to Presidency Magistrates.

References in Acts to Magistrates of Police.

11. Any Presidency Magistrate may pass the following sentences:—

Sentences which Presidency Magistrates may pass.

Imprisonment not exceeding the term of two years (including such solitary confinement as is authorized by law):

Fine not exceeding one thousand rupees:

Whipping.

A Presidency Magistrate may pass any lawful sentence, combining any of the sentences which he is authorized by law to pass.

EXPLANATION.—A Presidency Magistrate may award imprisonment in default of payment of fine, in addition to the full term of imprisonment which, under this section, he is competent to award. But no punishment inflicted under this section shall exceed the punishment provided for the offence by the Indian Penal Code or the special or local law by which such offence is created.

12. In every case punishable under any law in force for the time being with imprisonment as well as fine, in which the offender is sentenced to a fine, whether with or without imprisonment, the Presidency Magistrate shall be guided by the provisions of sections 64 and 65 of the Indian Penal Code in fixing the period of imprisonment in default of payment of the fine:

Imprisonment in default of payment of fine.

Provided that, in no case decided by a Presidency Magistrate, where imprisonment has been inflicted as part of the substantive sentence, shall the period of imprisonment inflicted in default of payment of the fine exceed one-fourth of the period of imprisonment which he is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.

Proviso as to cases decided by Magistrate.

Where a person is sentenced to fine only, the Presidency Magistrate may fix such term of imprisonment in default of payment of fine as is allowed by law, provided the term does not exceed two years.

13. When a person is convicted, at one trial, of two or more offences punishable under the same section, or different sections, of any law, the Presidency Magistrate may sentence him, for the offences of which he has been convicted, to the several penalties prescribed by such law which such Magistrate is competent to inflict; such penalties, when consisting of imprisonment, to commence the one after the expiration of the other:

Sentence in cases of simultaneous conviction of several offences.

Provided that the punishment shall not in the aggregate exceed twice the amount of punishment which the Magistrate is, by his ordinary jurisdiction, competent to inflict.

14. Offences punishable under any law, other than the Indian Penal Code, containing no distinct provision as to the Court or officer before which or before whom they are to be tried, may be inquired into and tried, according to the provisions hereinafter contained, by a Presidency Magistrate. But no such Magistrate shall pass any sentence in excess of his powers.

Offences under enactments not specifying Court authorized to try.

15. When any offence is committed in the presence of a Presidency Magistrate, he may order any person to arrest the offender, and when the offender is arrested may commit him to custody, or, if the offence is bailable, may admit him to bail.

Offence committed in Magistrate's presence.

16. A Presidency Magistrate may record any statement made to him at any place within the local limits of his jurisdiction by any person, or any confession made to him at any such place by any person accused of an offence.

Power to record statements and confessions.

Such statements and confessions shall be recorded in the manner prescribed in section 115 for recording evidence, and shall, when recorded, be forwarded to the Magistrate by whom the case is inquired into or tried.

Every confession shall be taken down as nearly as may be in the words used by the person making it, and shall be read over to him before it is recorded.

No Presidency Magistrate shall record any such confession unless, upon inquiry, he has reason to believe that it was made voluntarily; and on recording any such confession, he shall make a memorandum at the foot thereof to the following effect:—

"I believe that this confession was voluntarily made. It was read over to the person making it and was admitted by him to be correct."

(Signed) A. B.,
Presidency Magistrate.

17. Upon complaint made to a Presidency Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful purpose, he may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge or government of such child, and may compel compliance with such order, using force if necessary.

Power to compel restoration of abducted females.

PART II.

CHAPTER III.—THE PLACE OF INQUIRY AND TRIAL.

18. Every offence shall ordinarily be inquired into, and, if triable by a Magistrate, shall be tried in the district in which it was committed. If triable by a High Court, it shall (subject to the provisions of section 64 A of the Code of Criminal Procedure) be tried by the High Court to which the Magistrate commits.

Place for inquiry and trial of offence.

EXPLANATION.—Offences created by local and special laws may be inquired into and tried in any place where the inquiry or trial might be held under the provisions of those laws or of this Act.

19. When a person is accused of the commission of any offence by reason of anything which has been done, and of any consequence which has ensued, such offence may be inquired into or tried in any district in which any such thing has been done, or any such consequence has ensued.

Accused triable in district where act done, or where consequence ensues.

Illustrations.

(*a.*) A is wounded in district X and dies in district Z. The offence of the culpable homicide of A may be inquired into and tried either in X or Z.

(*b.*) A is wounded in district X, and is, during twenty days, unable to follow his ordinary pursuits in district Y, where he is being treated. The offence of causing grievous hurt to A may be inquired into and tried either in X or Y.

(*c.*) A is put in fear of injury in district X, and is thereby induced, in district Y, to deliver property to the person who put him in fear. The offence of extortion committed on A may be inquired into and tried either in X or Y.

20. When an act is an offence by reason of its relation to any other act which is also an offence, a charge of the first-mentioned offence may be inquired into and tried, either in the district in which it was committed, or in the district in which the other act was committed.

Place for trial where act is offence by reason of relation to other offence.

Illustrations.

(*a.*) A charge of abetment may be inquired into and tried, either in the district in which the abetment was committed, or in the district in which the offence abetted was committed.

(*b.*) A charge of receiving or retaining stolen goods may be inquired into and tried, either in the district in which the goods were stolen, or in the district in which any of them were at any time dishonestly received or retained.

(*c.*) A charge of wrongfully concealing a person known to have been kidnapped may be inquired into and tried in the district in which the wrongful concealing, or in the district in which the kidnapping, took place.

(*d.*) A, B, C and others combine together to abet the waging of war against the Queen. Any of the conspirators may be tried in any district in which acts were done by any one of the persons with whom he or they conspired, in pursuance of their original concerted plan and with reference to their common object.

Place for inquiry or trial where scene of offence is uncertain;

21. When it is uncertain in which of several districts an offence was committed; or

or offence not committed in one district only;

where an offence is committed partly in one district and partly in another; or

or offence is continuing;

where an offence is a continuing one and continues to be committed in more districts than one; or

or consists of several acts in different districts:

where an offence consists of several acts done in different districts,

it may be inquired into and tried in any of such districts.

or offence is committed on journey or voyage.

An offence committed on a journey or voyage may be inquired into and tried in any district through or into which the person by whom the offence was committed, or the person against whom, or the thing in respect of which, the offence was committed, passed in the course of that journey or voyage.

Being a thug or dacoit. Escaping from custody.

22. The offence of being a thug, or of having belonged to a gang of dacoits, or of having escaped from custody may be inquired into and tried wherever the accused person happens to be when the complaint is made.

Criminal misappropriation and criminal breach of trust.

The offence of criminal misappropriation, or of criminal breach of trust, may be inquired into and tried either in the district in which the property which is the subject of the offence was received by the accused person, or in any other district in which the offence was committed.

Murder as a thug, dacoity or dacoity with murder.

The offence of murder as a thug, dacoity or dacoity with murder, may be inquired into and tried wherever the person accused happens to be when arrested, or in any other district in which he might be tried under any other provision of this Act, or any other law relating to the trial of such offence.

Stealing cattle.

The offence of stealing an animal may be inquired into and tried either in the district in which such animal was stolen or in any other district through or into which it was conveyed.

High Court to decide in case of doubt district where inquiry shall take place.

23. Whenever any doubt arises as to the district in which any offence should be inquired into or tried, the High Court within whose jurisdiction the offender is apprehended may decide in which district the offence shall be inquired into or tried.

Effect, on sentence, of holding investigation, inquiry or trial in wrong district.

24. No sentence or order of any criminal Court shall be liable to be set aside merely on the ground that the inquiry or trial was held in a wrong district, unless it is proved, or appears, that the accused person in his defence, or the prosecutor in his prosecution, was actually prejudiced by such error, in either of which cases a new trial may be ordered.

CHAPTER IV.—OF COMPLAINTS TO A PRESIDENCY MAGISTRATE.

When Presidency Magistrate may take cognizance of offences.

25. A Presidency Magistrate may take cognizance of any offence—

(*a*) upon a complaint by a private person,

(*b*) upon information or report by a Police-officer,

(*c*) upon information received under section 245.

Who may make complaints.

26. Any person acquainted with the facts of a case may make a complaint.

Every such information or report shall be regarded as a complaint.

Process to compel appearance.

27. On receipt of a complaint a Presidency Magistrate may, if the person complained of be not already in custody, proceed by summons or warrant to compel his appearance.

Jurisdiction given by complaint.

28. A complaint gives jurisdiction to a Presidency Magistrate to inquire into or try (as the case may be) any offence covered by the facts complained of, or disclosed on such inquiry or trial, and also to try or commit for trial (as the case may be) any person not complained against, but who, at the time when the complaint is made, or subsequently, appears to have committed any offence so disclosed.

Complaint or sanction required in certain cases.

29. Nothing in section 27 or 28 shall be held to authorize a Presidency Magistrate to take cognizance, without complaint, of any offence falling under chapters XIX, XX or XXI of the Indian Penal Code; nor without sanction to receive a complaint, or to take cognizance without complaint, of any offence, where such complaint or offence, by any law in force for the time being, may not be received or taken cognizance of without sanction.

Magistrate to examine complainant.

30. Whenever a complaint is made to a Presidency Magistrate, such Magistrate, if he has jurisdiction in the case, shall examine the complainant; and such examination may be on oath or affirmation, or not, as the Magistrate in each case thinks fit:

Provided that the Magistrate, if he thinks fit, may, before the matter of the complaint is brought before him, require it to be reduced to writing.

Effect of omission.

Where the complaint has been made by petition, and the Magistrate neglects to examine the complainant, the trial of the person accused shall not be set aside on this ground.

Postponement of issue of process.

31. If the Magistrate sees cause to distrust the truth of the complaint, he may postpone the issuing of process for compelling the attendance of the person complained against, and may direct a previous inquiry or investigation to be made, either by means of any officer subordinate to such Magistrate, or of a local Police-officer, or in such other mode as he thinks fit, for the purpose of ascertaining the truth or falsehood of the complaint.

Dismissal of complaint.

32. The Magistrate before whom the complaint is duly made may, if, after examining the complainant, there is in his judgment no sufficient ground for proceeding, dismiss the complaint.

The dismissal of a complaint shall not prevent subsequent proceedings.

Issue of process.

33. If it appears to such Magistrate that there is sufficient ground for proceeding, he shall issue his summons or his warrant (as the case may be) for causing the accused person to appear before him.

When summons may issue.

34. When a complaint is made before a Presidency Magistrate having jurisdiction in the case that any person has committed or is suspected of having committed any offence triable by such Magistrate and punishable with fine only, or with imprisonment for a period not exceeding six months, or with both, the Magistrate may issue his summons directed to such person, requiring him to appear to answer the complaint, at a certain time and place, before such Magistrate as may then be there.

If the Magistrate believes that the accused person is about to abscond, he may, instead of issuing a summons, issue a warrant in the first instance for the arrest of such person.

Where warrant or summons may issue on complaint.

35. When a complaint is made before a Presidency Magistrate having jurisdiction in the case that any person has committed or is suspected of having committed—

(*a*) any offence triable by such Magistrate and punishable with imprisonment for a period exceeding six months, or

(*b*) any offence triable exclusively by the High Court, or which, in the opinion of such Magistrate, ought to be tried by the High Court,

such Magistrate may issue his warrant to arrest such person, or, if he thinks fit, his summons directed to such person, requiring him to appear to answer the complaint at a certain time and place before such Magistrate as may then be there.

Warrant to arrest, if summons not obeyed.

36. If the person served with a summons does not appear before the Magistrate at the time mentioned in such summons, and the Magistrate is satisfied that such summons was duly served in what he deems a reasonable time before the time therein appointed for appearing pursuant thereto,

or if it appears to the Magistrate that, after due diligence, the summons could not be served according to the provisions of this Act,

the Magistrate may issue his warrant to apprehend the accused person.

Magistrate may dispense with personal attendance of accused.

37. Whenever the Magistrate issues a summons, he may, if he sees sufficient cause, dispense with the personal attendance of the accused person, and permit him to appear by his advocate, attorney or pleader.

But such Magistrate may in his discretion, at any stage of the proceedings, direct the personal attendance of the accused person, and, if necessary, enforce such attendance by issuing a warrant to arrest him.

CHAPTER V.—OF PROSECUTIONS IN CERTAIN CASES.

Prosecutions for offences against the State.

38. A complaint of an offence punishable under chapter VI of the Indian Penal Code, except section 127, or punishable under section 294A of the same Code, shall not be received by any Presidency Magistrate, unless it be made by order of, or under authority from, the Governor General in Council or the Local Government, or some officer empowered by the Governor General in Council to order or authorize such complaint, or unless it be made by the Advocate General.

Prosecution of Judges and public servants.

39. A complaint of an offence of which any Judge, or any public servant not removeable from his office without the sanction of the Government, is accused as such Judge or public servant, shall not be received by any Presidency Magistrate, except with the previous sanction, or under the direction,

(*a*) of the Government, or

(*b*) of some officer empowered in this behalf by the Government, or

(*c*) of some Court or other authority to which such Judge or public servant is subordinate, and whose power so to sanction or direct such complaint has not been limited by the Government.

No such Judge or public servant shall, unless with the previous sanction of the Government, be prosecuted for any act purporting to be done by him in the discharge of his duty.

Power of Government as to prosecution.

The Government may, in any case or class of cases, prescribe the person by whom, and the manner in which, the prosecution is to be conducted, and may specify the Court before which the trial shall be held.

Definition of 'Government,' 'Judge,' and 'public servant.'

In this section, the expression 'Government' means either the Local Government or the Governor General in Council, and the expressions 'Judge' and 'public servant' have the meaning assigned to them respectively by the Indian Penal Code.

Prosecution for contempts of the lawful authority of public servants.

40. A complaint of any offence described in chapter X of the Indian Penal Code, not falling within section 175, 178, 179, 180 or 228 of that Code, shall not be received by any Presidency Magistrate, except with the sanction or on the complaint of the public servant concerned or of his official superior.

Sanction to prosecution for certain offences against public justice.

41. A complaint of an offence against public justice, described in section 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209, 210, 211 or 228 of the Indian Penal Code, when such offence is committed before or against a civil or criminal Court, shall not be received by any Presidency Magistrate, except with the sanction of the Court before or against which the offence was committed, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences relating to documents given in evidence.

42. A complaint of an offence relating to documents, described in section 463, 471, 475 or 476 of the Indian Penal Code, when the document has been given in evidence in any proceedings in any civil or criminal Court, shall not be received against a party to such proceedings, by any Presidency Magistrate, except with the sanction of the Court in which the document was given in evidence, or of some other Court to which such Court is subordinate.

Nature of sanction necessary.

43. The sanction referred to in sections 40, 41 and 42 respectively may be expressed in general terms, and need not name the accused person, and may be given at any time. But it shall, so far as practicable, specify the court or other place in which, and the occasion on which, the offence is alleged to have been committed.

A sanction under any one of the three last preceding sections shall be deemed sufficient authority for the Presidency Magistrate to alter the charge (if any) to one of an offence coming within either of the two remaining sections, if the facts disclose such offence.

Procedure in cases mentioned in section 40, 41 or 42.

44. When any civil, criminal, or other Court inferior to a High Court is of opinion that there is sufficient ground for inquiring into any complaint mentioned in section 40, 41 or 42, such Court may either itself inquire into and commit the case for trial before the High Court, or may send the case for disposal to any Presidency Magistrate having jurisdiction.

The Court may send the accused person in custody, or take sufficient bail for his appearance, before such Magistrate; and may bind over any person to appear and give evidence in the case.

Prosecution for adultery.

45. A complaint of an offence under section 497 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the other person (if any) under whose care she was living at the time when the adultery was committed.

Prosecution for enticing away married woman.

A complaint of an offence under section 498 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the person (if any) having the care of her on behalf of her husband at the time when the offence was committed.

Application to be deemed a complaint.

46. The application of the public servant or Court to a Presidency Magistrate to inquire into or try any case under this chapter shall be deemed a sufficient complaint.

CHAPTER VI.—OF THE SUMMONS AND WARRANT.

Form of summons.

47. Every summons issued by a Presidency Magistrate to an accused person shall be in writing signed by such Magistrate, and shall be in the form (A) given in the third schedule to this Act, or to the like effect.

Summons how served.

48. If the accused person can be found, the summons shall be served on him personally, wherever he may be, by delivering or tendering the summons to him.

Every person to whom a summons is delivered or tendered under this section, shall, if required by the person delivering or tendering the same, sign a receipt therefor, or countersign a copy thereof.

Service when accused cannot be found.

49. If the accused person cannot be found, the summons may be served by leaving it for him with some adult male member or servant of his family residing with him; and the person with whom the summons is so left, shall, if so required by the serving officer, sign a receipt therefor, or countersign a copy thereof. If there is no such member or servant with whom the summons can be left, the serving officer shall fix it on some conspicuous part of the house in which the accused person ordinarily resides, and thereupon the summons shall be deemed to have been duly served.

Service on servants of Government and Railway Companies.

When the person summoned is in the service of Government or of any Railway Company, the Magistrate issuing the summons may send it to the head of the office in which the person summoned is employed; and such head shall thereupon cause the summons to be served in manner hereinbefore provided.

Service of summons outside Presidency Towns.

50. When a summons issued by a Presidency Magistrate is to be served at any place outside the local limits of his jurisdiction, he may send the summons in duplicate to the Magistrate of the place where the accused resides or is, to be there served.

Proof of service in such cases and when server not present.

51. When a summons issued by a Presidency Magistrate is served outside such local limits as aforesaid, and also in cases where the person who has served the same is not present at the hearing of the complaint, the service may be proved

(*a*) by a solemn declaration, purporting to be made before a Magistrate, that such summons has been served, and such declaration may be endorsed on the duplicate summons and returned to the Magistrate who issued the summons, or

(*b*) by a copy of the summons purporting to be countersigned by the person to whom it is addressed, or

(*c*) by a receipt under section 48.

Provisions applicable to all summonses under Act.

52. The provisions relating to a summons, its issue and service, contained in sections 47 to 51 (both inclusive), shall be applicable to every summons issued under this Act.

Issue of warrant in addition to summons.

53. A Presidency Magistrate may, notwithstanding the issue of a summons under this Chapter, either before the appearance of the accused person as required by such summons, or after he fails so to appear, issue a warrant of arrest against him.

Summons or warrant for apprehension of person within jurisdiction for offence committed beyond.

54. A Presidency Magistrate may issue a summons for the attendance, or a warrant for the apprehension, of any person within the local limits of his jurisdiction, in respect of any offence alleged to have been committed by such person in a different district, or on the high seas, or in a foreign country: provided that if the offence were committed within such local limits, the Magistrate might issue a summons or warrant.

Magistrate's procedure on arrest, under his own warrant, for offence committed out of his jurisdiction.

55. On the attendance or apprehension of such person, if the Presidency Magistrate has not jurisdiction in the case, he shall either send such person the the Magistrate within to local limits of whose jurisdiction the offence is alleged to have been committed, or if the offence is bailable, take bail for his appearance before such Magistrate.

When the Presidency Magistrate cannot satisfy himself as to the Magistrate to whom the person so attending or arrested should be sent, he shall report the case for the orders of the High Court.

Form of warrant.

56. Every warrant issued by a Presidency Magistrate shall be in writing under his hand, and shall be in the form (B) given in the third schedule to this Act, or to the like effect.

Every warrant issued under this Act remains in force until it is cancelled by the Magistrate who issued it, or until it is executed.

Force of warrant of arrest.

Fees for summonses and warrants.

57. A fee of eight annas shall be paid for every summons or warrant issued by a Presidency Magistrate, except in the case of a summons to attend and give evidence or to produce documents, in which case there shall be paid a fee of four annas:

Power to remit fees.

Provided that such Magistrate may in any case remit any such fee, if he is satisfied that the complainant is unable to pay the same, and shall remit it when the complaint is made by a public servant in the execution of his duty.

When Magistrate may direct bail to be taken.

58. A Presidency Magistrate, in issuing a warrant for the arrest of any person, may in his discretion direct by endorsement on the warrant that, if such person give sufficient bail as therein mentioned for his appearance before the Magistrate on a specified day to answer the complaint, the officer to whom the warrant is directed shall take such bail, and shall release such person from custody.

The endorsement shall state (*a*) the number of sureties, (*b*) the amount in which they and the accused person are to be respectively bound, and (*c*) the day on which he is to appear before the Magistrate.

Recognizance to be forwarded.

If bail be taken, the said officer shall forward the recognizance to the Presidency Magistrate.

Warrants to whom directed.

59. A warrant shall ordinarily be directed to a Police-officer; but the Magistrate issuing a warrant may, if immediate execution be necessary and no Police-officer be immediately available, direct it to any other person.

Warrant to several persons.

60. A warrant may be directed to several persons, and, when so directed, may be executed by all, or by any one or more of such persons.

Execution of warrant by Police-officer other than the one addressed.

61. A warrant directed to any Police-officer may also be executed by any other Police-officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.

Magistrate issuing warrant may superintend its execution.

62. Any Presidency Magistrate who issues a warrant of arrest may attend personally for the purpose of seeing that the warrant is duly executed.

Arrest in presence of Magistrate.

Any such Magistrate may also at any time direct the arrest, in his presence, of any person for whose arrest he may issue a warrant.

Where warrant may be executed.

63. A warrant issued by a Presidency Magistrate shall ordinarily be executed within the local limits of his jurisdiction.

But if the person against whom the warrant is issued goes into, or is in, any place outside such limits, the warrant may be executed in such place.

Execution of warrant outside issuing Magistrate's jurisdiction.

64. A Presidency Magistrate may direct a warrant to be executed outside the local limits of his jurisdiction, either with or without endorsement by a Magistrate within the local limits of whose jurisdiction it is to be executed.

Such warrant shall ordinarily be endorsed by the Magistrate within the local limits of whose jurisdiction it is to be executed.

The warrant may be forwarded to such Magistrate for indorsement either by post or by any Police-officer to whom it is directed.

The Magistrate to whom such warrant is forwarded by post shall indorse his name thereon and cause it to be executed within the local limits of his jurisdiction.

If the warrant is forwarded by a Police-officer, to whom it is directed, he may take it either to a Magistrate, or to a Police-officer not below the rank of an officer in charge of a station, within the local limits of whose jurisdiction the warrant is to be executed.

Such Magistrate or Police-officer shall endorse his name thereon, and such endorsement shall be sufficient authority to the Police-officer to whom the warrant is directed to execute the same within such limits, and the local police shall be bound to assist such officer in executing the warrant.

Whenever there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate or Police-officer within the local limits of whose jurisdiction the warrant is to be executed will prevent such execution, the Police-officer to whom it is directed may execute the same without such endorsement in any place beyond the local limits of the jurisdiction of the Magistrate who issued it.

65. If a warrant is executed, whether with or without endorsement, outside the district in which it was issued, the person arrested shall, unless the Presidency Magistrate who issued the warrant be within twenty miles, or be nearer than the Magistrate in whose local jurisdiction the arrest was made, or unless bail be taken under section 58, be brought before the Magistrate within the local limits of whose jurisdiction the arrest was made.

Procedure on execution of warrant outside issuer's jurisdiction.

Such Magistrate shall, if the person arrested appears to be the person intended by the Presidency Magistrate, direct his removal in custody to such Magistrate, unless such person is then ready and willing to give the bail (if any) required under section 58, in which case the Magistrate before whom he is so brought shall accept such bail and forward the recognizance to the Presidency Magistrate.

66. Every Magistrate or Police-officer to whom a warrant under this Act is directed for execution shall execute the same, or cause it to be executed.

Magistrate and Police-officer.

67. If a Presidency Magistrate having jurisdiction in the case has reason to believe that any person accused of an offence not coming within section 84 is absconding or concealing himself, so that a warrant issued against him under this Act cannot be executed, such Magistrate may issue a written proclamation, requiring him to appear to answer the complaint within a fixed period not less than thirty days from the date of publishing the proclamation.

Proclamation for person absconding.

Proclamation how published.

Such proclamation shall be published as follows—

(*a*) it shall be publicly read in some conspicuous place of the town or village in which the accused person usually resides;

(*b*) it shall be affixed to some conspicuous part of his ordinary place of abode, or some conspicuous place of such town or village; and

(*c*) a copy thereof shall be affixed to some conspicuous part of such Magistrate's Court-house.

Evidence of publication.

A statement by the Magistrate to the effect that the proclamation was duly published shall be conclusive evidence of compliance with the requirements of this section.

68. A Presidency Magistrate may order the attachment of any property, moveable or immoveable, belonging to any person believed to be absconding or concealing himself.

Attachment of property of person absconding.

Such order shall authorize the attachment of any property within the local limits of the jurisdiction of the Magistrate making the order; and it shall authorize the attachment of any property without such local limits when endorsed by the Magistrate of the District in which such property is situate.

If the property ordered to be attached be immoveable, the attachment under this section shall, in the case of land paying revenue to Government, be made through the Collector of the District in which the land is situate, and, in all other cases, (*a*) by seizure under the order of the Magistrate having jurisdiction; or (*b*) by the appointment of a manager and receiver; or (*c*) by an order prohibiting the payment of rent to the absent person; or by all or any two of such processes as such Magistrate deems proper.

If the person so believed to be absconding or concealing himself does not appear within the time specified in the proclamation, the property under attachment shall be at the disposal of Government, but shall not be sold until the expiration of six months from the date of the attachment, unless it is of a perishable nature, or such Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Magistrate may cause it to be sold whenever he thinks fit.

69. When any person whose property is or has been at the disposal of Government under the last paragraph of section 68 appears or is found within two years from the date of the attachment, and proves to the satisfaction of the Magistrate by whose order the property was attached that he did not abscond or conceal himself for the purpose of evading justice, such property, or, if the same has been sold, the nett proceeds of the sale, or if part only thereof has been sold, the nett proceeds of the sale and the residue of the property, shall, after satisfying thereout all costs incurred in consequence of the attachment, be delivered to him.

Restoration of forfeited property.

CHAPTER VII.—OF BAIL.

70. Every person arrested under this Act shall be kept in custody until he is discharged by the order of a competent Court, or until he is admitted to bail.

Custody of person arrested.

When any person appears or is brought before a Presidency Magistrate accused of any bailable offence, such person shall be admitted to bail: Provided that cases in which the Magistrate has power to inflict fine only, or imprisonment for a term not exceeding six months, the Magistrate may discharge him on his binding himself by a personal recognizance in such sum of money as the Magistrate thinks sufficient, to appear and attend at the time and place therein mentioned, and to continue so to attend until otherwise directed by the Magistrate.

When bail shall be taken.

71. When any person accused of any non-bailable offence appears or is brought before a Presidency Magistrate, such person shall not be admitted to bail, if there appear reasonable grounds for believing that he has been guilty of the offence of which he is accused.

When bail shall not be taken.

If the evidence given in support of the complaint is, in the opinion of the Magistrate, not such as to afford such grounds,

When bail may be taken.

or if such evidence is adduced on behalf of the accused person as, in the opinion of the Magistrate, weakens the presumption of his guilt,

but there appears to the Magistrate, in either of such cases, to be sufficient ground for further inquiry into his guilt,

the accused person shall be admitted to bail pending such inquiry.

But if the Magistrate decide not to admit the accused person to bail, he shall commit him to custody by a warrant in the form (C) given in the third schedule hereto annexed, or to the like effect.

Warrant for intermediate custody.

Any Presidency Magistrate may, at any subsequent stage of any proceeding under this Act, cancel the admission under this section of any accused person to bail, and may commit him to custody, or may admit to bail any person who has been committed to custody under this section.

72. When any person accused before a Presidency Magistrate of any offence is admitted to bail, a recognizance, in such sum of money as the Magistrate thinks sufficient, shall be entered into by the person so accused and one or more sufficient sureties, conditioned that such person shall attend at the time and place mentioned in the recognizance, and shall continue so to attend until otherwise directed by the Magistrate, and if required, shall appear when called upon at the High Court, to answer the charge.

Recognizance of accused and sureties.

It is the duty of the Presidency Magistrate or other officer accepting bail to satisfy himself that every surety entering into such recognizance is a person of whom it may reasonably be presumed that he can, if necessary, satisfy its terms.

Every such recognizance shall be in the form (D) given in the third schedule hereto annexed, or to the like effect.

73. After the recognizance has been entered into, the Presidency Magistrate, in case the accused person has appeared voluntarily or is in the custody of some officer, shall thereupon release him, and in case he is in some jail, shall issue a warrant of release to the officer in charge of the jail, and such officer shall thereupon release him.

Discharge on bail.

74. If the accused person cannot find sufficient bail when permitted so to do, he may, if the Presidency Magistrate thinks fit, be admitted to bail upon finding the same at any time afterwards before conviction.

Admission to bail after failure in first instance.

75. If, through mistake or fraud, insufficient bail have been taken, or if the bail become afterwards insufficient, the accused person may be ordered by a Presidency Magistrate to find sufficient bail, and on failing so to do may be committed to prison.

Power to order sufficient bail when that first taken is insufficient.

76. The sureties for the attendance and appearance of an accused person admitted to bail may, at any time, apply to a Presidency Magistrate to discharge their recognizance.

Discharge of sureties.

On such application being made, the Magistrate shall issue his warrant of arrest, directing that the accused person be brought before him.

On the appearance of such person pursuant to the warrant, or on his voluntary surrender, the Magistrate shall direct the recognizance of the sureties to be discharged, and shall call upon the accused person to find other sufficient sureties, and if he fail to do so, may commit him to prison.

77. Whenever, by reason of default of attendance or appearance of the person bailed, a Presidency Magistrate is of opinion that proceedings should be had to recover the penalty mentioned in the recognizance into which such person has entered, he shall proceed to recover the same, by issuing a warrant for the attachment and sale of the moveable property belonging to such person, which may be found within the local limits of the jurisdiction of such Magistrate.

Procedure to compel payment of penalty by accused.

Such warrant may be executed within such limits, and it shall authorize the distress and sale of any moveable property belonging to the accused person without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

78. Whenever, by reason of default of attendance or appearance of the person bailed, the Presidency Magistrate is of opinion that proceedings should be had to recover from the sureties the penalty mentioned in the recognizance, he shall give them notice to pay the same, or to show cause why it should not be paid.

Procedure to compel payment of penalty by sureties.

If such penalty be not paid, and if no sufficient cause for its non-payment be shown, the Presidency Magistrate shall proceed to recover the penalty from such sureties, by issuing a warrant for the attachment and sale of any moveable property belonging to them, or either of them, which may be found within the local limits of the jurisdiction of such Magistrate. Such warrant may be executed within such limits; and it shall authorize the attachment and sale of any moveable property belonging to the sureties, or either of them, without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, such sureties shall be liable to confinement by order of the Presidency Magistrate, in the civil jail, during a period not exceeding six months.

79. The powers given by sections 77 and 78 may be exercised by every Presidency Magistrate in every case in which a recognizance has been given for the appearance of any person, if default is made by the non-appearance of such person before such Magistrate, according to the conditions of the recognizance:

In what cases powers given by sections 77 and 78 may be exercised.

Provided that the Magistrate may, at his discretion, remit any portion of the penalty mentioned in any such recognizance and enforce payment in part only.

Remission of part of penalty.

80. When any person is required by a Presidency Magistrate to give bail, such Magistrate may permit him to deposit a sum of money or Government promissory notes to such amount as the Magistrate may fix in lieu of such bail.

Deposit instead of bail.

CHAPTER VIII.—OF INQUIRY INTO CASES TRIABLE BY THE HIGH COURT.

Procedure in preliminary inquiries.

81. Cases, triable by a High Court in the exercise of its ordinary original criminal jurisdiction, or which, in the opinion of the Presidency Magistrate before whom the accused person is brought, ought to be tried by such Court, shall be inquired into by a Presidency Magistrate; and in such inquiry he shall adopt the following procedure.

Examination of complainant and witnesses for prosecution.

82. When the accused person appears or is brought before the Magistrate, or if his personal attendance is dispensed with, after reasonable notice to his advocate, attorney or pleader, the Magistrate shall at such time as he thinks fit, take the evidence of the complainant and of such persons as are stated by the complainant to have any knowledge of the facts which form the subject-matter of the accusation and the attendant circumstances.

Such evidence shall be recorded in the manner described in clauses 2, 3 and 4 of section 115.

Examination to be in presence of accused.

83. The complainant and the witnesses for the prosecution shall be examined in the presence of the accused person, or, when his personal attendance is dispensed with, of his advocate, attorney, or pleader (if any).

Procedure in inquiries preliminary to commitment.

The Magistrate may, in his discretion, summon or examine any witness offered on behalf of the accused person to answer or disprove the evidence against him.

Accused may examine, cross-examine and re-examine.

The accused person or his advocate, attorney or pleader shall be permitted to examine his own witnesses, to cross-examine the complainant and his witnesses, and to re-examine his own witnesses, in accordance with the Indian Evidence Act, 1872.

Examination of accused how recorded.

84. Whenever an accused person is examined in the course of a preliminary inquiry into a case triable by the High Court, the whole of such examination, including every question put to him and every answer given by him, shall be recorded in full, and shall be shown or read to him, and he shall be at liberty to explain or add to his answers.

When the whole is made conformable to what he declares is the truth, the examination shall be attested by the signature of the Magistrate, who shall certify under his own hand that it was taken in his presence and in his hearing, and contains accurately the whole of the statement made by the accused person.

Power of Magistrate to summon and examine any person.

85. The Magistrate may, at any stage of the proceedings, summon and examine any person whose evidence he considers essential to the inquiry, and recall and re-examine any person already examined.

Adjournment of inquiry and remand.

86. If, from the absence of a witness or from any other reasonable cause, it becomes necessary or advisable to adjourn the inquiry, the Magistrate may, by a written order, from time to time adjourn the inquiry on such terms as he thinks fit and remand the accused person for a reasonable time not exceeding fifteen days.

EXPLANATION.—After commencing the inquiry, if sufficient evidence has been obtained to raise a suspicion that the person accused may have committed an offence, and it appears likely that further evidence may be obtained by a remand, this is a reasonable cause for a remand.

When accused person to be discharged.

87. When a Presidency Magistrate finds that there are not sufficient grounds for committing the accused person for trial before the High Court, or for remanding him, he shall discharge him, unless it appears to the Magistrate that such person should be tried before himself, in which case he shall proceed accordingly.

EXPLANATION I.—The absence of the complainant, except when the offence may lawfully be compounded, shall not be deemed sufficient ground for a discharge, if there appear other evidence of a nature rendering a trial desirable.

EXPLANATION II.—A discharge is not equivalent to an acquittal, and does not bar the revival of a prosecution for the same offence.

EXPLANATION III.—An order of discharge shall not ordinarily be made until the evidence of the witnesses named for the prosecution has been taken.

When accused to be committed for trial.

88. When evidence has been given before a Presidency Magistrate, which appears to justify him in committing the accused person for trial for an offence triable exclusively by the High Court, or which, in the opinion of the Magistrate, ought to be tried by such Court, the accused person shall be committed for trial accordingly.

Framing of charge on which accused is to be tried before High Court.

89. When the Magistrate determines to commit the accused person for trial before the High Court, he shall, after the evidence has been recorded, frame a charge under his hand, declaring with what offence the accused person is charged, and (subject to the provisions of the High Courts' Criminal Procedure Act, 1875) committing him for trial by such Court on such charge.

All such charges shall be drawn up in accordance with the provisions of Chapter IX.

Form of commitment.

Pending such trial, the Magistrate may commit the accused person to custody by warrant in the form (E) given in the third schedule hereto annexed, or to the like effect; and the charge, the record of the enquiry, and any weapon or other article necessary to produce in evidence shall be sent to the Clerk of the Crown or other officer appointed in this behalf by the High Court.

Charge, &c., to be forwarded to High Court.

Commitment when to be notified.

When the accused person is committed for trial before the High Court, the Magistrate shall issue an order to such person as may be appointed by the Local Government in this behalf, notifying the commitment, and stating the offence in the same form as the charge, unless the Magistrate is satisfied that such person is already aware of the commitment and the form of the charge.

Charge to be explained, and copy furnished, to accused.

90. As soon as the charge on which the accused person is to be tried has been prepared, it shall be read and explained to him; and a copy thereof shall be furnished to him, if he so require.

List of witnesses for defence on trial before High Court.

91. The accused person shall be required at once to give in, orally or in writing, a list of the persons whom he wishes to be summoned to give evidence on his trial before the High Court.

The Magistrate may, if he thinks proper, summon all or any such persons to attend and give evidence at the enquiry; and if he does so, the commitment shall not be considered to have been made until such evidence has been taken.

Further list.

The Magistrate may in his discretion allow the accused person to give in any further list of witnesses at a subsequent time.

Power to summon supplementary witnesses.

The Magistrate may summon and examine supplementary witnesses after commitment and before the commencement of the trial. Such examination shall, if possible, be taken in the presence of the accused person.

Nothing in this section shall be deemed to preclude the accused person from giving at any time before his trial before the High Court to the Clerk of the Crown a further list of the persons whom he wishes to be summoned to give evidence on such trial.

Summons to witnesses when accused person is to be committed.

92. When the person accused is to be committed for trial, and has given in any list of the persons referred to in section 91, the Magistrate may either summon such persons to appear before the High Court, or leave them to be summoned by the Clerk of the Crown.

Recognizances of complainants and witnesses.

93. Complainants and witnesses for the prosecution and defence, whose attendance before the High Court is necessary, and who appear before the Presidency Magistrate, shall execute before him recognizances, in the form (H) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon at the High Court, to prosecute or to give evidence, as the case may be.

Detention in custody in case of refusal to attend or to execute recognizance.

If any complainant or witness refuses to attend before the High Court, or to execute the recognizance above directed, the Presidency Magistrate may detain him in custody until he executes such recognizance, or until his attendance at the High Court is required, when the Magistrate shall send him in custody to the High Court.

CHAPTER IX.—OF THE CHARGE.

Form of Charges.

Charge to state offence.

94. Every charge under this Act shall state the offence with which the accused person is charged.

Specific name of offence sufficient description.

If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.

How stated where offence has no specific name.

If the law which creates the offence does not give it any specific name, so much of the definition of the offence must be stated as to give the accused person notice of the matter with which he is charged.

The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge.

What implied in charges.

The fact that the charge is made shall be equivalent to a statement that every legal condition, necessary by law to constitute the offence charged, was fulfilled in the particular case.

Language of charge.

The charge shall be written in English. If English is not understood by the accused person, the charge shall be interpreted to him in a language which he understands.

Previous conviction when to be set out.

If the accused person has been previously convicted of any offence punishable under Chapter XII or Chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, or of any other offence mentioned in section 3 or section 4 of Act No. VI of 1864 (*to authorise the punishment of whipping in certain cases*), and if it is intended to prove such previous conviction for the purpose of affecting the punishment which is to be awarded, the fact of the previous conviction must be stated in the charge. If such statement is omitted, it may be added at any time before sentence is passed, but not afterwards.

Illustrations.

(*a.*) A is charged with the murder of B.

This is equivalent to a statement that A's act fell within the definition of murder given in sections 299 and 300 of the Indian Penal Code; that it did not fall within any of the general exceptions of the Penal Code; and that it did not fall within any of the five exceptions to section 300, or that, if it did fall within exception I, one or other of the three provisos to that exception applied to it.

(*b.*) A is charged, under section 326 of the Indian Penal Code, with voluntarily causing grievous hurt to B, by means of an instrument for shooting. This is equivalent to a statement that the case was not provided for by section 335 of the Indian Penal Code, and that the general exceptions did not apply to it.

(*c.*) A is accused of murder, cheating, theft, extortion, adultery or criminal intimidation, or using a false property-mark. The charge may state that A committed murder, or cheating, or theft, or extortion, or adultery, or criminal intimidation, or that he used a false property-mark, without reference to the definitions of those crimes contained in the Indian Penal Code; but the sections under which the offence is punishable must, in each instance, be referred to in the charge.

(*d.*) A is charged, under section 184 of the Indian Penal Code, with intentionally obstructing a sale of property offered for sale by the lawful authority of a public servant. The charge should be in those words.

95. The charge shall contain such particulars as to the time and place of the alleged offence and the person against whom, or the thing in respect of which, it was committed as are reasonably sufficient to give notice to the accused person of the matter with which he is charged.

Particulars as to time, place and person.

96. When the nature of the case is such that the particulars mentioned in sections 94 and 95 do not give sufficient notice to the accused person of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

When manner of committing offence must be stated.

Illustrations.

(*a.*) A is accused of the theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected.

(*b.*) A is accused of cheating B at a given time and place. The charge must set out the manner in which A cheated B.

(*c.*) A is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by A which is alleged to be false.

(*d.*) A is accused of obstructing B, a public servant, in discharge of his public functions at a given time and place. The charge must set out the manner in which A obstructed B in the discharge of his functions.

(*e.*) A is accused of the murder of B at a given time and place. The charge need not state the manner in which A murdered B.

(*f.*) A is accused of disobeying a direction of the law with intent to save B from punishment. The charge must set out the disobedience charged and the law infringed.

97. The charge may be in the form given in the third schedule to this Act or to the like effect.

Forms in schedule.

98. No error, either in the way in which the offence is stated, or in the particulars required to be stated in section 96, and no omission to state the offence, or to state those particulars, shall be regarded at any stage of the case as material, unless the person accused was in fact misled by such error or omission.

Effect of errors.

Illustrations.

(*a.*) A is charged, under section 242 of the Indian Penal Code, with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit," the word "fraudulently" being omitted in the charge. Unless it appears that A was in fact misled by this omission, the error shall not be regarded as material.

(*b.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge, or is set out incorrectly. A defends himself, calls witnesses, and gives his own account of the transaction. The Court may infer from this that the omission to set out the manner of the cheating is not material.

(*c.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B, and A had no means of knowing to which of them the charge referred, and offered no defence. The Court may infer from such facts that the omission to set out the manner of the cheating was, in this case, a material error.

(*d.*) A is charged with the murder of Khodá Baksh on the 21st January. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 20th January. A was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. The Court may infer from these facts that A was not misled, and that the error in the charge was immaterial.

(*e.*) A was charged with murdering Haidar Baksh on the 20th January and Khodá Baksh (who tried to arrest him for that murder) on the 21st January. When charged for the murder of Haidar Baksh, he was tried for the murder of Khodá Baksh. The witnesses present in his defence were witnesses in the case of Haidar Baksh. The Court may infer from this that A was misled, and that the error was material.

99. Any accused person may apply to a Presidency Magistrate for an amendment of the charge made against him; and in considering whether any error in a charge did in fact mislead the accused person, the Magistrate shall take into account the fact that he did or did not make such an application.

Prisoner may apply for amendment.

100. A Presidency Magistrate may, upon the application of the accused person, or of the complainant, or upon his own motion, alter any charge at any stage of the proceedings before judgment is pronounced.

Magistrate may alter charge.

Every such alteration shall be read and explained to the accused person.

101. If the alteration is such that proceeding immediately with the trial is not likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may in his discretion, after making such alteration, proceed with the trial as if the altered charge had been the original charge.

When trial may proceed immediately after alteration.

102. If the alteration is such that proceeding immediately with the trial is likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may either direct a new trial, or suspend the trial for such period as may be necessary to enable the accused person to make his defence to the altered charge; and, after hearing his defence, the Magistrate may further adjourn the trial, to admit of the appearance of any witness whose evidence the Magistrate may consider to be material to the case, or whom the accused person may wish to be summoned in his defence.

When new trial may be directed or trial suspended.

Adjournment.

103. In all cases of alteration of a charge the complainant and accused person shall be allowed to recall and examine with reference to such alteration any witness who may have been examined.

Recall of witnesses when charge altered.

104. If the offence stated in the altered charge be one for the prosecution of which previous sanction is necessary, the case shall not be proceeded with until such sanction is obtained, unless sanction has been already obtained for a prosecution on the same facts as those on which the altered charge is founded.

Stay of proceedings if prosecution of offence in altered charge require previous sanction.

Joinder of Charges.

105. There must be a separate charge for every distinct offence of which any person is accused, and every such charge must be tried separately, except in the cases hereinafter excepted.

Separate charges for distinct offences.

Illustration.

A is accused of a theft on one occasion, and of causing grievous hurt on another occasion. A must be separately charged and separately tried for the theft and the causing grievous hurt.

106. When a person is accused of more offences than one of the same kind, committed within one year of each other, he may be charged with, and tried at the same time for, any number of them not exceeding three.

More offences than one of same kind may be charged within a year of each other.

107. I.—If in one series of acts so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried for every such offence at the same time.

I.—Trial of more than one offence.

II.—If the acts alleged constitute an offence falling within two or more separate definitions of any law in force for the time being, by which offences are defined or punished, the person accused of them may be charged with each of the offences so committed; but he must not receive a more severe punishment than could be inflicted for any of such offences.

II.—One offence falling within two definitions.

III.—If several acts, of which one or more than one would by itself constitute an offence, form, when combined, a different offence, the person accused of them may be charged with every offence or any of the different offences, which he may have committed; but he must not receive for such offences, collectively, a punishment more severe than that which might have been inflicted for any one of such offences.

III.—Acts severally constituting more than one offence, but collectively coming within one definition.

Illustrations.

To paragraph I.

(*a.*) A rescues B, a person in lawful custody, and in so doing causes grievous hurt to C, a constable in whose custody B was. A may be separately charged with, convicted of, and punished for, offences under sections 225 and 333 of the Indian Penal Code.

(*b.*) A has in his possession several seals knowing them to be counterfeit and intending to use them for the purpose of committing several forgeries punishable under section 466 of the Indian Penal Code. A may be separately charged with, convicted of, and punished for, the possession of each seal, under section 473 of the Indian Penal Code.

(*c.*) A, with intent to cause injury to B, institutes a criminal proceeding against him, knowing that there is no just or lawful ground for such proceeding. A also falsely accuses B of having committed an offence, knowing that there is no just or lawful ground for such charge. A may be separately charged with, convicted of, and punished for, two offences under section 211 of the Indian Penal Code.

(*d.*) A, with intent to cause injury to B, falsely accuses him of having committed an offence, knowing that there is no just or lawful ground for such charge. On the trial, A gives false evidence against B, intending thereby to cause B to be convicted of a capital offence. A may be separately charged with, convicted of, and punished for, offences under sections 211 and 194 of the Indian Penal Code.

(*e.*) A, knowing that B, a female minor, has been kidnapped in order that she may be subjected to grievous hurt, wrongfully confines her and detains her against her will as a slave. A may be separately charged with, convicted of, and punished for, offences under sections 368 (read with 367) and 370 of the Indian Penal Code.

(*f.*) A, with six others, commits the offences of rioting, grievous hurt, and of assaulting a public servant endeavouring, in the discharge of his duty as such, to suppress the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147 and 333 and 152 of the Indian Penal Code.

(*g.*) A threatens B, C and D at the same time with injury to their persons with intent to cause alarm to them. A may be separately charged with, convicted of, and punished for, each of the three offences under section 506 of the Indian Penal Code.

(*h.*) A intentionally causes the death of three persons by upsetting a boat. A may be separately charged with, convicted of, and punished for, each of the three offences under section 302 of the Indian Penal Code.

The separate charges referred to in illustrations (*a*) to (*h*) respectively may be tried at the same time.

To paragraph II.

(*i.*) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of, offences under sections 352 and 323 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 323 only.

(*j.*) A wrongfully kills a buffalo worth sixty rupees belonging to B, and then moves the carcase in order to take it dishonestly out of B's possession without B's consent. A may be separately charged with, and convicted of, offences under sections 429 and 379 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 429 only.

(*k.*) Several stolen sacks of corn are made over to A and B, who know they are stolen property. A and B thereupon voluntarily assist each other to conceal the sacks at the bottom of a grain-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414 of the Indian Penal Code; but the Presidency Magistrate who tries them may not inflict a severer punishment than if he had convicted them under one of those sections only.

(*l.*) A dishonestly uses a forged document as genuine evidence, in order to convict B, a public servant, of an offence under section 167 of the Indian Penal Code. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the same Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under one of those sections only.

To paragraph III.

(*m.*) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under sections 454 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

(*n.*) A commits robbery on B, and, in doing so, voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 392 or 394 only.

(*o.*) A entices B, the wife of C, away from C with intent to commit adultery with B, and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

108. If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused person may be charged with having committed all or any of such offences; and any number of such charges may be tried at once; or he may be charged in the alternative with having committed some one of the said offences.

Where it is doubtful what offence has been committed.

Illustration.

A is accused of an act which may amount to theft, or receiving stolen property or criminal breach of trust, or cheating. He may be charged with theft, receiving stolen property, criminal breach of trust, and cheating, or he may be charged with having committed theft, or receiving stolen property, or criminal breach of trust, or cheating.

109. If, in the case mentioned in the last preceding section, one charge only is brought against an accused person, and it appears in evidence that he committed a different offence, for which he might have been charged under the provisions of that section, he may be convicted of the offence which he is shown to have committed, although he was not charged with it.

When a person is charged with one offence he can be convicted of another.

Illustration.

A is charged with theft. It appears that he committed the offence of criminal breach of trust, or that of receiving stolen goods. He may be convicted of criminal breach of trust, or of receiving stolen goods (as the case may be), though he was not charged with such offence.

110. When a person is charged with an offence, and part of the charge is not proved, but the part which is proved amounts to a different offence, he may be convicted of the offence which he is proved to have committed, though he was not charged with it.

When offence proved included in offence charged.

Illustrations.

(*a.*) A is charged, under section 407 of the Indian Penal Code, with criminal breach of trust in respect of property entrusted to him as a carrier. It appears that he did commit criminal breach of trust under section 406 in respect of the property, but that it was not entrusted to him as a carrier. He may be convicted of criminal breach of trust under section 406.

(*b.*) A is charged with murder. He may be convicted of culpable homicide, or of causing death by negligence.

111. When more persons than one are accused of the same offence, or of different offences committed in the same transaction, or when one person is accused of committing any offence, and another of abetment of, or attempt to commit, such offence, they may be charged and tried together, or separately, as the Presidency Magistrate thinks fit, and the provisions contained in the former part of this chapter shall apply to all such charges.

What persons may be charged jointly.

Illustrations.

(*a.*) A and B are accused of the same murder. A and B may be charged and tried together for the murder.

(*b.*) A and B are accused of a robbery, in the course of which A commits a murder with which B has nothing to do. A and B may be tried together on a charge, charging both of them with the robbery, and A alone with the murder.

(*c.*) A and B are both charged with a theft, and B is charged with two other thefts committed by him in the course of the same transaction. A and B may be both tried together on a charge, charging both with the one theft, and B alone with the two other thefts.

112. When more charges than one are made against the same person, and when a conviction has been had on one or more of them, the complainant, or the Government Solicitor or other officer conducting the prosecution, may, with the consent of the Presidency Magistrate, withdraw, or such Magistrate of his own accord may suspend, the inquiry into, or trial of, the remaining charge or charges.

Withdrawal of remaining charges on conviction on one of several charges.

Previous Acquittals or Convictions.

113. A person who has once been tried for an offence and convicted or acquitted of such offence, shall while such conviction or acquittal remains in force not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 108, or for which he might have been convicted under section 109.

Person once convicted or acquitted not to be tried for same offence.

A person convicted or acquitted of any offence may be afterwards tried for any offence for which a separate charge might have been made against him on the former trial under section 107, paragraph one.

A person acquitted or convicted of any offence constituted by any act causing consequences which, together with such act, constituted a different offence from that for which he was acquitted or convicted, may be afterwards tried for such last-mentioned offence, if the consequences had not happened, or were not known to the Court to have happened, at the time when he was acquitted or convicted.

A person acquitted or convicted of any offence constituted by any acts may, notwithstanding such acquittal or conviction, be subsequently charged with, and tried for, any other offence constituted by the same acts, which he may have committed if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged.

Illustrations.

(*a.*) A is tried upon a charge of theft as a servant and acquitted. He cannot afterwards be charged with theft as a servant, or, upon the same facts, with theft simply, or with criminal breach of trust.

(*b.*) A is tried upon a charge of murder and acquitted. There is no charge of robbery; but it appears from the facts that A committed robbery at the time when the murder was committed: he may afterwards be charged with, and tried for, robbery.

(*c.*) A is tried for an assault and convicted. The person assaulted afterwards dies. A may be tried again for culpable homicide.

(*d.*) A is tried, under section 270 of the Indian Penal Code, for malignantly doing an act likely to spread the infection of a disease dangerous to life, and is acquitted. The act so done afterwards causes a person permanently to lose his eyesight. A may be charged, under section 325 of the same Code, with voluntarily causing grievous hurt to that person.

(*e.*) A is charged by a Presidency Magistrate with, and convicted by him of, voluntarily causing hurt to B. A may not afterwards be tried for voluntarily causing grievous hurt to B on the same facts, unless the case comes within paragraph three of this section.

(*f.*) A is charged by a Presidency Magistrate with, and convicted by him of, theft of property from the person of B. A may be subsequently charged with, and tried for, robbery on the same acts.

(*g.*) A, B and C are charged by a Presidency Magistrate with, and convicted by him of, robbing D. A, B and C may afterwards be charged with, and tried for, dacoity on the same fact.

CHAPTER X.—OF THE TRIAL OF CASES BY PRESIDENCY MAGISTRATES.

114. The following procedure shall be observed in the trial of cases by Presidency Magistrates.

Cases may be tried summarily.

In every such case the Magistrate shall record the following particulars:

(*a*) the serial number,

(*b*) the date of the commission of the offence,

(*c*) the name of the complainant,

(*d*) the name of the accused person,

(*e*) the offence complained of or proved,

(*f*) the prisoner's plea,

(*g*) the final order,

(*h*) the date of such order.

115. No Presidency Magistrate shall impose a fine exceeding two hundred rupees or imprisonment for a term exceeding six months, unless he has recorded the evidence of the witnesses.

Record of evidence.

Sentences passed under section 13 on the same occasion shall for the purposes of this section be considered as one sentence.

Where the Magistrate records such evidence, it shall be sufficient either to take it down with his own hand or to cause it to be taken down in writing from his dictation in open Court. All evidence so taken down shall be signed by the Magistrate and shall be part of the record.

Evidence so taken down shall ordinarily be taken in the form of a narrative, but the Magistrate may in his discretion take down, or cause to be taken down, any particular question or answer.

Every Magistrate recording the evidence of a witness shall record such remarks as he thinks material respecting the demeanour of such witness while under examination.

116. In cases in which the Magistrate has power to impose fine only, or imprisonment for a term not exceeding six months, no formal charge need be made against the accused person; and the Magistrate may convict him of any offence punishable with fine only or with imprisonment for a term not exceeding six months, and which, from the facts proved, he appears to have committed.

Charge when dispensed with.

In cases in which the Magistrate has power to impose imprisonment for a term exceeding six months, there shall be a formal charge against the accused person.

Charge when necessary.

All charges under this section shall be drawn up by the Magistrate in accordance with the provisions of chapter IX.

117. Neither the complaint nor the process issued thereon shall be regarded otherwise than as notice to the accused person of the facts to be inquired into. No defect in the complaint or process shall invalidate the proceedings, unless it appears that the accused person was actually misled by such defect; and, in considering whether or not he was so misled, the Magistrate shall have regard to the manner in which the accused person conducted his defence.

Effect on proceedings of defect in complaint or process.

118. If upon the day appointed for the appearance of the accused person, or any day subsequent thereto on which the case may be called on, the complainant does not appear, the Magistrate shall dismiss the complaint, unless he thinks fit to adjourn the hearing of the same to some other day. Such adjournment shall be made upon such terms as the Magistrate thinks fit.

Dismissal or adjournment on non-appearance of complainant.

119. On the appearance of both parties on the day fixed for the trial, the substance of the complaint shall be stated to the accused person, and he shall be asked if he has any cause to show why he should not be convicted.

Procedure on appearance of parties.

120. If the accused person admit the truth of the complaint, his admission shall be recorded, and if he shows no sufficient cause why he should not be convicted, the Magistrate may convict him accordingly.

Conviction on admission of truth of complaint.

121. If the accused person does not admit the truth of the complaint, the Magistrate shall proceed to hear the complainant and such witnesses as he produces in support of his complaint, and also to hear the accused person and such witnesses as he produces in his defence.

Procedure when no such admission is made.

Whenever any charge is drawn up under this Act, it shall be drawn up as soon as the Magistrate is of opinion that a *primâ facie* case has been established against the accused person, and shall be read and explained to the accused person, and he shall be asked whether he is guilty or has any defence to make.

122. If the accused person be examined, the procedure prescribed in section 84 shall be followed.

Procedure on examining accused.

123. Before or during the hearing of any complaint, the Magistrate may, in order to secure the attendance of witnesses or for any other reason, adjourn the hearing, on such terms as he thinks fit, to a day to be then appointed and stated in the presence of the parties.

Adjournment.

If on the day to which such hearing or such further hearing has been so adjourned the accused person does not appear, the Magistrate may issue his warrant for the arrest of such person.

If on such day the complainant does not appear, the Magistrate may dismiss the complaint.

124. Whenever any person causes a police-officer to arrest another person, and whenever a complaint of any offence is made before any Presidency Magistrate, if it appears to the Magistrate by whom the case is heard that there was no sufficient ground for causing such arrest or for making such complaint, the Magistrate may award such compensation, not exceeding fifty rupees, to be paid by the person so causing the arrest or making the complaint, to the person so arrested or complained against, for his loss of time and expenses in the matter, as the Magistrate thinks fit.

Compensation to person groundlessly given in charge or complained against.

In such cases, if more persons than one are arrested or complained against, the Magistrate may, in like manner, award to each of them such compensation, not exceeding fifty rupees, as such Magistrate thinks fit.

All compensation awarded under this section may be recovered as if it were a fine.

125. If a complainant, at any time before a final order is passed in any case in which the Presidency Magistrate may impose fine only or imprisonment for a term not exceeding six

Withdrawal of complaint.

months, satisfies the said Magistrate that there are sufficient grounds for permitting him to withdraw his complaint, the Magistrate may permit him to do so.

The withdrawal under this section of a complaint shall operate as an acquittal of the accused person.

Acquittal.

126. If the Magistrate, in any case tried under this chapter, finds the accused person not guilty, he shall record an order of acquittal.

Sentence.

If the accused person is convicted, the Magistrate shall pass sentence upon him; and, in all cases in which the Magistrate inflicts imprisonment, or fine exceeding fifty rupees, or both, he shall add to the final order mentioned in section 114, clause (*g*), a brief statement of the reasons for the conviction.

When the personal attendance of the accused person during the trial has been dispensed with, the sentence of the Magistrate shall be pronounced in his presence, except where the sentence is for fine only, in which case it may be pronounced in the presence of the accused person's advocate, attorney or pleader.

Procedure when, after commencement of trial, Magistrate finds case beyond his jurisdiction.

127. If in the course of any trial before a Presidency Magistrate, it appears that the case is one which he has not jurisdiction to try, or one which, in his opinion, ought to be tried by the High Court, he shall stop further proceedings under this chapter, and shall either forward the case to the Magistrate having jurisdiction, or commit the accused person, in accordance with the provisions of chapter VIII, to the High Court for trial.

Trial of persons previously convicted of offences against coinage, stamp law or property.

128. Whoever, having been convicted of an offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, is again accused of any offence punishable under either of those chapters with imprisonment for a term of three years or upwards, shall ordinarily, if the Presidency Magistrate considers him an habitual offender, be committed to the High Court.

General Provisions as to Inquiries and Trials.

Permission to conduct prosecution.

129. A Presidency Magistrate inquiring into or trying any case may permit any person to conduct the case as prosecutor; but no person other than the Advocate General, Standing Counsel and Government Solicitor shall be entitled to do so without such permission.

Any person conducting the case may do so personally or by an advocate, attorney, or pleader.

Right of accused to be defended.

130. Every person accused before a Presidency Magistrate of an offence, may of right be defended by any advocate, attorney or pleader.

Procedure where accused does not understand proceedings.

131. If an accused person, though not insane, cannot be made to understand the proceedings, the Magistrate may proceed with the inquiry or trial; and if such inquiry results in a committal, or if such trial results in a conviction, the proceedings shall be forwarded to the High Court, with a report of the circumstances of the case, and the High Court shall pass thereon such order as it thinks fit.

Presidency Magistrates' Courts to be open.

132. The place in which the court of a Presidency Magistrate is held for the purpose of inquiring into or trying any offence, shall be deemed an open Court, to which the public generally may have access, so far as the same can conveniently contain them.

Provided that the Magistrate may, if he thinks fit, order at any stage of any inquiry into or trial of any particular case, that the public generally, or any particular person, shall not have access to, or be, or remain in, the room or building used by the Magistrate.

Compounding offences.

133. In the case of offences which may lawfully be compounded, the injured person may compound the offence out of Court, or in Court with the permission of the Presidency Magistrate. Such composition shall have the effect of an acquittal of the accused.

CHAPTER XI.—OF EVIDENCE.

A.—Of securing the Attendance of Witnesses.

Power to summon material witness or examine person present.

134. Any Presidency Magistrate may, at any stage of any proceeding, inquiry or trial under this Act, summon, in manner provided by chapter VI, any witness, or examine any person in attendance though not summoned as a witness; and the Magistrate shall summon and examine such person if his evidence appears essential to the just decision of the case.

When warrant of arrest may issue in first instance.

135. If a Presidency Magistrate has reason to believe that any witness whose attendance is required will not attend to give evidence without being compelled to do so, he may, instead of issuing a summons, issue a warrant of arrest in the first instance.

Arrest of person disobeying summons.

136. If any person summoned under this Act to give evidence neglects or refuses to appear at the time and place appointed by the summons, and no reasonable excuse is offered for such neglect or refusal, the Presidency Magistrate, upon proof of the summons having been duly served, may issue a warrant under his hand to bring such person before him to testify as aforesaid.

Procedure when warrant cannot be served.

137. If such warrant cannot be executed, and the Magistrate has reason to believe that the witness absconds or conceals himself for the purpose of preventing the execution thereof, he may issue a notice, requiring the attendance of such witness to give evidence at a time and place to be named therein, and such notice shall be affixed to some conspicuous part of such witness' ordinary place of abode, or, if he has no such abode, of the Magistrate's Court.

If the witness does not attend at the time and place so named, the Magistrate may order the attachment of any moveable property belonging to such witness, equal in value, as nearly as may be, to the amount of the costs of attachment and of any fine to which the witness may be liable under the provisions of section 172 of the Indian Penal Code.

Attachment, &c., of property ordered to be attached under section 137.

138. The provisions of section 68 and section 69 as to the attachment, sale and restoration of moveable property shall apply to all property ordered to be attached under section 137.

Power to order prisoner in jail to be brought up for examination.

139. Notwithstanding any thing contained in the Prisoners' Testimony Act, 1869, any Presidency Magistrate desirous of examining, as a witness or accused person in any case pending before him, any person confined in any jail within the local limits of his jurisdiction may issue an order to the officer in charge of the said jail requiring him to bring such prisoner in proper custody, at a time to be therein named, to the Magistrate for examination.

The officer so in charge, on receipt of such order, shall act in accordance therewith, and shall provide for the safe custody of the prisoner during his absence from the jail for the purpose aforesaid.

Power to require complainants, &c., to execute recognizances.

140. The Presidency Magistrate may require complainants and witnesses for the prosecution and defence whose attendance before him is necessary, to execute recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon to prosecute or give evidence, as the case may be.

Committal of person refusing to answer.

141. If any witness summoned or brought before a Presidency Magistrate refuses to answer such questions as are put to him, without offering any reasonable excuse for such refusal, such Magistrate may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to be examined and to answer; after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 205 or 206.

B.—Of Witnesses.

In cases tried upon summons.

142. In the case of offences punishable with fine only or with imprisonment for a term not exceeding six months, or with both, it shall ordinarily be the duty of the complainant and accused to produce their own witnesses. But the Presidency Magistrate may in his discretion—

(*a*) summon any person who appears to him likely to give material evidence on behalf of the complainant or the accused;

(*b*) summon any witness named by the complainant or the accused:

Provided that the Magistrate may, before summoning a witness, require that his reasonable expenses incurred in attending for the purposes of the trial be deposited in Court.

In cases tried upon warrant.

143. In the case of all other offences, the Magistrate shall ascertain from the complainant, or otherwise, the names of any persons likely to be acquainted with the facts of the case and to be able to give evidence for the prosecution, and shall summon to give evidence before him such of them as he thinks necessary.

The Magistrate shall also summon any witness, and take any evidence that may be offered, in behalf of the accused person, to answer or disprove the evidence against him.

C.—Of Securing Documentary Evidence.

Summons to produce document required as evidence.

144. Whenever a Presidency Magistrate considers that the production of any document or other thing is necessary or desirable for the purposes of any inquiry, trial, or other proceeding under this Act, he may issue a summons to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it at the time and place stated in the summons.

Issue of search-warrant in first instance.

145. Where there is reason to believe that the person to whom the summons is addressed will not produce the document or other thing as directed in the summons, the Magistrate may issue a warrant to search for such document or thing in the first instance.

Procedure as to letters and telegrams in custody of Postal Department or telegraph officer.

146. If any letter in the custody of the Postal Department, or any telegram in the custody of any telegraph officer as defined in Act No. I of 1876, is wanted for the purpose of any inquiry or trial by a Presidency Magistrate, the Magistrate may, if he is the Chief Magistrate, direct the postal authorities or such telegraph officer (as the case may be) to deliver such letter or telegram to such person as the Magistrate directs, and if he is not the Chief Magistrate, may apply to the Chief Magistrate, who may, if he thinks fit, give such direction.

The letter or telegram referred to in any direction given under this section shall be delivered accordingly.

Power to impound document produced.

147. Any Presidency Magistrate may, if he thinks fit, impound any document or other thing produced before him, or may, at the conclusion of the proceedings, order it to be returned to the person who produced it.

D.—Of the Examination of Accused Persons.

Examination of accused.

148. At any stage of any inquiry or trial under this Act, the Magistrate may, without previously warning the accused person, put such questions to him as he considers necessary.

The accused person shall not render himself liable to punishment for refusal to answer such questions, or for giving false answers to them, but the Magistrate shall draw such inference as may to him seem just from such refusal or false answers.

EXPLANATION.—The answer given by an accused person may be put in evidence against him, not

only in such inquiry or trial, but also in any other inquiry into or trial for any other offence which such answer may tend to show he has committed.

149. Except as is provided in section 150, no influence, by means of any promise or threat or otherwise, shall be used to an accused person to induce him to disclose or withhold any matter within his knowledge.

No influence to be used to induce disclosures.

150. A Presidency Magistrate may, with the view of obtaining the evidence of any person supposed to have been directly or indirectly concerned in, or privy to, any offence specified in column seven of the second schedule hereto annexed as triable exclusively by the High Court, tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances, within his knowledge, relative to such offence and to every other person concerned in the perpetration thereof.

Tender of pardon to accomplice.

Every person accepting a tender under this section shall be examined as a witness in the case.

Such person, if not on bail, shall be detained in custody until the termination of the trial.

151. When a pardon has been tendered under section 150, if before the trial it appears to the Presidency Magistrate that any person who has accepted such tender has either by wilfully concealing anything essential, or by giving false evidence, not complied with the condition under which the tender was made, such Magistrate may commit him for trial for the offence in respect of which the pardon was so tendered or for any other offence of which he may appear to have been guilty in connection with the same matter.

Commitment of person to whom pardon has been tendered.

The statement made by a person under pardon, which pardon has been withdrawn under this section, may be put in evidence against him.

E.—Special Rules of Evidence.

152. The deposition of a civil surgeon or other medical witness, taken and duly attested by a Magistrate, may be given in evidence in any inquiry or trial under this Act, although the deponent is not called as a witness.

Deposition of medical witness.

The Presidency Magistrate may, if he thinks fit, summon and examine such deponent as to the subject-matter of his deposition.

Power to summon medical witness.

153. Any document purporting to be a report from the chemical examiner, or assistant chemical examiner to Government, upon any matter or thing duly submitted to him for examination or analysis and report, in the course of any inquiry or trial under this Act, or in any preliminary inquiry relating thereto, may, if it bears his signature, be used as evidence in any inquiry or trial under this Act.

Report of chemical examiner.

The Presidency Magistrate may presume that the signature to any such document is genuine, and that the person signing it held the office which he professed to hold at the time when he signed it.

Genuineness of signature may be presumed.

The Presidency Magistrate may, if he thinks fit, summon and examine such chemical examiner or assistant chemical examiner as to the subject-matter of his said report.

Power to summon chemical examiner.

154. A previous conviction or acquittal may be proved (*a*) by an extract certified, under the hand of the officer having the custody of the records of the Court in which such conviction or acquittal was had, to be a copy of the sentence or order, or (*b*) in case of a conviction, by a certificate signed by the officer in charge of the jail in which the punishment or any part thereof was inflicted.

Previous conviction or acquittal how proved.

155. If an accused person abscond, and after due pursuit cannot be arrested, the Presidency Magistrate may, in his absence, examine the witnesses (if any) produced on behalf of the prosecution, and record their depositions; and any such deposition may, on the arrest of such person, be put in on his trial for the offence with which he is charged, if the attendance of the deponent cannot be procured.

Record of evidence in absence of accused.

156. Whenever any Presidency Magistrate, after having heard the whole or any part of the evidence in an enquiry or trial, ceases to exercise jurisdiction therein, and is succeeded by another Magistrate who has and who exercises such jurisdiction, the Magistrate so succeeding may act on the evidence so recorded by his predecessor, or partly recorded by his predecessor and partly recorded by himself, or he may re-summon the witnesses and re-commence the inquiry or trial.

Convictions on evidence partly recorded by one Magistrate and partly by another.

Provided that the accused person may, when the second Magistrate commences his proceedings, demand that the witnesses be re-summoned and reheard, in which case the inquiry or trial shall be re-commenced:

Provided also that the High Court may set aside any conviction passed on evidence not wholly recorded by the Magistrate before whom the conviction was had, if such Court is of opinion that the accused person has been materially prejudiced thereby; and may order a new inquiry or trial.

157. Whenever in the course of a trial under this Act it appears that the attendance of a witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, the Presidency Magistrate may dispense with such attendance.

When attendance of witness may be dispensed with.

158. Such Magistrate may direct a commission to any Magistrate of the District or Magistrate of the first class, within the local limits of whose jurisdiction such witness may be.

Issue of commission and procedure thereunder.

The Magistrate to whom the commission is directed, or, if he be the Magistrate of the District, such Magistrate of the first class as he appoints in this behalf shall proceed to the place where such witness is, or shall summon such witness before himself, and shall take the evidence of such witness in the same manner, and may for this purpose exercise the same powers as in trials of warrant cases under the Code of Criminal Procedure.

If the witness is within the local limits of the jurisdiction of any Presidency Magistrate, other than the Magistrate dispensing with his attendance, the latter Magistrate may direct a commission to the former Magistrate, who thereupon shall have the like power to compel the attendance of, and to examine, such witness as he possesses for that purpose in cases pending before himself.

Commission in case of witness being within Presidency town.

The complainant and the accused person may respectively forward interrogatories in writing, upon which the Magistrate to whom the commission is directed shall examine the witness,

Complainant and accused may examine witness.

or the complainant and the accused person (if on bail) may appear before such Magistrate,

or the complainant and the accused person may so appear respectively by advocate, attorney or pleader,

and may examine, cross-examine and re-examine (as the case may be) the said witness.

After any commission issued under this section has been duly executed, it shall be returned, together with the deposition of the witness examined thereunder, to the Magistrate by whom it was issued; and the commission, the return thereto, and the deposition of such witness may be used as evidence in the case and shall form part of the record.

Return of commission.

F.—Of Search-warrants.

159. When a Presidency Magistrate considers that the production of any thing is essential to the conduct of an inquiry into an offence known or suspected to have been committed or to the discovery of the offender,

Search-warrant when grantable.

or when he considers that such inquiry or discovery will be furthered by a general search or inspection,

he may grant his search-warrant; and the officer charged with the execution of such warrant may search or inspect any place within the local limits of the jurisdiction of such Magistrate.

The Magistrate may, if he thinks fit, specify in the warrant the particular place, building or part thereof to which only the search or inspection shall extend; and the officer charged with the execution of such warrant shall then search or inspect only the place, building or part so specified.

Nothing in this section or in section 145 shall authorise a Magistrate to grant a warrant to search for a letter or telegram in the custody of the Postal Department or of a telegraph officer.

160. If a Presidency Magistrate, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property, or of property which has been fraudulently obtained,

Search of house suspected to contain stolen property or forged documents.

or for the deposit or sale or manufacture of forged documents, or counterfeit Government stamps, or counterfeit coin, or instruments or materials for counterfeiting coin or for forging,

or that any forged documents, or counterfeit stamps, or false seals, or counterfeit coin, or instruments or materials used for counterfeiting coin, or for forging, are kept or deposited in any place,

he may by his warrant authorize any Police-officer above the rank of a constable—

(*a*) to enter, with such assistance as may be required, and by force if necessary, such place, and

(*b*) to search the same as specified in the warrant, and

(*c*) to take possession of any property, documents, stamps, seals or coins therein found, which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also any such instruments and materials as aforesaid, and

(*d*) to convey such property, documents, stamps, seals, coins, instruments or materials before a Presidency Magistrate, or to guard the same on the spot until the offender is taken before a Presidency Magistrate, or otherwise to dispose thereof in some place of safety, and

(*e*) to take into custody and carry before the said Magistrate every person found in such place, who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents, stamps, seals, coins, instruments or materials knowing or having reasonable cause to suspect the said property to have been stolen or otherwise unlawfully obtained, or the said documents, stamps, seals, coins, instruments or materials to have been forged, falsified or counterfeited, or the said instruments or materials to have been or to be intended to be used for counterfeiting coin or for forging.

161. The provisions of sections 59 to 62, both inclusive, shall apply to all search-warrants issued under this chapter.

Direction, &c., of search-warrants.

162. Whenever any place liable to search or inspection under this chapter is closed, any person residing in, or being in charge of, such place shall, on demand of the officer or other person executing the warrant, allow such officer or other person free ingress thereto, and afford all reasonable facilities for a search therein.

Persons in charge of closed place to allow search.

163. A Police-officer or other person, authorized by a warrant to search any place, may break open any outer or inner door or window of such place, in order to execute the warrant, if, after notification of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

Place to be searched may be broken open.

164. If the place ordered to be searched is an apartment in the actual occupancy of a woman who, according to the customs of the country, does not appear in public, the officer or other person charged with the execution of the warrant shall, unless a warrant of arrest has been issued against her, give her notice that she is at liberty to withdraw.

Search of zanána.

After giving such notice and allowing a reasonable time for such woman to withdraw, and affording her every reasonable facility for withdrawing, such officer or person may enter such apartment for the purpose of making the search, using at the same time every precaution consistent with

this section for preventing the clandestine removal of the thing mentioned in the warrant.

165. Before making a search under this chapter the officer or other person about to make it shall call upon two or more respectable inhabitants of the locality in which the place to be searched is situate to attend and witness the search.

Search to be made in presence of witnesses.

The search shall be made in their presence, but they shall not be required to attend the Court of the Magistrate as witnesses, unless especially summoned by him.

The occupant of the place searched, or some person in his behalf, shall, in every instance, be permitted to attend during the search.

Occupant of place searched may attend.

166. Whenever it is necessary to cause a woman to be searched, the search shall be made with strict regard to the customs of the country.

Mode of searching women.

CHAPTER XII.—OF APPEALS.

167. Any person convicted on a trial held by a Presidency Magistrate, may appeal to the High Court if the Magistrate has sentenced him to imprisonment for a term exceeding six months or to fine exceeding two hundred rupees:

Appeal by person convicted.

Provided that, where an accused person has been convicted on his own plea, no such appeal shall lie except as to the extent or legality of the sentence.

Sentences passed under section 13 on the same occasion shall for the purposes of this section be considered as one sentence.

For the purposes of the Indian Limitation Act 1871, all appeals under this section and all applications to the High Court for the exercise of the powers given by Act No. X of 1875, section 147, shall be deemed to be appeals under the Code of Criminal Procedure.

168. The Local Government may direct the Public Prosecutor or other officer specially or generally appointed in this behalf to present an appeal to the High Court from a Presidency Magistrate's order of acquittal, or of dismissal, or of discharge; but in no other case shall there be an appeal by the prosecution from any order under this Act.

Appeal by Government from order of acquittal.

No appeal shall be presented under this section after two months from the date of the order complained of.

When an appeal is presented under this section the High Court may order the accused person to be arrested and brought before it, and may commit him to prison pending the disposal of the appeal, or (if the offence of which he is accused be bailable) admit him to bail.

The High Court may, in any case so appealed, direct a new trial by any Presidency Magistrate, or may pass such order as may be warranted by law.

169. Every petition of appeal under this Act shall be accompanied by a copy of the order appealed against.

Copy of order to accompany petition.

170. If any person affected by an order passed under this Act desires to have a copy of such order or of any deposition or other part of the record, he shall, on applying for such copy, be furnished therewith: provided that he pay for the same, unless the Magistrate, for some special reason, thinks fit to furnish it free of cost.

Copies of proceedings.

171. If the appellant be in jail, he shall be at liberty to present his petition of appeal and the copy of the order appealed against, to the officer in charge of the jail, who shall thereupon forward such petition and copy to the High Court.

Procedure when appellant in jail.

172. On receiving the petition of appeal and the copy of the order appealed against, the High Court shall peruse the same, and may fix a reasonable time for hearing the appellant or his advocate or pleader, or if he be present may hear him at once.

Procedure on receiving petition of appeal.

The High Court may, if it considers that there is no sufficient ground for altering or revising the order appealed against, reject the appeal summarily.

Power to reject appeal summarily.

Before rejecting an appeal under this section, the High Court may call for the record of the case, but shall not be bound to do so.

Power to call for record.

In rejecting under this section an appeal by a person convicted the High Court shall not enhance the sentence.

Sentence not to be enhanced when appeal rejected under this section.

173. If the High Court does not reject the appeal summarily, it shall cause notice to be given to the appellant and the public prosecutor, Government solicitor, or other officer empowered by Government in that behalf, of the day on which such appeal will be heard,

Notice of day for hearing appeal.

and in case of appeals under section 168, the High Court shall also cause a like notice to be given to the respondent.

All such notices shall be served in manner provided by this Act for serving a summons.

Service of notice.

174. The High Court shall send for the record of the case, and after perusing the same, and hearing the appellant or his advocate or pleader, if he appears, and the Government solicitor or other officer empowered by Government in this behalf, if he appears, may—

High Court may alter or reverse finding and sentence, or enhance sentence.

(*a*) alter or reverse the order of such Court, or

(*b*) enhance any punishment that has been awarded, but not so as to inflict a greater punishment than is prescribed by law for the offence, or

(*c*) order the appellant to be re-tried before any Presidency Magistrate or before the High Court, or

(*d*) if it considers that there is no sufficient ground for interfering with the sentence or order appealed against, reject the appeal.

175. Pending any appeal under section 167, the High Court may direct that the execution of the order appealed against be suspended, and if the appellant be in confinement for a bailable offence, may order that he be released on bail.

Suspension of sentence pending appeal.
Release of appellant on bail.

Where the appellant is ultimately sentenced to imprisonment, the time during which he is so released shall be excluded in calculating the term of his imprisonment.

176. In dealing with any appeal under this chapter, the High Court, if it thinks additional evidence upon any point bearing upon the guilt or innocence of the accused person to be necessary, may either take such evidence itself, or may direct it to be taken by a Presidency Magistrate.

High Court may make or direct further inquiry.

When the additional evidence is taken by the Presidency Magistrate, he shall certify such evidence to the High Court, and the High Court shall thereupon proceed to dispose of the appeal.

Unless the High Court otherwise directs, the accused person or his advocate, attorney or pleader, shall be present when the additional evidence is taken.

The provisions of this Act relating to summoning and enforcing the attendance of witnesses and their examination shall, so far as may be, apply to witnesses examined before a Magistrate under this section.

177. No order passed by a Presidency Magistrate shall be reversed or altered on appeal on account of any error or defect, either in the charge or in the proceedings, or on account of the improper admission or rejection of any evidence, unless such error or defect has occasioned a failure of justice, either by affecting the due conduct of the prosecution, or by prejudicing the accused person in his defence.

Order when reversible by reason of error or defect in charge or proceedings.

178. No irregularity in the proceedings prior to the commencement of the trial is a sufficient ground for reversing or altering any order passed in a trial properly held.

Irregularity before trial properly held.

179. When a Presidency Magistrate has passed an order inflicting punishment on any person for an offence not triable by such Magistrate, the High Court shall cancel the order and either try the case itself or direct it to be tried by a Court of competent jurisdiction.

Procedure in case of conviction by Magistrate not having jurisdiction.

180. No appeal shall lie from any order of a Presidency Magistrate, except in the cases provided for by this Act or by any other law for the time being in force.

Unless otherwise provided, no appeal to lie from order of Presidency Magistrate.

Illustrations.

(*a.*) There is no appeal against an order refusing to grant compensation in case of a groundless complaint.

(*b.*) There is no appeal against an order requiring a person to furnish security to keep the peace.

(*c.*) There is no appeal against an order requiring a person to furnish security to be of good behaviour.

(*d.*) There is no appeal against an order of maintenance.

181. Whenever an application is made to the High Court for the exercise of the powers conferred by the High Courts' Criminal Procedure Act, 1875, section 147, the applicant shall give to the Public Prosecutor, Government Solicitor, or such other officer as the Local Government appoints in this behalf, notice in writing of the application, together with a copy of the grounds on which it is to be made; and no order shall be made on the merits of the application unless at least twenty-four hours have elapsed between the giving of such notice and the hearing of the application.

Notice to Public Prosecutor of intention to apply under Act X of 1875, s. 147.

182. When the decision of any Presidency Magistrate is called in question in the High Court, the Magistrate may submit with the record of the case a statement setting forth the grounds of his decision and any facts which he thinks material to the issue; and the Court shall consider such statement before overruling or setting aside the said decision.

Statement by Magistrate of grounds of his decision, to be considered by High Court.

CHAPTER XIII.—OF EXECUTION.

183. In cases tried by a Presidency Magistrate, the Magistrate passing any order inflicting imprisonment or whipping shall forward the accused person with a warrant for the execution of the sentence to the officer in charge of the jail of the Presidency town in which the trial was held,

Court to send accused with warrant for execution of sentence to officer in charge of jail.

or where there are more such jails than one, to the officer in charge of such of them as the Local Government from time to time directs in this behalf.

The warrant shall state the offence of which the accused person has been convicted, the nature of the punishment to which he has been sentenced, and if he has been sentenced to imprisonment, the term for which he is to be imprisoned.

184. Every such warrant shall be in writing under the hand of the Magistrate who issues it, and shall be directed to the officer in charge of the jail aforesaid, and shall be in the form (F) given in the third schedule to this Act or to the like effect.

Form and direction of warrant of commitment.

185. Whenever a fine is imposed under this Act, the Presidency Magistrate may issue a warrant for the levy of the amount of the fine by distress and sale of any moveable property belonging to the offender, although the sentence directs that, in default of payment of the fine, the offender shall be imprisoned.

Levy of fine.

Such warrant may be executed within the local limits of such Magistrate's jurisdiction, and it shall authorize the distress and sale of any such property without such limits when endorsed by the Magistrate of the District in which it is found.

This section shall not apply to cases in which any special procedure is laid down, by any special or local law in force for the time being, for the recovery of any fine, but shall apply to cases in which no such procedure is laid down, and to all fines not levied when this Act comes into force, but which might have been levied under this section if it had been in force when they were imposed.

Section to what cases applicable.

When a warrant is issued under this section, the Presidency Magistrate may order the offender to be imprisoned until return can be conveniently made to such warrant, unless the offender enter into a recognizance with or without sureties as the Magistrate thinks fit, conditioned for his appearance before the Magistrate on the day appointed for such return, such day not being more than eight days from the time of taking the recognizance. But if, before issuing such warrant of distress, it appears to the Magistrate, by the admission of the offender or otherwise, that no sufficient distress can be had within the local limits of his jurisdiction whereon to levy such fine or penalty, he may, if he think fit, refrain from issuing such warrant.

Detention of offender until return made to distress-warrant.

No distress made under this Act shall be deemed unlawful, nor shall any person making the same be deemed a trespasser on account of any defect or want of form in the summons, conviction, warrant of distress or other proceeding relating thereto.

Distress not illegal, nor distrainer a trespasser for defect of form in proceedings.

The said warrant may be issued either by the Magistrate who imposes the fine, or by his successor in office.

Who may issue distress-warrant.

186. Whenever a Presidency Magistrate imposes a fine under any law in force for the time being, he may order the whole or any part of the fine to be paid in compensation—

Payment of fine in compensation.

(*a*) for expenses properly incurred in the prosecution,

(*b*) for the injury complained of, where such injury can, in the opinion of such Magistrate, be compensated by money.

Such payment shall be made, as the Magistrate thinks fit, to or for the benefit of the complainant, or the person injured, or both.

If the fine be imposed in a case which is subject to appeal, no such payment shall be made until the period allowed for presenting the appeal has elapsed, or, if an appeal be presented, until after the decision of the appeal.

At the time of awarding damages in any subsequent civil suit relating to the same matter, the Court shall take into consideration any sum which may have been paid under this section.

187. When the punishment of whipping is imposed, in addition to imprisonment, in a case which is subject to appeal, the whipping shall not be inflicted until fifteen days from the date of such sentence, or, if an appeal be made within that time, until the sentence is confirmed by the High Court: but the whipping shall be inflicted immediately on the expiry of the fifteen days, or, in case of an appeal, immediately on the receipt of the order of the High Court confirming the sentence.

Whipping, if imposed in addition to imprisonment, in appealable case, when to be inflicted.

188. In the case of a person of or over sixteen years of age, the punishment of whipping shall be inflicted with such instrument, in such mode, and on such part of the person, as the Local Government directs; and in the case of a person under sixteen years of age, it shall be inflicted in the way of school-discipline with a light ratan.

Mode of inflicting punishment of whipping.

In no case, if the cat-o'-nine-tails be the instrument employed, shall the punishment of whipping exceed one hundred and fifty lashes, or, if the ratan be employed, shall such punishment exceed thirty stripes.

The punishment of whipping shall be inflicted in the presence of the officer in charge of the jail.

189. The punishment of whipping shall not be inflicted unless a medical officer, if present, certifies, or, if there is not a medical officer present, unless it appears to the officer present, that the offender is in a fit state of health to undergo such punishment.

Punishment not to be inflicted if offender not in fit state of health.

If, during the execution of a sentence of whipping, a medical officer certifies, or it appears to the officer present, that the offender is not in a fit state of health to undergo the remainder of the sentence, the whipping shall be finally stopped.

Stay of execution.

190. No sentence of whipping shall be executed by instalments.

Not to be executed by instalments.

191. In any case in which, under section 189, a sentence of whipping is, wholly or partially, prevented from being executed, the offender shall be kept in custody till the Magistrate who passed the sentence can revise it; and the said Magistrate may, at his discretion, either remit such sentence, or sentence the offender, in lieu of whipping, or in lieu of so much of the sentence of whipping as was not executed, to imprisonment for any period, which may be in addition to any other punishment to which he may have been sentenced for the same offence:

Procedure if punishment cannot be inflicted under section 188.

Provided that the whole period of imprisonment to which such offender is sentenced shall not exceed that to which he is liable by law, or that which the Magistrate is competent to inflict.

192. When sentence is passed under this Act on an escaped convict, such sentence, if of fine or whipping, shall take effect immediately, and, if of imprisonment, shall take effect after he has undergone the portion of his former sentence which remained unexpired at the time of his escape.

Currency of sentence on escaped convicts.

193. When a person already under sentence of imprisonment or transportation is sentenced under this Act to imprisonment, such imprisonment shall commence at the expiration of the imprisonment or transportation to which such person has been previously sentenced.

Commencement of sentence on offender already sentenced for other offence.

PART III.

CHAPTER XIV.—OF LUNATICS.

194. When any person accused before a Presidency Magistrate of an offence appears to such Magistrate to be of unsound mind and incapable of making his defence, the Magistrate shall enquire into the fact of such unsoundness, and shall cause the accused person to be examined by such medical officer as the Local Government directs, and thereupon shall examine such officer as a witness, and shall reduce the examination into writing.

Procedure when accused is a lunatic.

If such Magistrate is of opinion that the accused person is of unsound mind, he shall stay further proceedings in the case.

195. When, from the evidence given before a Presidency Magistrate, there appears to be sufficient ground for believing that an accused person committed an act which, if he had been of sound mind, would have been an offence, and that he was at the time when the act was committed, by reason of unsoundness of mind, incapable of knowing the nature of such act, or that he was doing what was contrary to law, the Presidency Magistrate shall, if such accused person appears to be of sound mind at the time of the inquiry or trial, proceed with the case.

When accused appears to have been insane.

196. Whenever an accused person is found to be of unsound mind and incapable of making his defence, the Presidency Magistrate, if the offence of which such person is accused be bailable, may release him on sufficient bail being given that he shall be properly taken care of, and shall be prevented from doing injury to himself or to any other person, and for his appearance when required before the Magistrate or such officer as the Magistrate appoints in this behalf.

Release of lunatic on bail.

If the offence be non-bailable, or if sufficient bail be not given, the Magistrate shall report the case for the order of the Local Government, and the accused person shall be kept in safe custody in such place as the Local Government directs.

Custody when bail not given.

197. Whenever proceedings are stayed under section 194, the Presidency Magistrate may at any time resume the inquiry or trial, and require the accused person to appear or to be brought before him.

Resumption of inquiry or trial.

When the accused person has been released under section 196, and the sureties for his appearance produce him to the officer whom the Magistrate appoints in this behalf, the certificate of such officer that the accused person is capable of making his defence shall be receivable as evidence.

198. If, when the accused person appears or is again brought before the Magistrate, such Magistrate considers him capable of making his defence, the inquiry or trial shall proceed.

Procedure on accused appearing before Magistrate.

If the Magistrate considers the accused person to be still incapable of making his defence, the Magistrate shall again act according to section 194.

199. Whenever any person is acquitted by a Presidency Magistrate upon the ground that, at the time at which such person is alleged to have committed an offence he was, by reason of unsoundness of mind, incapable of knowing the nature of the act alleged as constituting the offence complained of, or that he was doing what was contrary to law, the order of acquittal shall state specially whether he committed the act or not.

Finding in case of acquittal on ground of being lunatic.

200. Whenever such order states that the accused person committed the act alleged, the Presidency Magistrate before whom the trial was held shall, if such act would, but for the incapacity found, have constituted an offence, order such person to be kept in safe custody in such place and manner as the Magistrate thinks fit, and shall report the case for the order of the Local Government.

Procedure when lunatic committed the act alleged.

The Local Government may order such person to be kept in safe custody in a lunatic asylum or other suitable place of safe custody.

201. When any person is confined under the provisions of section 196 or 200, the Inspector-General of Prisons, if such person is confined in a jail, or the visitors of the lunatic asylums, or any two of them, if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector-General or by two of such visitors as aforesaid; and such Inspector-General or visitors shall make a special report to the Local Government as to the state of mind of such person.

Visiting of lunatic prisoners.

202. If such person is confined under section 196, and such Inspector-General or visitors as aforesaid shall certify that, in his or their opinion, such person is capable of making his defence, he shall be taken before the Presidency Magistrate at such time as such Magistrate appoints, and such Magistrate shall deal with such person under the provisions of section 198; and the certificate of such Inspector-General or visitors as aforesaid shall be receivable as evidence.

Procedure where lunatic prisoner reported capable of making defence.

203. If such person is confined under the provisions of section 200, and such Inspector-General or visitors as aforesaid certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon either order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum, if he has not been already sent to such an asylum; and may appoint a commission, consisting of a judicial officer and two medical officers, whereof the chief medical officer attached to the lunatic asylum shall be one.

Procedure where lunatic confined under section 199 is declared capable of being discharged.

The said commission shall make formal inquiry into the state of mind of such person, taking such evidence as is necessary, and shall report to the Local Government, who may order his discharge or detention as it thinks fit.

204. Whenever any relative or friend of any person detained under the provisions of section 200 is desirous that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend, and on his giving security to the satisfaction of such Government that the person so detained shall be properly taken care of and shall be prevented from doing injury to himself or another, may order such person to be delivered to such relative or friend.

Delivery of lunatic to care of relative.

Whenever such person is so delivered over, it shall be upon condition that he shall be produced for the inspection of such officer as the Local Government appoints, and at such times as such Government directs.

The provisions of sections 201 and 203 shall, *mutatis mutandis*, apply to persons detained under the provisions of this section; and the certificate of the inspecting officer appointed under this section shall be dealt with as a certificate of the Inspector-General of Prisons, or the visitors of lunatic asylums, under the said sections.

CHAPTER XV.—OF CONTEMPTS OF COURT.

205. When any such offence as is described in sections 175, 178, 179, 180 or 228 of the Indian Penal Code is committed in the view or presence of a Presidency Magistrate, he may cause the offender to be detained in custody; and, at any time before the Magistrate leaves his court on the same day, he may take cognizance of the offence, and sentence the offender to punishment by fine not exceeding two hundred rupees, and, in default of payment, by imprisonment in the civil jail for a period not exceeding one month, unless such fine be sooner paid.

Procedure in certain cases of contempt.

In every such case, the Magistrate shall record the acts constituting the offence, with the statement (if any) made by the offender as well as the finding and sentence.

If the offence is under section 228 of the Indian Penal Code, the record must show the nature and stage of the judicial proceeding in which the Magistrate interrupted or insulted was sitting, and the nature of the insult or interruption.

206. If the Presidency Magistrate considers that a person accused of any of the offences referred to in section 205 should be imprisoned otherwise than in default of payment of fine, or that a fine exceeding two hundred rupees should be imposed upon him, such Magistrate, after recording the facts constituting the offence, and the statement of the accused person, shall forward the case to another Presidency Magistrate, and shall require bail to be given for the appearance of such accused person before such other Magistrate, or, if sufficient bail be not given, shall forward such person under custody to such Magistrate.

Procedure where Court considers that accused should be imprisoned, or fined more than 200 rupees.

Such other Magistrate shall proceed to try the accused person in the manner provided by this Act for trials before a Presidency Magistrate; and may sentence the offender to punishment, as provided in the section under which he is charged.

207. When any Presidency Magistrate has sentenced an offender to punishment, or forwarded him to another Magistrate for trial, for refusing or omitting to do anything which he was lawfully required to do, or for any intentional insult or interruption, the former Magistrate may discharge the offender, or remit the punishment, on his submission to the order or requisition of such Magistrate, or on apology being made to his satisfaction.

Discharge of offender on submission or apology.

CHAPTER XVI.—OF SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR.

A.—Security for keeping the Peace.

208. Whenever a person accused of rioting, assault, or other breach of the peace, or with abetting the same, or with assembling armed men or taking other unlawful measures with the evident intention of committing the same, is convicted of such offence before a Presidency Magistrate,

Personal recognizance to keep the peace in cases of conviction.

and such Magistrate is of opinion that it is necessary to require such person to execute a personal recognizance for keeping the peace,

he may, in addition to any other order passed in the case, order the person so convicted to execute a personal recognizance for keeping the peace during such period as the Magistrate thinks fit to fix, not exceeding one year.

209. Whenever a Presidency Magistrate is of opinion that it is necessary to require sureties for keeping the peace, in addition to the personal recognizance of the person so convicted, such Magistrate may require him to give such sureties, and may fix the penalties which the sureties shall be respectively bound to discharge, and may direct that, if such bail be not given, he shall be imprisoned for such term not exceeding one year as the Magistrate thinks fit.

Sureties for keeping the peace.

210. If the person so convicted be sentenced to imprisonment, the period so fixed, and the term of imprisonment in default of executing the recognizance, shall commence on the expiration of his sentence.

Commencement of period during which person may be bound to keep peace.

Where the order to execute such recognizance is not made at the time of signing, or by the Magistrate who signs, the judgment, the person so convicted must be produced before the Magistrate making such order.

211. Whenever it appears to a Presidency Magistrate that it is necessary for the preservation of the peace that the term for which any person is so bound should be extended, he may, before the expiration of the first year, record his opinion to that effect and the grounds thereof, and may refer the case for the orders of the High Court.

Extension of time for which person is bound.

Such Court, after examining the proceedings of the Magistrate, and making such further inquiry as it thinks necessary, may, if it see cause, authorize him to extend such term for a further period not exceeding one year from the expiration of the first year.

EXPLANATION.—When the subject of dispute, or ground for apprehension, is the same as that on

which the first order was passed, the Magistrate must proceed under this section if the first bond is still in force, and not under section 215.

B.—Security for Good Behaviour.

212. Whenever it is proved before a Presidency Magistrate that any person is lurking within the local limits of his jurisdiction, or that there is within such limits a person who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, the Magistrate may require such person to enter into such recognizance, with sureties for his good behaviour for a period not exceeding six months, as the Magistrate thinks sufficient.

When Magistrate may require security for good behaviour for six months.

213. Whenever it is proved before a Presidency Magistrate that any person is by repute

When Magistrate may require security for good behaviour for one year.

a robber, house-breaker or thief,

or a receiver of stolen property, knowing the same to have been stolen,

or of notoriously bad livelihood,

or of a dangerous character,

such Magistrate may require similar security for the good behaviour of such person for a period not exceeding one year.

214. Whenever it is proved before a Presidency Magistrate that any person is

Procedure where security required for more than one year.

an habitual robber, house-breaker or thief,

or an habitual receiver of stolen property, knowing the same to have been stolen,

or of a dangerous character

and that his release without security, at the expiration of the limited period of one year, would be hazardous to the community,

the Magistrate shall record his opinion to that effect, and make an order requiring similar security for the good behaviour of such person for a period not exceeding three years.

If such person does not comply with the order, the Magistrate shall issue a warrant directing his detention pending the orders of the High Court.

C.—Provisions as to both kinds of Security.

215. Whenever a Presidency Magistrate receives information that any person is likely to commit a breach of the peace, or to do any act that may probably occasion a breach of the peace, or that he is one of the persons referred to in sections 212, 213 and 214, he may summon such person to attend at a time and place mentioned in the summons, to show cause why he should not be required to execute a recognizance to keep the peace or for good behaviour, as the case may be.

Summons to person to show cause why he should not give bond to keep peace or for good behaviour.

EXPLANATION I.—A summons calling on a person to show cause why he should not execute such recognizance, may be issued on any report or other information which the Magistrate believes; but the Magistrate shall not require any person to execute such recognizance until the Magistrate has adjudicated on evidence before him.

EXPLANATION II.—A Magistrate may, if he thinks fit, recall any summons issued under this section.

216. Such summons shall set forth the substance of the report or information on which it is issued, the penalty to be specified in the recognizance, and the term for which it is to be in force, and, if bail are to be taken, their number, the penalties which they shall be respectively bound to discharge, and the time and place at which the person summoned is required to attend.

Contents of summons.

When the person believed to be likely to commit a breach of the peace or to be one of the persons referred to in sections 212, 213 and 214, is present in Court no summons is necessary, but the Magistrate may at once require him to show cause why he should not be required to execute the recognizance.

217. If the person summoned does not attend on the day appointed at the hour and place named in the summons, the Presidency Magistrate, if satisfied that the summons has been duly served, may issue a warrant for his arrest:

When warrant of arrest may issue.

Provided that, whenever it appears to such Magistrate, upon the report of a Police-officer or upon other credible information (the substance of which report or information shall be recorded by the Magistrate on the warrant) that there is reason to fear the commission of a breach of the peace, which may probably be prevented by the immediate arrest of any person, or that there is reason to think that any person is one of the persons so referred to, the Magistrate may at any time issue a warrant for his arrest.

218. The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of the person informed against under section 215, and may permit him to appear and execute the required recognizance, or show cause against such requisition, by an advocate, attorney or pleader.

Magistrate may dispense with personal attendance of person informed against.

219. If on the appearance of the person so informed against or, if his attendance is dispensed with, of his advocate, attorney or pleader, the Magistrate is not satisfied that there is occasion to bind over such person to keep the peace, or to be of good behaviour the Magistrate shall direct his discharge.

Discharge of person informed against.

220. If the Magistrate is satisfied that it is necessary for the preservation of the peace or the maintenance of good behaviour that such person shall execute a recognizance, the Magistrate shall make an order accordingly.

Order to give bond and consequence of non-compliance.

The penalty specified in every recognizance executed under this chapter shall be fixed with due regard to the circumstances of the case and the means of the person bound.

The penalty which the sureties shall be jointly and severally bound to discharge shall not exceed the penalty which the principal debtor is bound to discharge.

221. If a person required to furnish security under section 214 does not furnish the same, or offers sureties whom the Magistrate rejects, the proceedings shall be laid, as soon as conveniently may be, before the High Court.

Proceedings to be laid before High Court.

Such Court, after examining such proceedings and requiring any further information or evidence

which it thinks necessary, may pass such orders on the case as it thinks fit, provided that the period (if any) for which it may direct the security to be taken shall not exceed three years.

Contents of order for security.

222. Whenever security is required under this chapter, the amount of the security, the number and description of sureties, and the period of time for which the recognizance is to remain in force, shall be stated in the order, and the recognizance shall be in the form (H) or (I) as the case may be, given in the third schedule hereto annexed or to the like effect.

Form of recognizance.

Imprisonment in default of security.

223. In the event of any person required to give security under the provisions of this chapter failing to furnish the security so required, he shall be committed to prison until he furnish the same:

Provided that no such person shall be kept in prison for a longer period than that for which the security has been required from him.

Term of imprisonment.

Imprisonment under this section may be rigorous or simple, as the High Court or Magistrate in each case directs.

Binding of sentenced person.

224. If any person required under this chapter to enter into a recognizance is under sentence of imprisonment, he shall, on or after the expiration of his sentence, be brought up before the Magistrate for the purpose of entering into such recognizance.

Release of prisoners under requisition of security.

225. A Presidency Magistrate may at any time release any person imprisoned for failing to furnish security for good behaviour, whether by his own order, or that of his predecessor in office, provided that the Magistrate is of opinion that such person may be released without hazard to the community.

Release of prisoner under requisition of security by order of High Court.

Whenever a Presidency Magistrate is of opinion that any person imprisoned for failing to furnish security for good behaviour, as ordered by the High Court, may be safely released without such security, such Magistrate shall make an immediate report of the case for the orders of the High Court.

Discharge of sureties.

226. A surety for the peaceable conduct or good behaviour of another person may at any time apply to a Presidency Magistrate to discharge his recognizance.

On such application being made, the Magistrate shall issue his summons or warrant requiring the person for whom such surety is bound to appear or be brought before him.

When such person appears or is brought before the Magistrate, such Magistrate shall discharge the recognizance of the surety, and shall order such person to give a fresh surety.

Commission, &c., of offence a breach.

227. The commission, or attempt to commit, or the abetment, of any offence whatever, and wherever it may be committed, is a breach of the recognizance.

Recovery of penalty from principal.

228. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter has been forfeited, he shall record the grounds of such proof and call upon the person bound by such recognizance to pay the penalty thereof, or to show cause why it should not be paid.

If sufficient cause be not shown and the penalty be not paid, the Magistrate shall proceed to recover the same by issuing a warrant for the attachment and sale of any moveable property belonging to the person bound by such recognizance.

Such warrant may be executed within the local limits of the jurisdiction of the Magistrate in which it is issued; and it shall authorize the distress and sale of any moveable property belonging to the person so bound without such limits, when endorsed by the Magistrate of the District in which such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, the person so bound shall be liable to imprisonment by order of the Presidency Magistrate in the civil jail for a period not exceeding six months.

The penalty shall not be enforced until the person so bound has had an opportunity of showing cause against the enforcement, and until the breach of the condition of the recognizance has been proved.

Recovery of penalty from surety.

229. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter by a surety has been forfeited, the Magistrate may give notice to the surety to pay the penalty to which he has thereby become liable, or to show cause why it should not be paid.

If no sufficient cause is shown, and such penalty is not paid, the Magistrate may proceed to recover the penalty from such surety in manner provided by the last preceding section.

And in case such penalty cannot be so recovered, the Magistrate may sentence the surety to imprisonment in the civil jail for a period not exceeding six months.

Proof of previous conviction.

230. Any previous conviction of the person to be bound may, in proceedings under this chapter, be proved in the manner prescribed in section 153.

Where proceedings under this chapter may be taken.

231. Proceedings under this chapter may be taken in any district in which the breach of the peace is apprehended, or in which an offence has been committed in breach of the bond, or in which the person whom it is desired to bind may be.

Provisions of chapter not applying to European vagrants.

232. The provisions of this chapter relating to security for good behaviour do not apply to European British subjects in cases where they may be dealt with under the European Vagrancy Act, 1874.

CHAPTER XVII.—OF RESTORING POSSESSION OF IMMOVEABLE PROPERTY.

Power to restore possession of immoveable property.

233. Whenever any person is convicted by a Presidency Magistrate of an offence attended with criminal force, and it appears to such Magistrate that, by such criminal force, any person has been dispossessed of any immoveable property, the Magistrate may order such person to be restored to possession.

No such order shall prejudice any right over such immoveable property which any person may be able to show in a civil suit.

CHAPTER XVIII.—OF THE MAINTENANCE OF WIVES AND FAMILIES.

Order for maintenance of wives and children.

234. If any person, having sufficient means, neglects or refuses to maintain his wife, or his legitimate or illegitimate child unable to maintain itself, a Presidency Magistrate may, upon due proof thereof by evidence, order such person to make a monthly allowance for the maintenance of his said wife, or child, or both, at such monthly rate not exceeding fifty rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate from time to time directs.

Such allowance shall be payable from the date of the order.

Enforcement of order.

If any person so ordered wilfully neglects to comply with the order, a Presidency Magistrate may, for every breach of the order, issue a warrant for levying the amount due in manner hereinbefore provided for levying fines; and may sentence such person, for each month's allowance remaining unpaid, to imprisonment for any term not exceeding one month:

Proviso.

Provided that, if such person offers to maintain his wife on condition of her living with him, and his wife refuses to live with him, such Magistrate may consider any grounds of refusal stated by such wife; and may make the order allowed by this section notwithstanding such offer, if he is satisfied that such person is living in adultery, or that he has habitually treated his wife with cruelty.

No wife shall be entitled to receive an allowance from her husband under this section, if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by mutual consent.

Alteration in allowance.

235. On the application of any person receiving or ordered to pay a monthly allowance under the provisions of section 234, and on proof of a change in the circumstances of such person, his wife, or child, the Magistrate may make such alteration in the allowance ordered as he thinks fit, provided the monthly rate of fifty rupees be not exceeded.

Enforcement of order.

236. A copy of the order of maintenance shall be given without fee to the person in whose favour it is made, or to his guardian (if any); and such order shall be enforceable by any Magistrate in any place where the person against whom it is made may be, on such Magistrate being satisfied as to the identity of the parties and the non-payment of the allowance due.

PART IV.

CHAPTER XIX.—MISCELLANEOUS.

Procedure in miscellaneous criminal cases and proceedings.

237. The procedure prescribed by this Act shall be followed, so far as it can be, in all miscellaneous criminal cases and proceedings which are instituted in any Presidency Magistrate's Court.

Offences against Railway, Telegraph, Post Office and Arms' Acts.

238. All offences against the provisions of any law for the time being in force relating to Railways, Telegraphs, the Post Office, and Arms and Ammunition may be enquired into by a Presidency Magistrate, and may be tried according to the provisions of this Act.

Extent of jurisdiction.

239. The powers conferred on a Presidency Magistrate by section 238 may be exercised whether the offence is stated to have been committed within the local limits of his jurisdiction or not; but such powers shall only be exercised if the witnesses necessary for the prosecution of the offender are to be found within such limits.

Reference to High Court.

240. A Presidency Magistrate may, if he thinks fit, refer for the opinion of the High Court any question of law which may arise in the hearing of any case in which he has jurisdiction; or may give judgment in any such matter, subject to the decision of the High Court on such reference; and, pending such decision by the High Court, may either commit the accused person to jail or release him on bail to appear for judgment when called upon.

Disposal of case according to decision of High Court.

241. When a question has been so referred, the High Court shall pass such order thereon as it thinks fit, and shall cause a copy of such order to be sent to the Magistrate by whom the reference was made, who shall proceed to dispose of the case conformably to the said order.

Direction as to costs.

The High Court may direct by whom the costs of the reference shall be paid.

Order for disposal of property regarding which offence committed.

242. When the inquiry or trial before any Presidency Magistrate is concluded, he may make such order as he thinks fit for the disposal of any moveable property produced before him regarding which any offence appears to have been committed.

EXPLANATION.—In this section the term property' includes not only such property as has been originally in the possession or under the control of any party, but also any property into or for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise.

Power to order disposal of property connected with charge, in Police-custody.

243. If any property alleged to be stolen or fraudulently obtained, is in the custody of any Police-officer by virtue of any warrant of a Presidency Magistrate, or in prosecution of any complaint of an offence in regard to the obtaining thereof, and the person accused of such offence is not found, or has been summarily dealt with and discharged, or has been tried and acquitted,

or if such person has been tried and found guilty, but the property so in custody has not been included in the charge upon which he has been found guilty,

or if any property has been seized by a Police-officer under chapter XI,

any Presidency Magistrate may make an order for the delivery of such property to the person appearing to be the rightful owner thereof; or, in case the owner cannot be ascertained, may make such order with respect to the property as the Magistrate thinks fit:

Provided that no such order shall bar the right of any person to sue the person to whom the property is delivered, and to recover such property from him, so that the suit be instituted within six months next after such order has been made.

Expenses of complainants and witnesses.

244. Subject to any rules that may be made by the Local Government, with the previous sanction of the Governor General in Council, a Presidency Magistrate may order payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any trial under this Act.

All persons to give information of certain offences.

245. Every person aware of the commission within the local limits of the jurisdiction of a Presidency Magistrate of any offence made punishable under sections 121, 121A, 122, 123, 124, 124A, 125, 126, 130, 302, 303, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459 or 460 of the Indian Penal Code, shall, in the absence of reasonable excuse, the burthen of proving which shall lie upon such person, give information of the same to the nearest Police-officer or Presidency Magistrate.

All persons to assist Magistrate and Police in certain cases.

246. Within such local limits every person is bound to assist a Presidency Magistrate or Police-officer demanding his aid

in the prevention of a breach of the peace,

or in the suppression of a riot or an affray,

or in the taking of any other person whom such Magistrate or Police-officer is authorized to arrest.

SCHEDULE I.

ACTS REPEALED.

(SEE SECTION 2.)

No. and year.	Title or subject.	Extent of repeal.
XIII of 1856 ...	Presidency Towns Police	In the preamble, the words "and the administration of justice in the Police Courts." In section one, the words and figures "sections II and IV of Act XXII of 1837 and" Sections twenty-two, twenty-three, twenty-six to thirty-one (both inclusive), thirty-six, thirty-seven, forty-one, forty-two, forty-four, forty-five, eighty-three, eighty-four, eighty-seven, ninety-five to ninety-eight (both inclusive), one-hundred to one-hundred-and-four (both inclusive), one-hundred-and-six, one-hundred-and-eight to one-hundred-and-eleven (both inclusive). In section twenty-four, the words "or by any Magistrate of Police." In section thirty-five, clause two, the words "on oath." In section ninety-three, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
XLVIII of 1860	Amending Act XIII of 1856.	Sections four, five, six, eight, ten, twenty-four, twenty-five and twenty-six.
LII of 1860 ...	Trials for breach of Railway Police Regulations.	The whole.
XXI of 1864 ...	An Act for the extension of the jurisdiction of the Magistrates of Police in Calcutta.	The whole.
Madras Act VIII of 1867.	Madras Town Police and Police Magistrates.	In the preamble, the words "and to extend the jurisdiction of the Town Police Magistrates." Sections ten, twelve to sixteen (both inclusive), nineteen, twenty-one, twenty-two, fifty-two, fifty-three, sixty to seventy (both inclusive), seventy-two to seventy-four (both inclusive). In section fifty-eight, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act IV of 1866.	The Calcutta Police Act, 1866.	Sections twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, thirty, thirty-one, sixty-nine, seventy-three, eighty-two to ninety-four (both inclusive), ninety-six to ninety-eight (both inclusive). In section seventy-nine, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act VIII of 1866.	Amending Bengal Act IV of 1866.	The whole.
Bombay Act IV of 1866.	Court of Petty Sessions, Bombay.	The whole.

SCHEDULE II.

TABULAR STATEMENT OF OFFENCES.

(SEE SECTION 4.)

EXPLANATORY NOTES.—*1st.*—The entries in the second and sixth columns of the schedule, headed respectively "Offence" and "Punishment under the Indian Penal Code," are not intended as definitions of the offences and punishments described in the several corresponding sections of the Indian Penal Code, or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the 1st column.

2nd.—The term "Whether bailable or not," in column 5, is to be taken in connection with the provisions of sections 70 and 71 of this Act.

3rd.—The High Court may try an offence entered in column 7 as triable by a Magistrate.

4th.—The last part of the schedule, headed "Offences against other Laws," shall not be taken to alter or affect any special provision contained in such laws regarding the procedure to be followed in the case of offences made punishable thereby.

5th.—The direction in column 4 is meant to indicate to Presidency Magistrates the manner in which the discretion vested in them by sections 34 and 35 is commonly to be used.

CHAPTER V.—OF ABETMENT.

1	2	3	4	5	6	7
Section.	OFFENCE.	Whether the Police may arrest without warrant or not.	Whether a warrant or a summons shall ordinarily issue in the first instance.	Whether bailable or not.	Punishment under the Indian Penal Code.	By what Court triable.
109	Abetment of any offence, if the act abetted is committed in consequence, and where no express provision is made for its punishment.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence abetted.	By the Court by which the offence abetted is triable.
110	Abetment of any offence, if the person abetted does the act with a different intention from that of the abettor.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto.

CHAPTER V.—OF ABETMENT—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
111	When one act is abetted and a different act is done, subject to the proviso.	May arrest without warrant if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence intended to be abetted.	By the Court by which the offence abetted is triable.
113	When an effect is caused by the act abetted different from that intended by the abettor.	Ditto ...	Ditto ...	Ditto ...	The same punishment as for the offence committed.	Ditto.
114	If abettor is present when offence is committed.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
115	Abetment of an offence punishable with death or transportation for life, if the offence be not committed in consequence of the abetment.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If an act which causes harm be done in consequence of the abetment.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 14 years and fine.	Ditto.
116	Abetment of an offence punishable with imprisonment, if the offence be not committed in consequence of the abetment.	Ditto ...	Ditto ...	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the abettor or the person abetted be a public servant, whose duty is to prevent the offence.	Ditto ...	Ditto ...	Ditto ...	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
117	Abetting the commission of an offence by the public, or by more than ten persons.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
118	Concealing a design to commit an offence punishable with death or transportation for life, if the offence be committed.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If the offence be not committed	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
119	A public servant concealing a design to commit an offence which it is his duty to prevent, if the offence be committed.	Ditto ...	Ditto ...	According as the offence abetted is bailable or not.	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the offence be punishable with death or transportation.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years.	Ditto.
	If the offence be not committed	Ditto ...	Ditto ...	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
120	Concealing a design to commit an offence punishable with imprisonment, if the offence be committed.	Ditto ...	Ditto ...	Ditto ..	Imprisonment extending to quarter part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.
	If not committed	Ditto ...	Ditto ...	Ditto ..	Imprisonment extending to one-eighth part of the longest term, and of the description provided for the offence, or fine, or both.	Ditto.

CHAPTER VI.—OFFENCES AGAINST THE STATE.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.	Shall not arrest without warrant.	Warrant ...	Not bailable	Death, or transportation for life, and forfeiture of property.	High Court.
121A	Conspiring to commit certain offences against the State.	Ditto ...	Ditto ...	Ditto ...	Transportation for life or any shorter term, or imprisonment of either description for 10 years.	Ditto.
122	Collecting arms, &c., with the intention of waging war against the Queen.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and forfeiture of property.	Ditto.
123	Concealing with intent to facilitate a design to wage war.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
124	Assaulting Governor General, Governor, &c., with intent to compel or restrain the exercise of any lawful power.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
124A	Exciting, or attempting to excite, disaffection	Ditto ...	Ditto ...	Ditto ...	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine.	Ditto.
125	Waging war against any Asiatic Power in alliance or at peace with the Queen, or abetting the waging of such war.	Ditto ...	Ditto ...	Ditto ...	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine.	Ditto.
126	Committing depredation on the territories of any Power in alliance or at peace with the Queen.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine, and forfeiture of certain property.	Ditto.
127	Receiving property taken by war or depredation, mentioned in sections 125 and 126.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
128	Public servant voluntarily allowing prisoner of State or War in his custody to escape.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
129	Public servant negligently suffering prisoner of State or War in his custody to escape.	Ditto ...	Ditto ...	Bailable ...	Simple imprisonment for 3 years and fine.	High Court or Magistrate.
130	Aiding escape of, rescuing, or harbouring, such prisoner, or offering any resistance to the recapture of such prisoner.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY.

131	Abetting mutiny, or attempting to seduce an officer, soldier or sailor from his allegiance or duty.	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
132	Abetment of mutiny, if mutiny is committed in consequence thereof.	Ditto ...	Ditto ...	Ditto ...	Death or transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
133	Abetment of an assault by an officer, soldier or sailor on his superior officer when in the execution of his office.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
134	Abetment of such assault, if the assault is committed.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
135	Abetment of the desertion of an officer, soldier or sailor.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
136	Harbouring such an officer, soldier or sailor who has deserted.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
137	Deserter concealed on board merchant-vessel, through negligence of master or person in charge thereof.	Shall not arrest without warrant.	Summons ...	Ditto ...	Fine of 500 rupees	Ditto.
138	Abetment of act of insubordination by an officer, soldier or sailor, if the offence be committed in consequence.	May arrest without warrant.	Warrant ...	Ditto ..	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
140	Wearing the dress or carrying any token used by a soldier, with intent that it may be believed that he is such a soldier.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY.

143	Being member of an unlawful assembly ...	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
144	Joining an unlawful assembly armed with any deadly weapon.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
145	Joining or continuing in an unlawful assembly, knowing that it has been commanded to disperse.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
147	Rioting	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
148	Rioting armed with a deadly weapon ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
149	If an offence be committed by any member of an unlawful assembly, every other member of such assembly shall be guilty of the offence.	According as arrest may be made without warrant for the offence or not.	According as a warrant or summons may issue for the offence.	According as the offence is bailable or not.	The same as for the offence ...	By the Court by which the offence is triable.
150	Hiring, engaging, or employing persons to take part in an unlawful assembly.	May arrest without warrant.	According to the offence committed by the person hired, engaged, or employed.	Ditto ...	The same as for a member of such assembly, and for any offence committed by any member of such assembly.	Ditto.
151	Knowingly joining or continuing in any assembly of five or more persons after it has been commanded to disperse.	Ditto ...	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
152	Assaulting or obstructing public servant when suppressing riot, &c.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
153	Wantonly giving provocation with intent to cause riot, if rioting be committed.	May arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
	If not committed	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
154	Owner or occupier of land not giving information of riot, &c.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Fine of 1,000 rupees	Ditto.
155	Person for whose benefit or on whose behalf a riot takes place not using all lawful means to prevent it.	Ditto ...	Ditto ...	Ditto ...	Fine	Ditto.
156	Agent of owner or occupier for whose benefit a riot is committed not using all lawful means to prevent it.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
157	Harbouring persons hired for an unlawful assembly.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
158	Being hired to take part in an unlawful assembly or riot.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	Or to go armed	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
160	Committing affray	Shall not arrest without warrant.	Summons ...	Ditto ...	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Ditto.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS.

161	Being or expecting to be a public servant, and taking a gratification other than legal remuneration in respect of an official act.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
162	Taking a gratification in order by corrupt or illegal means to influence a public servant.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
163	Taking a gratification for the exercise of personal influence with a public servant.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
164	Abetment by public servant of the offences defined in the last two preceding clauses with reference to himself.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
165	Public servant obtaining any valuable thing, without consideration, from a person concerned in any proceeding or business transacted by such public servant.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
166	Public servant disobeying a direction of the law with intent to cause injury to any person.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 year, or fine, or both.	Ditto.
167	Public servant framing an incorrect document with intent to cause injury.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
168	Public servant unlawfully engaging in trade ...	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
169	Public servant unlawfully buying or bidding for property.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 2 years, or fine, or both, and confiscation of property, if purchased.	Ditto.
170	Personating a public servant	May arrest without warrant.	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
171	Wearing garb or carrying token used by public servant with fraudulent intent.	Ditto ...	Summons ...	Ditto ..	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS.

172	Absconding to avoid service of summons or other proceeding from a public servant.	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If summons or notice require attendance in person, &c., in a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
173	Preventing the service or the affixing of any summons or notice, or the removal of it when it has been affixed, or preventing a proclamation.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If summons, &c, require attendance in person, &c., in a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
174	Not obeying a legal order to attend at a certain place in person or by agent, or departing therefrom without authority.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If the order require personal attendance, &c., in a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
175	Intentionally omitting to produce a document to a public servant by a person legally bound to produce or deliver such document.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
	If the document is required to be produced in, or delivered to, a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
176	Intentionally omitting to give notice or information to a public servant by a person legally bound to give such notice or information.	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If the notice or information required respects the commission of an offene, &c.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
177	Knowingly furnishing false information to a public servant.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If the information required respects the commission of an offence, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
178	Refusing oath when duly required to take oath by a public servant.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
179	Being legally bound to state truth, and refusing to answer questions.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
180	Refusing to sign a statement made to a public servant when legally required to do so.	Ditto ...	Ditto ..	Ditto ...	Simple imprisonment for 3 months, or fine of 500 rupees, or both.	Ditto.
181	Knowingly stating to a public servant on oath as true that which is false.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
183	Resistance to the taking of property by the lawful authority of a public servant.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
184	Obstructing sale of property offered for sale by authority of a public servant.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Ditto.
185	Bidding by person under a legal incapacity to purchase it, for property at a lawfully authorised sale, or bidding without intending to perform the obligations incurred thereby.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 month, or fine of 200 rupees, or both.	Ditto.
186	Obstructing public servant in discharge of his public functions.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
187	Omission to assist public servant when bound by law to give such assistance.	Ditto ..	Ditto ..	Ditto ...	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	Wilfully neglecting to aid a public servant who demands aid in the execution of process, the prevention of offences, &c.	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 6 months, or fine of 500 rupees, or both.	Magistrate.
188	Disobedience to an order lawfully promulgated by a public servant, if such disobedience causes obstruction or annoyance or injury to persons lawfully employed.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.
	If such disobedience causes danger to human life, health or safety, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
189	Threatening a public servant with injury to him, or one in whom he is interested, to induce him to do or forbear to do any official act.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
190	Threatening any person to induce him to refrain from making a legal application for protection from injury.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 1 year, or fine, or both.	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE.

193	Giving or fabricating false evidence in a judicial proceeding.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	Giving or fabricating false evidence in any other case.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
194	Giving or fabricating false evidence with intent to cause any person to be convicted of a capital offence.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
	If innocent person be thereby convicted and executed.	Ditto ...	Ditto ...	Ditto ...	Death, or as above	Ditto.
195	Giving or fabricating false evidence with intent to procure conviction of an offence punishable with transportation, or imprisonment for more than seven years.	Ditto ...	Ditto ...	Ditto ...	The same as for the offence ...	Ditto.
196	Using, in a judicial proceeding, evidence known to be false or fabricated.	Ditto ...	Ditto ...	According as the offence of giving such evidence is bailable or not.	The same as for giving or fabricating false evidence.	High Court or Magistrate.
197	Knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence.	Ditto ...	Ditto ...	Bailable ...	The same as for giving false evidence	Ditto.
198	Using as a true certificate one known to be false in a material point.	Ditto ...	Ditto ...	Ditto ..	Ditto	Ditto.
199	False statement made in any declaration which is by law received as evidence.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
200	Using as true any such declaration known to be false.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
201	Causing disappearance of evidence of an offence committed, or giving false information touching it to screen the offender, if a capital offence.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation, or imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with less than 10 years' imprisonment.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
202	Intentional omission to give information of an offence by a person legally bound to inform.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
203	Giving false information respecting an offence committed.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
204	Secreting or destroying any document to prevent its production as evidence.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
205	False personation for the purpose of any act or proceeding in a suit or criminal prosecution, or for becoming bail or security.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
206	Fraudulent removal or concealment, &c., of property to prevent its seizure as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
207	Claiming property without right, or practising deception touching any right to it, to prevent its being taken as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
208	Fraudulently suffering a decree to pass for a sum not due, or suffering decree to be executed after it has been satisfied.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
209	False claim in a Court of Justice ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years and fine.	Ditto.
210	Fraudulently obtaining a decree for a sum not due, or causing a decree to be executed after it has been satisfied.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
211	False charge of offence made with intent to injure.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If offence charged be capital or punishable with transportation for life, or imprisonment for 7 years, or upwards.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
212	Harbouring an offender if the offence be capital.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If punishable with transportation for life, or with imprisonment for 10 years.	May arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with imprisonment for 1 year, and not for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
213	Taking gift, &c., to screen an offender from punishment, if the offence be capital.	Shall not arrest without warrant.	Ditto ...	Ditto ..	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years ...	Ditto ..	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
214	Gift made to cause restoration of property in consideration of screening offender if the offence be capital.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
215	Taking gift to help to recover moveable property of which a person has been deprived by an offence, without causing apprehension of offender.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
216	Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
	If with imprisonment for 1 year, and not for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
217	Pubilc servant disobeying a direction of law with intent to save persons from punishment, or property from forfeiture.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
218	Public servant framing an incorrect record or writing with intent to save person from punishment, or property from forfeiture.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court.
219	Public servant in a judicial proceeding making or pronouncing an order, report, verdict or decision which he knows to be contrary to law.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
220	Commitment for trial or confinement by a person having authority, who knows that he is acting contrary to law.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
221	Intentional omission to apprehend on the part of a public servant bound by law to apprehend an offender, if the offence be capital.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If punishable with transportation for life, or imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, with or without fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for two years, with or without fine.	Magistrate.
222	Intentional omission to apprehend on the part of a public servant bound by law to apprehend person under sentence of a Court of Justice, if under sentence of death.	Ditto ...	Ditto ...	Not bailable.	Transportation for life, or imprisonment of either description for 14 years, with or without fine.	High Court.
	If under sentence of transportation for life, or imprisonment or penal servitude for 10 years or upwards.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If under sentence of imprisonment for less than 10 years.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
223	Escape from confinement negligently suffered by a public servant.	Ditto ...	Summons ...	Ditto ...	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
224	Resistance or obstruction by a person to his lawful apprehension.	May arrest without warrant.	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
225	Resistance or obstruction to the lawful apprehension of another person, or rescuing him from lawful custody.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If charged with an offence punishable with transportation for life, or imprisonment for 10 years.	Ditto ...	Ditto ...	Not bailable.	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If charged with a capital offence... ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine.	High Court.
	If the person is sentenced to transportation for life, or to transportation, penal servitude, or imprisonment for 10 years or upwards.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If under sentence of death	May arrest without warrant.	Warrant ...	Not bailable.	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
225A	Escape, or attempt to escape, from custody for failing to furnish security for good behaviour.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for one year, or fine, or both.	Magistrate.
226	Unlawful return from transportation ...	Ditto ...	Ditto ...	Not bailable.	Transportation for life, and fine and rigorous imprisonment for 3 years before transportation.	High Court.
227	Violation of condition of remission of punishment.	Shall not arrest without warrant.	Summons ...	Ditto ...	Punishment of original sentence, or, if part of the punishment has been undergone, the residue.	By the Court by which the original offence was triable.
228	Intentional insult or interruption to a public servant sitting in any stage of a judicial proceeding.	Ditto ...	Ditto ...	Bailable ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions contained in chapter XXXII of the Code of Criminal Procedure.
229	Personation of a juror or assessor ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate of Police.

CHAPTER XII—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS.

231	Counterfeiting, or performing any part of the process of counterfeiting coin.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
232	Counterfeiting, or performing any part of the process of counterfeiting the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
233	Making, buying, or selling instrument for the purpose of counterfeiting coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
234	Making, buying, or selling instrument for the purpose of counterfeiting the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
235	Possession of instrument or material for the purpose of using the same for counterfeiting coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If Queen's coin	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	High Court.
236	Abetting in India the counterfeiting out of British India of coin.	Ditto ...	Ditto ...	Ditto ...	The punishment provided for abetting the counterfeiting of such coin within British India.	Ditto.
237	Import or export of counterfeit coin, knowing the same to be counterfeit.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER XII—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
238	Import or export of counterfeits of the Queen's coin, knowing the same to be counterfeit.	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
239	Having any counterfeit coin known to be such when it came into possession, and delivering, &c., the same to any person.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
240	The same with respect to the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
241	Knowingly delivering to another any counterfeit coin as genuine which, when first possessed, the deliverer did not know to be counterfeit.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine of ten times the value of the coin counterfeited, or both.	Magistrate.
242	Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
243	Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
244	Persons employed in a Mint causing coin to be of a different weight or composition from that fixed by law.	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court.
245	Unlawfully taking from a Mint any coining instrument.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
246	Fraudulently diminishing the weight or altering the composition of any coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
247	Fraudulently diminishing the weight or altering the composition of the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
248	Altering appearance of any coin with intent that it shall pass as a coin of a different description.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
249	Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
250	Delivery to another of coin possessed with the knowledge that it is altered.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	Ditto.
251	Delivery of Queen's coin possessed with the knowledge that it is altered.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
252	Possession of altered coin by a person who knew it to be altered when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
253	Possession of Queen's coin by a person who knew it to be altered when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	Ditto.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
254	Delivery to another of coin as genuine, which, when first possessed, the deliverer did not know to be altered.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 2 years, or fine of ten times the value of the coin.	Magistrate.
255	Counterfeiting a Government stamp ...	Ditto ..	Ditto ..	Bailable ...	Imprisonment of either description for 10 years and fine.	High Court.
256	Having possession of an instrument or material for the purpose of counterfeiting a Government stamp.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
257	Making, buying, or selling instrument for the purpose of counterfeiting a Government stamp.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
258	Sale of counterfeit Government stamp ...	Ditto ...	Ditto ...	Ditto ..	Ditto	Ditto.
259	Having possession of a counterfeit Government stamp.	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court or Magistrate.
260	Using as genuine a Government stamp known to be counterfeit.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
261	Effacing any writing from a substance bearing a Government stamp, or removing from a document a stamp used for it with intent to cause wrongful loss to Government.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
262	Using a Government stamp known to have been before used.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
263	Erasure of mark denoting that stamp has been used.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XIII.—OFFENCES RELATING TO WEIGHTS AND MEASURES.

264	Fraudulent use of false instrument for weighing	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
265	Fraudulent use of false weight or measure ...	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
266	Being in possession of false weights or measures for fraudulent use.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
267	Making or selling false weights or measures for fraudulent use.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS.

269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life.	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
271	Knowingly disobeying any quarantine-rule ..	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
272	Adulterating food or drink for man intended for sale so as to make the same noxious.	Ditto ...	Ditto ..	Ditto ..	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
273	Selling any food or drink as food and drink for man knowing the same to be noxious.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
274	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
275	Offering for sale, or issuing from a dispensary, any drug or medical preparation known to have been adulterated.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
276	Knowingly selling, or issuing from a dispensary, any drug or medical preparation as a different drug or medical preparation.	Ditto ..	Ditto ...	Ditto ...	Ditto	Ditto.
277	Defiling the water of a public spring or reservoir.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
278	Making atmosphere noxious to health ...	Shall not arrest without warrant.	Ditto ..	Ditto ...	Fine of 500 rupees	Ditto.
279	Driving or riding on a public way so rashly or negligently as to endanger human life, &c.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
280	Navigating any vessel so rashly or negligently as to endanger human life, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
281	Exhibition of a false light, mark, or buoy ...	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	High Court.
282	Conveying for hire any person by water in a vessel in such a state, or so loaded, as to endanger his life.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
283	Causing danger, obstruction, or injury in any public way or line of navigation.	Ditto ...	Ditto ...	Ditto ...	Fine of 200 rupees	Ditto.
284	Dealing with any poisonous substance so as to endanger human life, &c.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
285	Dealing with fire or any combustible matter so as to endanger human life, &c.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
286	So dealing with any explosive substance ...	Ditto ...	Ditto ...	Ditto ..	Ditto	Ditto.
287	So dealing with any machinery	Shall not arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
288	A person omitting to guard against probable danger to human life by the fall of any building, over which he has a right entitling him to pull it down or repair it.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
289	A person omitting to take order with any animal in his possession, so as to guard against danger to human life, or of grievous hurt from such animal.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
290	Committing a public nuisance	Shall not arrest without warrant.	Ditto ...	Ditto ...	Fine of 200 rupees	Ditto.
291	Continuance of nuisance after injunction to discontinue.	May arrest without warrant.	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine, or both.	Ditto.
292	Sale, &c., of obscene books, &c.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 months, or fine, or both.	Ditto.
293	Having in possession obscene book, &c., for sale or exhibition.	Ditto ...	Ditto ...	Ditto ..	Ditto	Ditto.
294	Obscene songs	Ditto ..	Ditto ..	Ditto ...	Ditto	Ditto.
294A	Keeping a lottery-office	Shall not arrest without warrant.	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
	Publishing proposals relating to lotteries ...	Ditto ...	Ditto ...	Ditto ...	Fine of 1,000 rupees	Ditto.

CHAPTER XV.—OFFENCES RELATING TO RELIGION.

295	Destroying, damaging, or defiling a place of worship or sacred object with intent to insult the religion of any class of persons.	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
296	Causing a disturbance to an assembly engaged in religious worship.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Ditto.
297	Trespassing in a place of worship or sepulture, disturbing funeral with intention to wound the feelings or to insult the religion of any person, or offering indignity to a human corpse.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
298	Uttering any word or making any sound in the hearing, or making any gesture or placing any object in the sight of any person, with intention to wound his religious feeling.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY.

Offences affecting life.

302	Murder	May arrest without warrant.	Warrant ...	Not bailable	Death, transportation for life and fine	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Offences affecting life—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
303	Murder by a person under sentence of transportation for life.	May arrest without warrant.	Warrant ...	Not bailable	Death	High Court.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with intention of causing death, &c.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	If act is done with knowledge that it is likely to cause death, but without any intention to cause death, &c.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
304A	Causing death by rash or negligent act ...	Ditto ..	Ditto ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
305	Abetment of suicide committed by a child, or insane or delirious person, or an idiot, or a person intoxicated.	Ditto ...	Ditto ...	Not bailable	Death, or transportation for life, or imprisonment for 10 years and fine.	High Court.
306	Abetting the commission of suicide ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
307	Attempt to murder	Ditto ..	Ditto ...	Ditto ...	Ditto	Ditto.
	If such act cause hurt to any person ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or as above...	Ditto.
308	Attempt to commit culpable homicide ...	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years, or fine, on both.	Ditto.
	If such act cause hurt to any person ..	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
309	Attempt to commit suicide	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 year and fine.	Magistrate.
311	Being a thug	Ditto ...	Ditto ...	Not bailable	Transportation for life and fine.	High Court.

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births.

312	Causing miscarriage	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court.
	If the woman be quick with child ...	Ditto ...	Ditto ..	Ditto ..	Imprisonment of either description for 7 years and fine.	Ditto.
313	Causing miscarriage without woman's consent	Ditto ...	Ditto ..	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
314	Death caused by an act done with intent to cause miscarriage.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
	If act done without woman's consent ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or as above.	Ditto.
315	Act done with intent to prevent a child being born alive, or to cause it to die after its birth.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
316	Causing death of a quick unborn child by an act amounting to culpable homicide.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
317	Exposure of a child under twelve years of age, by parent or person having care of it, with intention of wholly abandoning it.	May arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 7 years, or fine, or both.	High Court.
318	Concealment of birth by secret disposal of dead body.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
			Of Hurt.			
323	Voluntarily causing hurt	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for one year, or fine of 1,000 rupees, or both.	Magistrate.
324	Voluntarily causing hurt by dangerous weapons or means.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
325	Voluntarily causing grievous hurt ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
326	Voluntarily causing grievous hurt by dangerous weapons or means.	Ditto ..	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto ...	Warrant ...	Ditto	Imprisonment of either description for 10 years and fine.	High Court.
328	Administering stupefying drug with intent to cause hurt.	Ditto ...	Ditto ...	Ditto .	Ditto	Ditto.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
330	Voluntarily causing hurt to extort confession or information, or to compel restoration of property, &c.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 7 years and fine.	Ditto.
331	Voluntarily causing grievous hurt to extort confession or information, or to compel restoration of property, &c.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
332	Voluntarily causing hurt to deter public servant from his duty.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
333	Voluntarily causing grievous hurt to deter public servant from his duty.	Ditto ..	Ditto ..	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
334	Voluntarily causing hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	Ditto ...	Summons ...	Bailable ...	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Magistrate.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Hurt—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
335	Causing grievous hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 4 years, or fine of 2,000 rupees, or both.	High Court or Magistrate.
336	Doing any act which endangers human life or the personal safety of others.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 3 months, or fine of 250 rupees, or both.	Magistrate.
337	Causing hurt by an act which endangers human life, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 500 rupees, or both.	Ditto.
338	Causing grievous hurt by an act which endangers human life, &c.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 2 years, or fine of 1,000 rupees, or both.	Ditto.

Of wrongful Restaint and wrongful Confinement.

341	Wrongfully restraining any person ...	May arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
342	Wrongfully confining any person ...	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
343	Wrongfully confining for three or more days...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
344	Wrongfully confining for ten or more days ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
345	Keeping any person in wrongful confinement, knowing that a writ has been issued for his liberation.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, in addition to imprisonment under any other section.	Ditto.
346	Wrongful confinement in secret	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
347	Wrongful confinement for the purpose of extorting property, or constraining to an illegal act, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
348	Wrongful confinement for the purpose of extorting confession or information, or of compelling restoration of property, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

Of Criminal Force and Assault.

352	Assault or use of criminal force otherwise than on grave provocation.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
353	Assault or use of criminal force to deter a public servant from discharge of his duty.	May arrest without warrant.	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
354	Assault or use of criminal force to a woman with intent to outrage her modesty.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Criminal Force and Assault—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
355	Assault or criminal force with intent to dishonour a person, otherwise than on grave and sudden provocation.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
356	Assault or criminal force in attempt to commit theft of property worn or carried by a person.	May arrest without warrant.	Warrant ...	Not bailable	Ditto	Ditto.
357	Assault or use of criminal force in attempt wrongfully to confine a person.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
358	Assault or use of criminal force on grave and sudden provocation.	Shall not arrest without warrant.	Summons ...	Ditto ...	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

Of Kidnapping, Forcible Abduction, Slavery and forced Labour.

363	Kidnapping	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
364	Kidnapping or abducting in order to murder...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
365	Kidnapping or abducting with intent secretly and wrongfully to confine a person.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
366	Kidnapping or abducting a woman to compel her marriage or to cause her defilement, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
368	Concealing or keeping in confinement a kidnapped person.	Ditto ...	Ditto ...	Ditto ...	Punishment for kidnapping or abduction.	Ditto.
369	Kidnapping or abducting a child with intent to take property from the person of such child.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
370	Buying or disposing of any person as a slave...	Shall not arrest without warrant.	Ditto ...	Bailable ...	Ditto	Ditto.
371	Habitual dealing in slaves	May arrest without warrant.	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
372	Selling or letting to hire a minor for the purpose of prostitution.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	High Court or Magistrate.
373	Buying or obtaining possession of a minor for the same purpose.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
374	Unlawful compulsory labour	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

Of Rape.

376	Rape	May arrest without warrant.	Warrant ...	Not bailable	Transportation of life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*concluded.*

Of Unnatural Offences.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
377	Unnatural offences	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY.

Of Theft.

379	Theft	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	Magistrate.
380	Theft in a building, tent or vessel ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
381	Theft by clerk or servant, of property in possession of master or employer.	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court or Magistrate.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing such theft, or to retiring after committing it, or to retaining property taken by it.	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 10 years and fine.	High Court.

Of Extortion.

384	Extortion	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
385	Putting or attempting to put in fear of injury, in order to commit extortion.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
386	Extortion by putting a person in fear of death or grievous hurt.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
387	Putting or attempting to put a person in fear of death or grievous hurt, in order to commit extortion.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
388	Extortion by threat of accusation of an offence punishable with death, transportation for life, or imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
	If the offence threatened be an unnatural offence	Ditto ...	Ditto ...	Ditto ...	Transportation for life	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Extortion—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
389	Putting person in fear of accusation of offence punishable with death, transportation for life, or with imprisonment for 10 years, in order to commit extortion.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
	If the offence be an unnatural offence ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life	Ditto.

Of Robbery and Dacoity.

392	Robbery	May arrest without warrant.	Warrant ...	Not bailable	Rigorous imprisonment for 10 years and fine.	High Court or Magistrate.
	If committed on the highway between sunset and sunrise.	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 14 years and fine.	Ditto.
393	Attempt to commit robbery	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 7 years and fine.	Ditto.
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person generally concerned in such robbery.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
395	Dacoity	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court.
396	Murder in dacoity	Ditto ...	Ditto ...	Ditto ...	Death, transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
397	Robbery or dacoity with attempt to cause death or grievous hurt.	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for not less than 7 years.	Ditto.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
399	Making preparation to commit dacoity ...	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 10 years and fine.	Ditto.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or as above ...	Ditto.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.	Ditto ...	Ditto ..	Ditto ...	Rigorous imprisonment for 7 years and fine.	Ditto.
402	Being one of five or more persons assembled for the purpose of committing dacoity.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

Of Criminal Misappropriation of Property.

403	Dishonest misappropriation of moveable property, or converting it to one's own use.	Shall not arrest without warrant.	Warrant ..	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
404	Dishonest misappropriation of property, knowing that it was in possession of a deceased person at his death, and that it has not since been in the possession of any person legally entitled to it.	Ditto ..	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If by clerk or person employed by deceased ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Criminal Breach of Trust.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
406	Criminal breach of trust	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
407	Criminal breach of trust by a carrier, wharfinger, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
408	Criminal breach of trust by a clerk or servant	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
409	Criminal breach of trust by public servant, or by banker, merchant or agent, &c.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.

Of the Receiving of Stolen Property.

411	Dishonestly receiving stolen property, knowing it to be stolen.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
413	Habitually dealing in stolen property ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	
414	Assisting in concealment or disposal of stolen property, knowing it to be stolen.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

Of Cheating.

417	Cheating	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
418	Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
419	Cheating by personation	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
420	Cheating and thereby dishonestly inducing delivery of property, or the alteration or destruction of a valuable security.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.

Of Fraudulent Deeds and Dispositions of Property.

421	Fraudulent removal or concealment of property, &c., to prevent distribution among creditors.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Fraudulent Deeds and Dispositions of Property—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
422	Fraudulently preventing from being made available for his creditors a debt or demand due to the offender.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
423	Fraudulent execution of deed of transfer containing a false statement of consideration.	Ditto ...	Ditto ..	Ditto ...	Ditto	Ditto.
424	Fraudulent removal or concealment of property of himself or any other person, or assisting in the doing thereof, or dishonestly releasing any demand or claim to which he is entitled.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

Of Mischief.

426	Mischief	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 months, or fine, or both.	Magistrate.
427	Mischief, and thereby causing damage to the amount of 50 rupees or upwards.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
428	Mischief by killing, poisoning, maiming or rendering useless, any animal of the value of ten rupees or upwards.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
429	Mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, &c., whatever may be its value, or any other animal of the value of 50 rupees or upwards.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years, or fine, or both.	High Court or Magistrate.
430	Mischief by causing diminution of supply of water for agricultural purposes, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
431	Mischief by injury to public road, bridge, river or navigable channel, and rendering it impassable or less safe for travelling, or conveying property.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
432	Mischief by causing inundation or obstruction to public drainage, attended with damage.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
433	Mischief by destroying or moving or rendering less useful a light-house or sea-mark, or by exhibiting false lights.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	High Court.
434	Mischief by destroying or moving, &c., a landmark fixed by public authority.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
435	Mischief by fire or explosive substance, with intent to cause damage to amount of 100 rupees or upwards.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
436	Mischief by fire or explosive substance, with intent to destroy a house, &c.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
437	Mischief with intent to destroy or make unsafe a decked vessel or a vessel of twenty tons burden.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Mischief—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
438	The mischief described in the last section, when committed by fire or any explosive substance.	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
439	Running vessel ashore with intent to commit theft, &c.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 10 years and fine.	Ditto.
440	Mischief committed after preparation made for causing death or hurt, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	Ditto.
	Of Criminal Trespass.					
447	Criminal trespass	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
448	House-trespass	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
449	House-trespass in order to the commission of an offence punishable with death.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
450	House-trespass in order to the commission of an offence punishable with transportation for life.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
451	House-trespass in order to the commission of an offence punishable with imprisonment.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 2 years and fine.	Magistrate.
	If the offence is theft	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
452	House-trespass, having made preparation for causing hurt, assault, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
453	Lurking house-trespass or house-breaking ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years and fine.	Magistrate.
454	Lurking house-trespass or house-breaking in order to the commission of an offence punishable with imprisonment.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If the offence is theft	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
456	Lurking house-trespass or house-breaking by night.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 3 years and fine.	Ditto.

CHAPTER XVII—OF OFFENCES AGAINST PROPERTY—*concluded.*

Of Criminal Trespass—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
457	Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
	If the offence is theft	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 14 years and fine.	Ditto.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
461	Dishonestly breaking open or unfastening any closed receptacle containing or supposed to contain property.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
462	Being entrusted with any closed receptacle containing or supposed to contain any property, and fraudulently opening the same.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS.

465	Forgery	Shall not arrest without warrant.	Warrant ...	Bailable ..	Imprisonment of either description for 2 years, or fine, or both.	High Court.
466	Forgery of a record of a Court of Justice or of a register of births, &c., kept by a public servant.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
467	Forgery of a valuable security, will or authority to make or transfer any public security, or to receive any money, &c.	Ditto ...	Di to ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	When the valuable security is a promissory note of the Government of India.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
468	Forgery for the purpose of cheating ...	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
469	Forgery for the purpose of harming the reputation of any person, or knowing that it is likely to be used for that purpose.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years and fine.	Ditto.
471	Using as genuine a forged document which is known to be forged.	Ditto ...	Ditto ...	Ditto ...	Punishment for forgery ...	Ditto.
	When the forged document is a promissory note of the Government of India.	May arrest without warrant.	Ditto ...	Not bailable	Ditto	Ditto.
472	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable under section 467 of the Indian Penal Code; or possessing with like intent any such seal, plate, &c., knowing the same to be counterfeit.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
473	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable otherwise than under section 467 of the Indian Penal Code, or possessing with like intent any such seal, &c.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
474	Having possession of a document, knowing it to be forged, with intent to use it as genuine.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If the document is a valuable security or will	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or as above ...	Ditto.
475	Counterfeiting a device or mark used for authenticating documents described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
476	Counterfeiting a device or mark used for authenticating documents other than those described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
477	Fraudulently destroying or defacing, or attempting to destroy or deface, or secreting, a will, &c.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*concluded.*

Of Trade and Property-Marks.

482	Using a false trade or property-mark with intent to deceive or injure any person.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
483	Counterfeiting a trade or property-mark used by another, with intent to cause damage or injury.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
484	Counterfeiting a property-mark used by a public servant, or any mark used by him to denote the manufacture, quality, &c., of any property.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
485	Fraudulently making or having possession of any die, plate, or other instrument for counterfeiting any public or private property or trade-mark.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
486	Knowingly selling goods marked with a counterfeit property or trade-mark.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
487	Fraudulently making a false mark upon any package or receptacle containing goods, with intent to cause it to be believed that it contains goods which it does not contain, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
488	Making use of any such false mark ...	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
489	Removing, destroying, or defacing any property-mark with intent to cause injury.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

CHAPTER XIX—OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
490	Being bound by contract to render personal service during a voyage or journey, or to convey or guard any property or person and voluntarily omitting to do so.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Magistrate.
491	Being bound to attend on or supply the wants of a person who is helpless from youth, unsoundness of mind or disease, and voluntarily omitting to do so.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.
492	Being bound by a contract to render personal service for a certain period at a distant place to which the employee is conveyed at the expense of the employer, and there voluntarily deserting the service or refusing to perform the duty.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 month, or fine of double the expense incurred, or both.	Ditto.

CHAPTER XX.—OF OFFENCES RELATING TO MARRIAGE.

493	A man by deceit causing a woman not lawfully married to him to believe that she is lawfully married to him, and to cohabit with him in that belief.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
494	Marrying again during the life-time of a husband or wife.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 7 years and fine.	Ditto.
495	Same offence with concealment of the former marriage from the person with whom subsequent marriage is contracted.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
496	A person with fraudulent intention going through the ceremony of being married, knowing that he is not thereby lawfully married.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
497	Adultery	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 5 years, or fine, or both.	Ditto.
498	Enticing or taking away or detaining with a criminal intent a married woman.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXI.—OF DEFAMATION.

500	Defamation	Shall not arrest without warrant.	Warrant ...	Bailable ...	Simple imprisonment for 2 years, or fine, or both.	High Court or Magistrate.
501	Printing or engraving matter knowing it to be defamatory.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
502	Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter.	Ditto ...	Ditto ...	Ditto ..	Ditto	Ditto.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE.

504	Insult intended to provoke a breach of the peace.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
505	False statement, rumours, &c., circulated with intent to cause mutiny or offences against the public peace.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
506	Criminal intimidation	Ditto ...	Ditto ...	Bailable ...	Ditto	Ditto.
	If threat be to cause death or grievous hurt, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	High Court or Magistrate.
507	Criminal intimidation by anonymous communication or having taken precaution to conceal whence the threat comes.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, in addition to the punishment under above section.	Ditto.
508	Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
509	Uttering any word or making any gesture intended to insult the modesty of a woman.	Ditto ..	Ditto ...	Ditto ...	Simple imprisonment for 1 year, or fine, or both.	Ditto.
510	Appearing in a public place, &c., in a state of intoxication, and causing annoyance to any person.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 24 hours, or fine of 10 rupees, or both.	Ditto.

CHAPTER XXIII.—OF ATTEMPTS TO COMMIT OFFENCES.

511	Attempting to commit offences punishable with transportation or imprisonment, and in such attempt doing any act towards the commission of the offence.	According as the offence is one in respect of which the Police may arrest without warrant or not.	According as the offence is one in respect of which a summons or warrant shall ordinarily issue.	According as the offence contemplated by the offender is bailable or not.	Transportation or imprisonment not exceeding half of the longest term and of the description, provided for the offence, or fine, or both.	By the Court by which the offence attempted is triable.

OFFENCES AGAINST OTHER LAWS.

If punishable with death, transportation, or imprisonment for seven years or upwards.	May arrest without warrant.	Warrant ..	Not bailable	.....	High Court.
If punishable with imprisonment for three years and upwards but less than seven.	Ditto ..	Ditto ..	Ditto ...	.....	High Court or Magistrate.
If punishable with imprisonment for less than three years.	Shall not arrest without warrant.	Summons ..	Bailable ...	.....	Magistrate.
If punishable with fine only	Ditto ..	Ditto ...	Ditto ..	.....	Ditto.

SCHEDULE III.

FORMS OF SUMMONS, WARRANTS, BONDS AND RECOGNIZANCES.

A.

FORM OF SUMMONS (*section* 47).

To *A. B.*, of

Whereas complaint has this day been made before the undersigned Presidency Magistrate for the Town of that you on the day of 187 at (*state shortly the offence complained of*) contrary to section of the Indian Penal Code [*or* of Act No. of 18 , *as the case may be*] : You are hereby required to appear in person [*or* by advocate, attorney or pleader, *as the case may be*] on the day of 187 , at o'clock in the forenoon [*or* afternoon] at the Court of before such Magistrate as may then be present, to answer to the said complaint and to be further dealt with according to law.

Dated the day of

(*Signed*) C. D.
Presidency Magistrate.

B.

FORM OF WARRANT OF ARREST (*section* 56).

To (*name and designation of the person who is to execute the warrant*).

Whereas of is accused of the offence of (*state the offence*) : You are hereby directed to apprehend the said and produce him at the Court of before such Magistrate as may then be present.

(*Signature.*)

[*This warrant may be endorsed as follows* :—]

If the said shall give bail, himself in the sum of , with one surety in the sum of (*or* two sureties each in the sum of), to appear before me on the day of , he may be released.

(*Signature.*)

Dated

C.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY (*section* 71).

To the officer in charge of the

Whereas of is accused of ( ) you are hereby required to receive the said into your custody and to produce him before by whom [*or* which] the offence of which he is accused is to be tried [*or* enquired into] from time to time when so required.

D.

FORM OF RECOGNIZANCE (*section* 72).

We A. B. of , C. D. of and E. F. of do hereby bind ourselves jointly and severally that the said A. B. will attend on the day of 187 at the Court of the Presidency Magistrate of and continue so to attend until otherwise directed by the said Magistrate, and will, if required, appear when called upon at the High Court of Judicature at to answer the charge of , and in case of the said A. B. making default herein, we the said A. B., C. D. and E. F. bind ourselves jointly and severally to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated the dayof 187 .

E.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY PENDING TRIAL BEFORE THE HIGH COURT (*section* 89.)

To , the officer in charge of the Jail.

Whereas of is charged with (*state the offence in respect of which the prisoner is charged*), and has been committed to take his trial before the Court of at

You are hereby required to receive the said into your custody and to produce him before the said Court when so required.

(*Signature.*)
(*Office and powers.*)

Dated

F.

FORM OF RECOGNIZANCE TO PROSECUTE OR GIVE EVIDENCE (*section* 93).

I, , of , do hereby bind myself to appear at , in the Court of at o'clock on the day of next, and then and there to prosecute (*or, as the case may be,* to prosecute and give evidence, *or* to give evidence) in the matter of a charge of against one *A. B.*, and to attend at the said Court from day to day, or as I may be otherwise directed by the presiding officer; and in case of my making default herein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

G.

FORM OF WARRANT OF COMMITMENT AFTER SENTENCE (*section* 183).

To , the officer in charge of the Jail.

Whereas of was convicted before me (*name and official designation*) of the offence of (*mention the offence, quoting Act and section*) and was sentenced to (*state the punishment fully and distinctly, mentioning its nature and extent*): You are hereby required to receive the said into your custody in the said jail, together with this warrant, and there carry the aforesaid sentence into execution according to law.

(*Signature.*)

Dated the day of

H.

FORM OF RECOGNIZANCE TO KEEP THE PEACE (*section* 222).

Whereas I, A. B., [*or* we A. B., C. D., etc.], of , have been called upon to enter into a bond to keep the peace for the term of , I hereby bind myself [*or* each of us hereby binds himself] not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term ; and in case of my [*or* any of us] making default therein, I bind myself [*or* he binds himself] to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE RECOGNIZANCE OF THE PRINCIPAL.

I E. F. of hereby declare myself surety for the above-mentioned A. B., that he shall not commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term ; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

I.

FORM OF RECOGNIZANCE FOR GOOD BEHAVIOUR (*section* 222).

Whereas I, , inhabitant of , have been called to enter into a bond to be of good behaviour to Her Majesty, and to all her subjects, for the term of , I hereby bind myself to be of good behaviour to Her Majesty, and to all her subjects during the said term, and in case of my making default therein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE BOND OF THE PRINCIPAL.

I hereby declare myself surety for the above-said , that he shall be of good behaviour to Her Majesty and to all her subjects during the said term ; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

CHARGES.

(*See section* 97).

(I.)—CHARGES WITH ONE HEAD.

(*a.*) I [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows :—

On Penal Code section 121.

(*b.*) That you, on or about the day of , at , waged war against the Queen, and thereby committed an offence punishable under section 121 of the Indian Penal Code, and within the cognizance of the High Court.

(*c.*) And I hereby direct that you be tried by the said Court on the said charge.

[*Signature of the Magistrate.*]

[*To be substituted for* (*b*)].

On section 124.

(2.) That you, on or about the day of , at , with the intention of inducing the Honourable *B.*, Member of the Council of the Governor General of India, to refrain from exercising a lawful power as such Member, assaulted such Member, and thereby committed an offence punishable under section 124 of the Indian Penal Code, and within the cognizance of the High Court.

On section 161.

(3.) That you, being a public servant in the Department, directly accepted from [*state the name*] for another party [*state the name*] a gratification, other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 of the Indian Penal Code, and within the cognizance of the High Court.

On section 304.

(4.) That you, on or about the day of at , committed culpable homicide not amounting to murder, causing the death of , and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

On section 306.

(5.) That you, on or about the day of at , abetted the commission of suicide by *A. B.*, a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Indian Penal Code, and within the cognizance of the High Court.

On section 325.

(6.) That you, on or about the day of , at voluntarily caused grievous hurt to , and thereby committed an offence punishable under section 325 of the Indian Penal Code, and within the cognizance of the High Court.

On section 392.

(7.) That you, on or about the day of , at , committed robbery, an offence punishable under section 392 of the Indian Penal Code, and within the cognizance of the High Court.

On section 395.

(8.) That you, on or about the day of , at , committed dacoity, an offence punishable under section 395 of the Indian Penal Code, and within the cognizance of the High Court.

On section 166.

(9.) That you, on or about the day of , at , did (*or* omitted to do, *as the case may be*) , such conduct being contrary to the provisions of Act , section , and was known by you to be prejudicial to , and thereby committed an offence punishable under section 166 of the Indian Penal Code, and within the cognizance of the High Court.

On section 193.

(10.) That you, on or about the day of at , in the course of the trial of before , stated in evidence that " " which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable

under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

[*In cases tried by Magistrates, substitute* "within my cognizance" *for* "within the cognizance of the High Court." *In* (*c*, *omit* "by the said Court."]

(II.)—CHARGES WITH TWO OR MORE HEADS.

(*a*.) I, [*name and office of Magistrate, &c.*], hereby charge you [*name of accused person*], as follows :—.

(*b*.) *First*.—That you, on or about the day of , at , knowing a coin to be counterfeit, delivered the same to another person, by name *A. B.*, as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the High Court. (On Penal Code, sections 241 and 242.)

Secondly.—That you, on or about the day of , at , knowing a coin to be counterfeit, attempted to induce another person, by name *A. B.*, to receive it as genuine, and thereby committed an offence punishable under section 242 of the Indian Penal Code, and within the cognizance of the High Court.

(*c*.) And I hereby commit you to the said Court to be tried on the said charge.

[*Signature of the Magistrate.*]

For (*b*) *First*.—That you, on or about the day of , at , committed murder by causing the death of , and thereby committed an offence punishable under section 302 of the Indian Penal Code, and within the cognizance of the High Court. (On sections 302 and 304.)

Secondly.—That you, on or about the day of , at , by causing the death of , committed culpable homicide, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

For (*b*) *First*.—That you, on or about the day of , at , committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the High Court. (On sections 379 and 382.)

Secondly.—That you, on or about the day of , at , committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Thirdly.—That you, on or about the day of , at , committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Fourthly.—That you, on or about the day of , at , committed theft, having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

For (*b*). That you, on or about the day of at , in the course of the inquiry into before , stated in evidence that " ," and that you, on or about the day of , at , in the course of the trial of before , stated in evidence that " ," one of which statements you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court. (Alternative charges on section 193.)

In trials before Magistrates, substitute "within my cognizance," *for* "within the cognizance of the High Court;" *and omit* "by the said Court."

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in four months.

No. 6 of 1876.

A Bill to amend the Indian Registration Act, 1871.

For the purpose of amending the Indian Registration Act, 1871; It is hereby enacted as follows :— (Preamble.)

1. For section seven the following shall be substituted :— (Amendment of Act VIII of 1871, section 7.)

"7. The Local Government shall establish in every District an office to be styled the Office of the Registrar and in every Sub-District an office or offices to be styled the Office of the Sub-Registrar or the Offices of the Joint Sub-Registrars, (Offices of Registrar and Sub-Registrar)

and may amalgamate with any Office of a Registrar any Office of a Sub-Registrar,

and may authorize any Sub-Registrar whose Office has been so amalgamated to exercise and perform all or any of the powers and duties of a Registrar other than the powers conferred by sections sixty-eight and seventy-two."

2. In section seventeen, after clause (*c*), the following clause shall be inserted (namely) :— (Addition of clause (*d*) to section 17.)

"or (*d*) to any document merely creating a right to obtain another document which will, when executed, create, declare, assign, limit or extinguish any right, title or interest of the value of one hundred rupees and upwards, to or in immoveable property."

3. In section eighteen, to clause (7) the words "All such" shall be prefixed, and for the last seven words of the same clause the following words shall be substituted (namely) : "and other documents as are not required by section seventeen to be registered". (Amendment of section 18, clause (7).)

4. In section thirty, clause (*b*), after the word "Town," the words "and the Registrar of the Lahore District" shall be inserted. (Addition to section 30, clause (*b*).)

5. For section thirty-one the following shall be substituted (namely) :— (Amendment of section 31.)

"31. In ordinary cases the presentation or deposit of documents under this Act shall be made only at the office of the officer authorized to accept the same for registration or deposit. (Presentation and deposit of documents at private residences.)

But such officer may on special cause being shewn attend at the residence of any person desiring to present a document for registration or to deposit a will, and accept for registration or deposit such document or will."

6. To section thirty-four, paragraph first, the following words shall be added (namely) : "under sections twenty-three, twenty-four, twenty-five and twenty-six ;" and in clause two of the same section, after the word "fee," the following words shall be inserted (namely) : "in addition to the fine (if any) payable under section twenty-four." (Addition to section 34.)

7. For sections forty-two, forty-three, forty-four and forty-five, the following shall be substituted (namely) :— (Amendment of sections 42 to 45.)

"42. Any testator may, either personally or by duly authorized agent, deposit with any Registrar his will in a sealed cover superscribed with the name of the testator and that of his agent (if any), and with a statement of the nature of the document. (Deposit of wills in sealed covers.)

"43. On receiving such cover the Registrar, if satisfied, that the person presenting the same for deposit is the testator or his agent, shall transcribe in his Register-Book No. 5 the superscription aforesaid, and shall note in the same book and on the said cover the year, month, day and hour of such presentation and receipt, the names of any persons who may testify to the identity of the testator or his agent, and any legible inscription which may be on the seal of the cover. (Procedure on depositing wills.)

The Registrar shall then place and retain the cover in his fireproof box.

"44. If the testator who has deposited such cover wishes to withdraw it, he may apply, either personally or by duly authorized agent, to the Registrar who holds it in deposit; and such Registrar, if he be satisfied that the applicant is actually the testator or his agent, shall deliver the cover accordingly. (Withdrawal of covers containing wills.)

"45. If on the death of a testator who has deposited a sealed cover under section forty-two, application be made to the Registrar who holds it in deposit to open the same, and if the Registrar is satisfied that the testator is dead, he shall in the applicant's presence open the cover, and at the applicant's expense cause the contents thereof to be copied into his Book No. 3." (Procedure on testator's death.)

8. In section forty-six, for the second sentence, the following shall be substituted (namely) : "But whenever any such order is made, the Registrar shall, unless the will has already been copied under section forty-five, open the cover and copy the will in his Book No 3, and shall make a note in such Book that the original has been removed into Court in pursuance of the order aforesaid." (Amendment of section 46.)

9. To section fifty the following words shall be prefixed (namely) : "Every document mentioned in clauses (1), (2), (3) and (4) of section seventeen, and." (Addition to section 50.)

10. In section fifty-nine, for the words "the last preceding section," the words "sections fifty-two and fifty-eight" shall be substituted. (Amendment of section 59.)

11. In section sixty-four and in the first paragraph of section sixty-five, after the word "document," the words "not testamentary" shall be inserted. (Addition to sections 64 and 65.)

12. In section seventy-one, for clause two, the following shall be substituted (namely) :— (Amendment of section 71, clause 2.)

"except on the ground—

(*a*) that the property to which it relates is not situate within his District or Sub-District; or

(*b*) that he is a Registrar and that the document ought to be registered in the Office of a Sub-Registrar."

13. To section seventy-three the following explanation shall be added (namely) :— (Addition to section 73.)

"EXPLANATION.—In this section 'District Court' means the principal civil Court of original jurisdiction within the local limits of which is situate the Office in which the order of refusal was made."

14. In this Act 'section' means section of the said Indian Registration Act, 1871. ('Section' defined.)

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to make in the Registration Act thirteen amendments which the experience of the past five years has shown to be desirable.

Of these, the first is intended to authorize the Local Governments to establish in each Sub-District more Sub-Registrars than one, who will exercise concurrent jurisdiction. The absence of such a power has been found inconvenient in the Lower Provinces, and, probably, elsewhere. Power is also expressly given to authorize any Sub-Registrar whose Office has been amalga-

mated with that of a Registrar to exercise all the powers of a Registrar other than those conferred by sections 68 and 72. Some doubt had arisen whether or no such a power was implied.

The second embodies in section seventeen of the Act the resolution of the Government of India in the Home Department No. 51-1906, dated 10th July 1874. Its effect is to expressly exempt from compulsory registration documents merely creating a right to obtain other documents, which will, when executed, create, &c., rights of the value of Rs. 100 and upwards to immoveable property.

The third is intended to make it clear that section 18, clause (7), is not to encroach upon the provisions of section 17.

The fourth places the Registrar of the Lahore District on the same footing, as regards documents relating to land situate in any part of British India, as the Registrars of Districts including the Presidency Towns. This change has been made on the recommendation of the Local Government.

The fifth simply amends the drafting of section 31 of the Act.

The sixth expresses distinctly two of the intentions of the legislature in framing section 34 of the Act, *viz.*, that the time allowed for presentation is the time allowed under the first four sections of Part IV, *i. e.*, not merely the time (four months) ordinarily allowed, but also any extension of that period allowed under sections 24, 25, 26, and that, not only the fine mentioned in section 34, but the fines, if any, payable under section 24, must be paid in case of delay in appearing before the Registrar.

The seventh amends the drafting of sections 42 and 43, and expressly confines, in accordance with the intention of the framers of Act VIII of 1871, sections 44 and 45 to cases in which the testator himself, as distinguished from a depositing agent, desires to withdraw the deposit, or has died.

The eighth exempts the Registrar from the duty of copying a will under section 46 when it has already been copied under section 45; and when he has to copy a will, expressly empowers him to open the sealed cover in which it is preserved.

The ninth is an amendment of section 50, and is intended to supply a defect which has already given rise to fraudulent practices. That section now provides that registered documents relating to land, of which the registration is optional, shall take effect against unregistered documents. But it makes no such provision as to documents of which the registration is compulsory and which have accordingly been registered. Deeds coming under section 18 of the Act, whether registered or not, take effect against deeds registered under section 17, according to date of execution. The result is that, although a registered deed creating a right of the value of Rs. 99 to land cannot be defeated by an unregistered deed, a registered deed creating a similar right worth Rs. 101 may be defeated by an antedated unregistered deed creating a right worth anything under Rs. 100. The mischief feared is an extensive fabrication of falsely dated deeds purporting to create rights of small value in order to defeat deeds creating rights of large value. The remedy which the Bill proposes is to make documents registered under section 17 take effect against unregistered documents.

The tenth amendment is in section 59. That section now provides only for dating and signing endorsements made under section 58. It is desirable to make a similar provision for endorsements made under section 52.

The eleventh amendment consists in expressly excluding wills and codicils from sections 64 and 65.

The twelfth amendment effects a slight, but desirable, amendment in the drafting of section 71.

The thirteenth and last amendment clears up a doubt which has been raised as to the meaning in section 72 of the expression "District Court."

SIMLA;
The 5th June 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in six weeks.

No. 7 of 1876.

THE SINDH INCUMBERED ESTATES BILL, 1876.

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A Bill to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh.

Preamble. Whereas many Jágírdárs and Zamíndárs in Sindh are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

I.—PRELIMINARY.

Short title. 1. This Act may be called "The Sindh Incumbered Estates Act, 1876":

Commencement. And it shall come into force on the passing thereof.

Interpretation-clause. 2. In this Act—

"Jágír-land." 'Jágír-land' includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *mámul* or garden-grants:

"Jágírdár." "Jágírdár" means a person who was in possession of jágír-land in Sindh on the seventeenth day of February 1843, and has since been in possession of the same land or of a portion thereof, or of other jágír-land assigned by the British Government in lieu thereof, and who holds a sanad granted under the authority of the said Government confirming his title.

For the purposes of this definition, the possession of any person from whom jágír-land has descended by way of inheritance shall be deemed to be the possession of the person to whom such land has so descended:

"Zamíndár." "Zamíndár" means a person holding lands in Sindh on the aggregate of which he has paid, direct to the Government, on account of land-revenue for any one of the five revenue years next before the passing of this Act, a sum not less than three hundred rupees:

"Commissioner." "Commissioner" means the Commissioner in Sindh.

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for the benefit of this Act. 3. At any time within twelve months after the passing of this Act, any jágírdár or zamíndár,

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities, other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person or by the legally constituted administrator or manager of his estate.

Order to enquire. 4. When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of

Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

5. When an enquiry has been directed under section four, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

6. The officer so appointed, after making such enquiry as he thinks necessary, shall submit a report of his proceedings to the Commissioner.

Report of enquiry and proceedings thereon.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the Manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

7. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

"Order of management" to what it extends.

The management shall be deemed to commence from the date on which the order is published.

Commencement of management.

8. On the publication of the order of management the following consequences shall ensue:

Effect of order of management.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section seven shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

Bar of fresh proceedings.

Thirdly, so long as the management continues the debtor shall be incompetent

The debtor incompetent

(*a*) to enter into any contract involving him in pecuniary liability, or

to contract debts,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to encumber or alienate property under management,

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

to grant receipts for rent thereof.

Provided that nothing contained in this clause shall be deemed to preclude the Manager from letting and the debtor from taking the whole or any part of such property on such terms consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the Manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

9. The Manager shall, during the management, receive and recover all rents and profits due in respect of the property under management,

Manager to receive rents and profits,

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector, under the law for the time being in force, for the recovery of land-revenue due to Government.

to have powers of a Collector for their recovery.

In the event of any dispute arising as to the liability of any person to pay any such rent or profit, or as to the amount thereof, the decision of the Manager shall be binding until set aside by a competent Court.

10. From the sums received or recovered under section nine, the Manager shall pay

Manager to pay therefrom—

First, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management,

Government revenue, &c.,

Secondly, the rent (if any) due to the jágírdár or other superior holder, in respect of the said property;

rent due to superior holder,

Thirdly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family,

allowance for maintenance of debtor,

Fourthly, the cost of such repairs and improvements of the said property as he thinks necessary, and

cost of repairs, &c.,

Fifthly, the costs of the management.

cost of management.

The residue shall be retained by the Manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section seven other than those so due or incurred to Government.

Residue how disposed of.

11. At any time after the management has commenced the Manager may demise all or any part of the property under management for any term of years not exceeding three years to take effect in possession, so as there be reserved the best yearly rent that can be reasonably gotten without taking anything in the nature of a fine.

Power to make short leases.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the Manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhi, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such Manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the Manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the Manager, together with a copy of the entry on which he relies. The Manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the Manager along with the claim, the Manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

14. Every such claim (other than claims of the Government) not notified to the Manager within the time and in the manner required by such notice shall, except as provided in section twenty-one, be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the Manager that the claimant was unable to comply with the provisions of section twelve, the Manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

15. The Manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall in accordance with the rules to be made under this Act determine the amount of the debts and liabilities (if any) due to the several claimants.

Determination of debts and liabilities.

16. No claim shall be allowed which was barred by the law of limitation when the order of management was published.

Time-barred claims not to be allowed.

17. If on any inquiry under section fifteen it appears that, having regard to the principal amount of the debt or liability as originally incurred, and to all the circumstances of the case, the amount from time to time debited to the debtor on account of interest, though debited in accordance with the agreement between the parties, is unconscionably large, the Manager may re-open the account as far back as he deems fit, and allow for interest to the date of his decision only such amount as to him may seem fair and reasonable.

Power to reduce interest.

18. An appeal against any decision or order under section fourteen, fifteen, sixteen, or seventeen shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

19. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the Manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide (*a*) for the continuance of the payments to be made by the Manager under section ten, (*b*) for the order in which such debts and liabilities shall be paid and discharged, and (*c*) for the rate of interest (if any) on the aggregate amount finally awarded under this Part in respect of each claim from the date of the final decision on such claim to the date of the payment and discharge thereof.

Provisions of scheme.

Any such scheme may further provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

May provide for improving the property.

20. The Commissioner may—

Proceedings of Commissioner on submission of scheme.

(*a*) as often as he thinks fit send back such scheme to the Manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him either as it stands, or subject to such modifications as he may deem expedient.

21. At any time before he has sanctioned a liquidation-scheme under section twenty, the Commissioner may by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession and enjoyment thereof, subject to any leases made under section eleven;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section ten shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section eight, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

22. On the sanction of the liquidation-scheme by the Commissioner—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section eight shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the Manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

23. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the Manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the Manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive under the liquidation-scheme the amount (if any) awarded to him under Part IV of this Act.

24. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the Manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the Manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

25. Subject to ther ules made under section thirty-one, the Manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions as may be agreed upon.

Power to lease.

26. At any time after the liquidation-scheme has been sanctioned as aforesaid, the Manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme,

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the Manager thinks fit, such portion of the said property as may appear expedient:

Provided that no property shall be sold under this section without the previous consent of the owner thereof, and of the person or persons being of full age who would be his heir or heirs if he then died intestate.

27. The Manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

28. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the Manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the Manager under the power conferred by section twenty-six, but subject to the leases and mortgages (if any) granted and made by the Manager under the powers conferred by sections eleven, twenty-five and twenty-six.

29. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided,

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section eight; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his succession.

30. When a jágírdár or zamíndár has been restored under section twenty-eight to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jágírdár or zamíndár, shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

VI.—MISCELLANEOUS.

31. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest, and the order of paying debts and liabilities;

(*d*) to provide for the exercise by any officer conducting an enquiry under this Act of any power exercised by a Civil Court in the trial of suits;

(*e*) for investing any moneys received or raised by the Manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*f*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and when so published shall have the force of law.

32. Whenever the Commissioner thinks fit, he may suspend or remove any Manager and may appoint any officer in the stead of any Manager appointed under this Act; and thereupon the management then vested under this Act in the former Manager shall become vested in the new Manager.

Power to appoint new Manager.

Every such new Manager shall have the same powers as if he had been originally appointed.

33. Every Manager appointed under this Act, shall be deemed a public servant within the meaning of the Indian Penal Code.

Managers to be public servants.

34. Every investigation conducted by the Manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

35. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Bar of suits.

36. Nothing in this Act precludes the [illegible] in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act, from entertaining and disposing of such suits; but to all such suits the Manager of such property shall be made a party.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

STATEMENT OBJECTS AND REASONS.

The object of this Bill, which has been prepared at the desire of the Local Government, is to provide for the relief of certain Jágírdárs and Zamíndárs in Sindh, whose estates are heavily encumbered. The Bill closely resembles the measures which have been passed of late years for the relief of the Taluqdárs of Oudh, the Thákurs of Broach, and the landholders of Chutiá Nágpur, and the reasons for introducing it are substantially the same as the reasons which led to those enactments.

As the Bill purports to bar certain suits throughout British India, the Bombay legislature is incompetent to pass it.

SIMLA, *The 22nd June* 1876. } T. C. HOPE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in a month.

No. 8 of 1876.

A Bill to amend the law relating to the transfer of Bombay Municipal Debentures.

Preamble.

Whereas under the Bombay Municipal Act of 1865, the Justices of the Peace for the City of Bombay were empowered to mortgage for the purposes therein mentioned the rates and taxes imposed and levied under that Act:

And whereas by section 255 of the same Act it was enacted that any person entitled to any such mortgage might transfer his right and interest therein to any other person, and that every such transfer should be by deed duly stamped, wherein the consideration should be truly stated, and that every such transfer might be according to the form in Schedule K to the said Act annexed or to the like effect:

And whereas in exercise of the said power divers mortgages of the said rates and taxes have been made, and the mortgagees have purported to transfer their mortgages to other persons, but such transfers have been by simple endorsement and not by deed duly stamped:

And whereas it is expedient to provide that such transfers may hereafter be made by endorsement, and to confirm the said transfers heretofore made,

...empt the parties thereto from the penalties which they have incurred by reason of their failure to comply with the provisions of the said section and of the law relating to stamp-duties for the time being in force;

It is hereby enacted as follows:—

Transfers of Bombay Municipal debentures to be by endorsement and free from stamp-duty.

1. Every mortgage of rates and taxes, authorized to be made under the said Bombay Municipal Act of 1865, shall be transferable by endorsement on the instrument of mortgage, and no such endorsement shall be chargeable with any stamp-duty.

Validation of former transfers by endorsement.

2. Every transfer of any such mortgage heretofore made by endorsement shall be, and be deemed to have been, as valid as if this Act had been in force at the date of such transfer; and no stamp-duty shall be, or be deemed to have been, chargeable in respect of any such transfer; and no penalty shall be deemed to have been incurred by reason of any failure to comply with the provisions of the said section 255 or of the law relating to stamp-duties for the time being in force.

STATEMENT OF OBJECTS AND REASONS.

Under the power conferred by the Bombay Municipal Act (Bombay Act No. II of 1865), numerous mortgages (generally called Municipal Debentures) were made of the rates and taxes imposed and levied under that Act. The mortgagees in many, if not in all, instances have purported to transfer their interests to other persons. In so doing, however, the directions contained in section 255 of that Act, that every such transfer should be "by deed duly stamped, wherein the consideration shall be truly stated," have been unintentionally disregarded, and the transfers have been made by simple unstamped endorsement.

The objects of this Bill, which has been prepared at the request of the Local Government, are, first, to assimilate in Bombay the law as to the transfer of Municipal debentures to that which prevails in the other Presidency Towns under Bengal Act IV of 1876, section 335, and Madras Act IX of 1867, section 98, and, secondly, to validate the transfers which have already been made of the Bombay Municipal debentures, and to relieve the parties thereto from the penalties which they have incurred from their neglect of the requirements of the Stamp Act.

SIMLA;
16th June 1876. } T. C. HOPE.

WHITLEY STOKES,
Secy. to the Govt. of India.

First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in a month.

No. 9 of 1876.

A Bill to amend the Stage Carriages Act.

Preamble.

Whereas Act No. XVI of 1861 (*for licensing and regulating Stage Carriages*) does not apply to carriages drawn by camels or oxen, and it is expedient to render it applicable to such carriages; It is hereby enacted as follows:—

Amendment of Act XVI of 1861, s. 21.

1. For the third sentence of section 21 of the said Act, the following shall be substituted (that is to say):

"The term 'horse' shall include ponies, mules, camels, and oxen."

Local extent of Act XVI of 1861.

2. The said Act, as amended by this Act, applies to the whole of British India, but not so as to supersede or contravene the provisions of any local law dealing with the same subject.

STATEMENT OF OBJECTS AND REASONS.

The Government of the North-Western Provinces has recently called the attention of the Government of India to the necessity of bringing conveyances drawn by camels within the scope of the Stage Carriages Act of 1861. The primary object of the present Bill is to make this amendment; and the opportunity has been taken to render the Act applicable also to carriages drawn by oxen, and to declare it to be in force throughout British India.

SIMLA;
The 22nd June 1876. } E. C. BAYLEY.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 8, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following further Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 22nd June 1876:—

We, the undersigned Members of the Select Committee to which the Bill to extend certain parts of the Code of Criminal Procedure to the Courts of the Police Magistrates in the Presidency towns was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Note by the Hon'ble A. G. Macpherson, dated 28th February 1876.
Proposed re-arrangement of the Bill by the Secretary, Legislative Department.
From Government of Bombay, No. 1279, dated 24th February 1876.
" Honorary Secretary, British Indian Association, dated 8th March 1876.
" Honorary Secretary to the Calcutta Attornies' Association, dated 4th March 1876.
Opinion by W. E. B. Forsyth, Esq., dated 25th February 1876.
Remarks by the Senior Magistrate, Madras, dated 7th March 1876.
From Government of Bengal, No. 938 J., dated 13th March 1876, and enclosures.
Summary of demi-official remarks by the Senior Magistrates of Madras and Bombay.
From Superintendent and Remembrancer of Legal Affairs, No. 1773, dated 29th March 1876.
From Government of Madras, No. 719, dated 13th April 1876, and enclosures.
From Government of Bombay, No. 3996, dated 12th July 1875.
From Government of Madras, No. 1673, dated 19th July 1875, and enclosures.
Petition from Bombay Association, dated 18th May 1876.
Memorial of the British Indian Association, dated 2nd June 1876.
From Home Department, No. 872 J., dated 1st June 1876, and enclosures.
Note by Hon'ble T. C. Hope, dated 6th June 1876.
From Home Department, No. 971 J., dated 12th June 1876, and enclosures.
From Home Department, No. 981 J., dated 14th June 1876, forwarding letter from Government of Bengal, No. 3234, dated 17th November 1875.
" do. do., No. 979 J., dated 14th June 1876, forwarding letter from Government of Bombay, No. 2990, dated 30th September 1875, and enclosures.

2. We have provided (section 1) that the Bill shall come into force, not at once, but on such day as the Governor General in Council directs by notification.

3. We have defined the word 'place,' and have struck out as unnecessary the definitions of 'special and local law,' 'inquiry,' 'inquired into,' 'cognizable and non-cognizable offence,' 'Magistrate,' 'High Court.'

4. For the same reason we have omitted the clause relating to the salaries of Presidency Magistrates.

5. We have also omitted the provision that such Magistrates shall exercise the powers which under any law may be exercised by two Justices of the Peace.

6. We have struck out the clause declaring that *all* existing Magistrates of Police (honorary as well as stipendiary) shall be deemed Presidency Magistrates under the proposed Act. The Local Governments will therefore have to make timely arrangements for re-appointing

such of those Magistrates as they may deem fit to exercise the enhanced powers which Presidency Magistrates will possess.

7. We have provided (section 11) that no punishment inflicted by a Presidency Magistrate shall exceed the punishment provided for the offence by the Penal Code or other law creating it. Under the Bill, as it recently stood, a Magistrate might give two years' imprisonment for criminal trespass.

8. We have struck out as unsuited to the Presidency towns the provisions authorizing the issue of process upon mere suspicion entertained by a Magistrate.

9. We do not think it expedient that any previous conviction should be allowed to be proved in order to enhance punishment: we have therefore (section 94) confined for this purpose previous convictions to those of offences against property, of offences relating to coin and stamps, and of the other offences enumerated in sections 2 and 4 of the Whipping Act.

10. We think that a Presidency Magistrate should record the evidence in all appealable cases, *i. e.*, as the Bill now stands, in all cases in which he inflicts a fine exceeding Rs. 200, or imprisonment for a term exceeding six months. We have altered section 115 accordingly. We have also amended the rules (section 16) relating to the record of confessions.

11. As the powers of Presidency Magistrates will be so much increased, we think that in all serious cases a formal charge should be compulsory. We therefore propose (section 116) to require a charge in all cases punishable with imprisonment for a term exceeding six months; and we have taken from the Code of Criminal Procedure, sections 126 and 127, provisions as to the time at which the charge shall be drawn up and as to explaining it to the accused.

12. We think that whenever the Magistrate inflicts imprisonment, or fine exceeding Rs. 50 (and not merely in cases which are appealable to the High Court), he should add to the final order a brief statement of the reasons for the conviction. We have provided for this in section 126.

13. We have empowered (section 146) a Presidency Magistrate to obtain, for the purposes of inquiries and trials, not only letters, but telegrams. But we have provided that when he is not the Senior (or, as we propose to call him, the Chief) Magistrate, the direction to deliver the letter or telegram required must come from the Chief Magistrate.

14. We have enabled (section 153) the Magistrate to examine the Chemical Examiner. As the latter official usually resides near at hand, there is not the same objection as there would be to calling him in the mofussil.

15. We have provided (section 158) that commissions addressed to the Magistrate of the District may be executed by such Magistrate of the first class as he appoints.

16. In the part of the Bill (sections 159—166) which relates to search-warrants, we have added sections corresponding with sections 382 and 386 of the Criminal Procedure Code.

17. We have extended (section 167) the right of appeal against convictions. As the Bill now stands, convicted persons may appeal where the Magistrate has sentenced them to imprisonment for a term exceeding *six* months, or to fine exceeding Rs. 200. The jurisdiction of the Magistrates without appeal will thus nearly correspond to what it is at present.

18. We see no objection to the principle of giving power to Government to appeal in case of acquittal—a principle which is recognized in the Code of Criminal Procedure. But by section 168 we have diminished, from six to two months, the period within which such appeals must be presented under the proposed Act; and we have empowered the High Court, on admitting the appeal, to order the accused to be arrested and to commit him to prison or release him on bail: in this respect the Code seems defective.

19. We have altered the section (181) relating to applications under Act X of 1875, section 147. Section 181 now provides that whenever such an application is made, the applicant shall give notice to the Public Prosecutor, &c., and that no order shall be made on the merits unless at least twenty-four hours have elapsed between the giving of the notice and the hearing.

20. We have struck out the clause giving appeals to the High Court in cases of contempt. Such cases will stand on the same footing with other decisions of Magistrates.

21. We have taken away the power to award costs as distinguished from compensation.

22. We have also struck out the power (taken from Madras Act VIII of 1868, section 15) to order the restitution of property forming the subject of a charge on which a conviction has been obtained. The matter seems to a majority of us sufficiently provided for by section 242.

23. The Bill in many cases required that a seal be affixed to warrants, charges and decisions. We see no practical advantage in these requirements and have therefore struck them out.

24. We have provided (section 232) that the sections relating to security for good behaviour shall not apply to European British subjects in cases where they may be dealt with under the European Vagrancy Act.

25. We have found it expedient to re-arrange the Bill. As last published, it closely followed the order of the present Code of Criminal Procedure, which order may for our purpose be usefully altered.

We have therefore divided the Bill into four Parts and nineteen Chapters, arranged as follows:—

Part I contains the usual preliminary matter, and a chapter dealing with the constitution and powers of the Presidency Magistrates Courts.

Part II treats of an ordinary case from its inception to execution. It deals successively with the following subjects: the place of enquiry: complaints: prosecutions in certain cases: summons: warrant: bail: enquiry into cases triable by the High Court: the charge: trial of cases: evidence: appeals: execution.

Part III relates to special proceedings and treats of the following subjects: criminal lunatics: contempts: security for keeping the peace: security for good behaviour: restoring possession of immoveable property: maintenance of wives and children.

Part IV contains some miscellaneous matters. It treats, for instance, of offences against the Railway, Telegraph, Post Office and Arms Acts. It provides for references of questions of law to the High Court: for the disposal of property respecting which an offence has been committed: for the payment of the expenses of complainants and witnesses: for giving information of certain offences; and for assisting the Magistrates and the Police to prevent a breach of the peace, to suppress a riot, and to take a person whose arrest is authorized.

26. We have found it expedient to make a number of amendments in the wording of the sections taken from the Code of Criminal Procedure.

27. We have been urged to extend to the Presidency Towns Chapter XXXIX (as to Local Nuisances) of the Code of Criminal Proceedure. But we think that the matter is more properly provided for by the local Municipal Acts.

28. We think that the Bill has been so altered that it should be republished, and we accordingly recommend that it be republished in the *Gazette of India*, in the *Calcutta Gazette*, the *Fort St. George Gazette* and the *Bombay Government Gazette*, and that its further consideration be stayed until the Council re-assembles in Calcutta.

T. C. HOPE.
A. HOBHOUSE.
E. C. BAYLEY.
JOHN INGLIS.
F. R. COCKERELL.

The 14th June 1876.

No. V.

THE PRESIDENCY MAGISTRATES' BILL, 1876.

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THE FIRST SCHEDULE—ENACTMENTS REPEALED.

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THE THIRD SCHEDULE—FORMS.

A Bill to regulate the procedure and increase the jurisdiction of the Courts of Magistrates in the Presidency Towns.

Preamble.

Whereas it is expedient to consolidate and amend the law regulating the procedure of the Courts of Magistrates in the Presidency towns, and to increase the jurisdiction of such Courts; It is hereby enacted as follows:—

PART I.

CHAPTER I.—PRELIMINARY.

Short title.

1. This Act may be called "The Presidency Magistrates' Act, 1876":

Commencement.

And it shall come into force on such day as the Governor General in Council directs by notification in the *Gazette of India*.

Repeal of Acts.

2. On and from that day the Acts mentioned in the first schedule hereto annexed are repealed to the extent specified in the third column of the said schedule.

Saving of powers under local laws.

3. Nothing in this Act shall be deemed to restrict any power conferred by any special or local law.

Matters indicated in second schedule.

4. The Court by which an offence is triable under this Act is indicated by the seventh column of the second schedule hereto annexed and by the third explanatory note prefixed to such schedule.

The cases in which the Police may arrest without warrant or not, in the case of each offence under the Indian Penal Code or any law referred to in section fourteen,

whether a warrant or a summons shall ordinarily issue in the first instance, and

whether the offence is bailable or not,

are indicated respectively by the third, fourth and fifth columns of the same schedule.

The punishment for each offence under the Indian Penal Code is indicated by the sixth column of the same schedule.

5. Cases pending when this Act comes into force in any of the Courts of Police Magistrates, or in the town of Bombay in the Court of Petty Sessions, shall be dealt with, as far as may be, according to the procedure herein provided.

Pending cases.

6. In this Act, unless there be something repugnant in the subject or context:—

Definitions.

"writing" includes print, lithography, photography and engraving:

"writing."

"bailable offence" means an offence for, and "bailable case" means a case in, which bail may be taken under any law in force for the time being:

"bailable offence or case."

"non-bailable offence" means an offence for, and "non-bailable case" means a case in, which bail may not be taken under any law in force for the time being:

"non-bailable offence or case."

"chapter" means a chapter of this Act.

"chapter."

"place" includes also house, building and vessel; and

"place."

words which refer to acts done extend also to illegal omissions.

Words referring to acts done.

CHAPTER II.—CONSTITUTION AND POWERS OF THE PRESIDENCY MAGISTRATES' COURTS.

7. The Local Government may, with the sanction of the Governor General in Council,

Establishment of Presidency Magistrates' Courts.

(*a*) constitute within the towns of Calcutta, Madras, and Bombay respectively so many divisions as the said Government thinks fit,

(*b*) define the extent thereof respectively,

(*c*) from time to time alter the number of such divisions and their respective extents, and

(*d*) establish a Presidency Magistrate's Court for each of such divisions.

8. The Local Government may also from time to time appoint a sufficient number of fit persons to be Magistrates for the said towns respectively, and may suspend or remove any person so appointed.

Appointment of Presidency Magistrates.

Any such person may sit and act as a Magistrate in any of the said Courts.

Such persons shall be called Presidency Magistrates.

Every such person shall, by virtue of his office, be a Justice of the Peace for the town of which he is a Magistrate,

Presidency Magistrates to be Justices of the Peace.

and shall exercise jurisdiction in all places within the local limits of the ordinary original criminal jurisdiction of the High Court,

Local limits of jurisdiction.

and within the limits of the port of such town and of any navigable river or channel leading thereto as such limits are defined under the law for the time being in force for the regulation of ports and port-dues.

The area comprised within such local limits shall be deemed to be a district within the meaning of the Code of Criminal Procedure and of this Act.

Every Presidency Magistrate in the town of Bombay shall exercise all powers and jurisdictions which under any law in force immediately before the passing of this Act may be exercised by the Court of Petty Sessions, and such Court is hereby abolished.

Bombay Court of Petty Sessions.

9. In each of the said towns the Local Government shall appoint one of the Presidency Magistrates to be Chief Magistrate. Such Magistrate shall exercise in such town all the powers which by any law or rule are required to be exercised by any Senior or Chief Magistrate, and may, with the previous sanction of the Local Government, make rules consistent with this Act, to regulate the conduct of business and secure uniformity of practice in the Courts of the Presidency Magistrates.

Appointment and powers of Chief Magistrate.

Notwithstanding anything in the last paragraph of section 8, appeals under the law for the time being regulating the municipality of Bombay shall lie to the Chief Magistrate only.

10. All references in any Act now in force to Magistrates of Police shall be deemed to be made to Presidency Magistrates.

References in Acts to Magistrates of Police.

11. Any Presidency Magistrate may pass the following sentences:—

Sentences which Presidency Magistrates may pass.

Imprisonment not exceeding the term of two years (including such solitary confinement as is authorized by law):

Fine not exceeding one thousand rupees:

Whipping.

A Presidency Magistrate may pass any lawful sentence, combining any of the sentences which he is authorized by law to pass.

EXPLANATION.—A Presidency Magistrate may award imprisonment in default of payment of fine, in addition to the full term of imprisonment which, under this section, he is competent to award. But no punishment inflicted under this section shall exceed the punishment provided for the offence by the Indian Penal Code or the special or local law by which such offence is created.

12. In every case punishable under any law in force for the time being with imprisonment as well as fine, in which the offender is sentenced to a fine, whether with or without imprisonment, the Presidency Magistrate shall be guided by the provisions of sections 64 and 65 of the Indian Penal Code in fixing the period of imprisonment in default of payment of the fine:

Imprisonment in default of payment of fine.

Provided that, in no case decided by a Presidency Magistrate, where imprisonment has been inflicted as part of the substantive sentence, shall the period of imprisonment inflicted in default of payment of the fine exceed one-fourth of the period of imprisonment which he is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.

Proviso as to cases decided by Magistrate.

Where a person is sentenced to fine only, the Presidency Magistrate may fix such term of imprisonment in default of payment of fine as is allowed by law, provided the term does not exceed two years.

13. When a person is convicted, at one trial, of two or more offences punishable under the same section, or different sections, of any law, the Presidency Magistrate may sentence him, for the offences of which he has been convicted, to the several penalties prescribed by such law which such Magistrate is competent to inflict; such penalties, when consisting of imprisonment, to commence the one after the expiration of the other:

Sentence in cases of simultaneous conviction of several offences.

Provided that the punishment shall not in the aggregate exceed twice the amount of punishment which the Magistrate is, by his ordinary jurisdiction, competent to inflict.

14. Offences punishable under any law, other than the Indian Penal Code, containing no distinct provision as to the Court or officer before which or before whom they are to be tried, may be inquired into and tried, according to the provisions hereinafter contained, by a Presidency Magistrate. But no such Magistrate shall pass any sentence in excess of his powers.

Offences under enactments not specifying Court authorized to try.

15. When any offence is committed in the presence of a Presidency Magistrate, he may order any person to arrest the offender, and when the offender is arrested may commit him to custody, or, if the offence is bailable, may admit him to bail.

Offence committed in Magistrate's presence.

16. A Presidency Magistrate may record any statement made to him at any place within the local limits of his jurisdiction by any person, or any confession made to him at any such place by any person accused of an offence.

Power to record statements and confessions.

Such statements and confessions shall be recorded in the manner prescribed in section 115 for recording evidence, and shall, when recorded, be forwarded to the Magistrate by whom the case is inquired into or tried.

Every confession shall be taken down as nearly as may be in the words used by the person making it, and shall be read over to him before it is recorded.

No Presidency Magistrate shall record any such confession unless, upon inquiry, he has reason to believe that it was made voluntarily; and on recording any such confession, he shall make a memorandum at the foot thereof to the following effect:—

"I believe that this confession was voluntarily made. It was read over to the person making it and was admitted by him to be correct."

(Signed) A. B.,
Presidency Magistrate.

17. Upon complaint made to a Presidency Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful purpose, he may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge or government of such child, and may compel compliance with such order, using force if necessary.

Power to compel restoration of abducted females.

PART II.

CHAPTER III.—THE PLACE OF INQUIRY AND TRIAL.

18. Every offence shall ordinarily be inquired into, and, if triable by a Magistrate, shall be tried in the district in which it was committed. If triable by a High Court, it shall (subject to the provisions of section 64A of the Code of Criminal Procedure) be tried by the High Court to which the Magistrate commits.

Place for inquiry and trial of offence.

EXPLANATION.—Offences created by local and special laws may be inquired into and tried in any place where the inquiry or trial might be held under the provisions of those laws or of this Act.

19. When a person is accused of the commission of any offence by reason of anything which has been done, and of any consequence which has ensued, such offence may be inquired into or tried in any district in which any such thing has been done, or any such consequence has ensued.

Accused triable in district where act done, or where consequence ensues.

Illustrations.

(*a.*) A is wounded in district X and dies in district Z. The offence of the culpable homicide of A may be inquired into and tried either in X or Z.

(*b.*) A is wounded in district X, and is, during twenty days, unable to follow his ordinary pursuits in district Y, where he is being treated. The offence of causing grievous hurt to A may be inquired into and tried either in X or Y.

(*c.*) A is put in fear of injury in district X, and is thereby induced, in district Y, to deliver property to the person who put him in fear. The offence of extortion committed on A may be inquired into and tried either in X or Y.

20. When an act is an offence by reason of its relation to any other act which is also an offence, a charge of the first-mentioned offence may be inquired into and tried, either in the district in which it was committed, or in the district in which the other act was committed.

Place for trial where act is offence by reason of relation to other offence.

Illustrations.

(*a.*) A charge of abetment may be inquired into and tried, either in the district in which the abetment was committed, or in the district in which the offence abetted was committed.

(*b.*) A charge of receiving or retaining stolen goods may be inquired into and tried, either in the district in which the goods were stolen, or in the district in which any of them were at any time dishonestly received or retained.

(*c.*) A charge of wrongfully concealing a person known to have been kidnapped may be inquired into and tried in the district in which the wrongful concealing, or in the district in which the kidnapping, took place.

(*d.*) A, B, C and others combine together to abet the waging of war against the Queen. Any of the conspirators may be tried in any district in which acts were done by any one of the persons with whom he or they conspired, in pursuance of their original concerted plan and with reference to their common object.

Place for inquiry or trial where scene of offence is uncertain;

or offence not committed in one district only;

or offence is continuing;

or consists of several acts in different districts:

21. When it is uncertain in which of several districts an offence was committed; or

where an offence is committed partly in one district and partly in another; or

where an offence is a continuing one and continues to be committed in more districts than one; or

where an offence consists of several acts done in different districts,

it may be inquired into and tried in any of such districts.

or offence is committed on journey or voyage.

An offence committed on a journey or voyage may be inquired into and tried in any district through or into which the person by whom the offence was committed, or the person against whom, or the thing in respect of which, the offence was committed, passed in the course of that journey or voyage.

Being a thug or dacoit. Escaping from custody.

22. The offence of being a thug, or of having belonged to a gang of dacoits, or of having escaped from custody may be inquired into and tried wherever the accused person happens to be when the complaint is made.

Criminal misappropriation and criminal breach of trust.

The offence of criminal misappropriation, or of criminal breach of trust, may be inquired into and tried either in the district in which the property which is the subject of the offence was received by the accused person, or in any other district in which the offence was committed.

Murder as a thug, dacoity or dacoity with murder.

The offence of murder as a thug, dacoity or dacoity with murder, may be inquired into and tried wherever the person accused happens to be when arrested, or in any other district in which he might be tried under any other provision of this Act, or any other law relating to the trial of such offence.

Stealing cattle.

The offence of stealing an animal may be inquired into and tried either in the district in which such animal was stolen or in any other district through or into which it was conveyed.

High Court to decide in case of doubt district where inquiry shall take place.

23. Whenever any doubt arises as to the district in which any offence should be inquired into or tried, the High Court within whose jurisdiction the offender is apprehended may decide in which district the offence shall be inquired into or tried.

Effect, on sentence, of holding investigation, inquiry or trial in wrong district.

24. No sentence or order of any criminal Court shall be liable to be set aside merely on the ground that the inquiry or trial was held in a wrong district, unless it is proved, or appears, that the accused person in his defence, or the prosecutor in his prosecution, was actually prejudiced by such error, in either of which cases a new trial may be ordered.

CHAPTER IV.—OF COMPLAINTS TO A PRESIDENCY MAGISTRATE.

When Presidency Magistrate may take cognizance of offences.

25. A Presidency Magistrate may take cognizance of any offence—

(*a*) upon a complaint by a private person,

(*b*) upon information or report by a Police-officer,

(*c*) upon information received under section 245.

Who may make complaints.

26. Any person acquainted with the facts of a case may make a complaint.

Every such information or report shall be regarded as a complaint.

Process to compel appearance.

27. On receipt of a complaint a Presidency Magistrate may, if the person complained of be not already in custody, proceed by summons or warrant to compel his appearance.

Jurisdiction given by complaint.

28. A complaint gives jurisdiction to a Presidency Magistrate to inquire into or try (as the case may be) any offence covered by the facts complained of, or disclosed on such inquiry or trial, and also to try or commit for trial (as the case may be) any person not complained against, but who, at the time when the complaint is made, or subsequently, appears to have committed any offence so disclosed.

Complaint or sanction required in certain cases.

29. Nothing in section 27 or 28 shall be held to authorize a Presidency Magistrate to take cognizance, without complaint, of any offence falling under chapters XIX, XX or XXI of the Indian Penal Code; nor without sanction to receive a complaint, or to take cognizance without complaint, of any offence, where such complaint or offence, by any law in force for the time being, may not be received or taken cognizance of without sanction.

Magistrate to examine complainant.

30. Whenever a complaint is made to a Presidency Magistrate, such Magistrate, if he has jurisdiction in the case, shall examine the complainant; and such examination may be on oath or affirmation, or not, as the Magistrate in each case thinks fit:

Provided that the Magistrate, if he thinks fit, may, before the matter of the complaint is brought before him, require it to be reduced to writing.

Effect of omission.

Where the complaint has been made by petition, and the Magistrate neglects to examine the complainant, the trial of the person accused shall not be set aside on this ground.

Postponement of issue of process.

31. If the Magistrate sees cause to distrust the truth of the complaint, he may postpone the issuing of process for compelling the attendance of the person complained against, and may direct a previous inquiry or investigation to be made, either by means of any officer subordinate to such Magistrate, or of a local Police-officer, or in such other mode as he thinks fit, for the purpose of ascertaining the truth or falsehood of the complaint.

Dismissal of complaint.

32. The Magistrate before whom the complaint is duly made may, if, after examining the complainant, there is in his judgment no sufficient ground for proceeding, dismiss the complaint.

The dismissal of a complaint shall not prevent subsequent proceedings.

Issue of process.

33. If it appears to such Magistrate that there is sufficient ground for proceeding, he shall issue his summons or his warrant (as the case may be) for causing the accused person to appear before him.

When summons may issue.

34. When a complaint is made before a Presidency Magistrate having jurisdiction in the case that any person has committed or is suspected of having committed any offence triable by such Magistrate and punishable with fine only, or with imprisonment for a period not exceeding six months, or with both, the Magistrate may issue his summons directed to such person, requiring him to appear to answer the complaint, at a certain time and place, before such Magistrate as may then be there.

If the Magistrate believes that the accused person is about to abscond, he may, instead of issuing a summons, issue a warrant in the first instance for the arrest of such person.

Where warrant or summons may issue on complaint.

35. When a complaint is made before a Presidency Magistrate having jurisdiction in the case that any person has committed or is suspected of having committed—

(*a*) any offence triable by such Magistrate and punishable with imprisonment for a period exceeding six months, or

(*b*) any offence triable exclusively by the High Court, or which, in the opinion of such Magistrate, ought to be tried by the High Court,

such Magistrate may issue his warrant to arrest such person, or, if he thinks fit, his summons directed to such person, requiring him to appear to answer the complaint at a certain time and place before such Magistrate as may then be there.

Warrant to arrest, if summons not obeyed.

36. If the person served with a summons does not appear before the Magistrate at the time mentioned in such summons, and the Magistrate is satisfied that such summons was duly served in what he deems a reasonable time before the time therein appointed for appearing pursuant thereto,

or if it appears to the Magistrate that, after due diligence, the summons could not be served according to the provisions of this Act,

the Magistrate may issue his warrant to apprehend the accused person.

Magistrate may dispense with personal attendance of accused.

37. Whenever the Magistrate issues a summons, he may, if he sees sufficient cause, dispense with the personal attendance of the accused person, and permit him to appear by his advocate, attorney or pleader.

But such Magistrate may in his discretion, at any stage of the proceedings, direct the personal attendance of the accused person, and, if necessary, enforce such attendance by issuing a warrant to arrest him.

CHAPTER V.—OF PROSECUTIONS IN CERTAIN CASES.

Prosecutions for offences against the State.

38. A complaint of an offence punishable under chapter VI of the Indian Penal Code, except section 127, or punishable under section 294A of the same Code, shall not be received by any Presidency Magistrate, unless it be made by order of, or under authority from, the Governor General in Council or the Local Government, or some officer empowered by the Governor General in Council to order or authorize such complaint, or unless it be made by the Advocate General.

Prosecution of Judges and public servants.

39. A complaint of an offence of which any Judge, or any public servant not removeable from his office without the sanction of the Government, is accused as such Judge or public servant, shall not be received by any Presidency Magistrate, except with the previous sanction, or under the direction,

(*a*) of the Government, or

(*b*) of some officer empowered in this behalf by the Government, or

(*c*) of some Court or other authority to which such Judge or public servant is subordinate, and whose power so to sanction or direct such complaint has not been limited by the Government.

No such Judge or public servant shall, unless with the previous sanction of the Government, be prosecuted for any act purporting to be done by him in the discharge of his duty.

Power of Government as to prosecution.

The Government may, in any case or class of cases, prescribe the person by whom, and the manner in which, the prosecution is to be conducted, and may specify the Court before which the trial shall be held.

Definition of 'Government,' 'Judge,' and 'public servant.'

In this section, the expression 'Government' means either the Local Government or the Governor General in Council, and the expressions 'Judge' and 'public servant' have the meaning assigned to them respectively by the Indian Penal Code.

Prosecution for contempts of the lawful authority of public servants.

40. A complaint of any offence described in chapter X of the Indian Penal Code, not falling within section 175, 178, 179, 180 or 228 of that Code, shall not be received by any Presidency Magistrate, except with the sanction or on the complaint of the public servant concerned or of his official superior.

Sanction to prosecution for certain offences against public justice.

41. A complaint of an offence against public justice, described in section 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209, 210, 211 or 228 of the Indian Penal Code, when such offence is committed before or against a civil or criminal Court, shall not be received by any Presidency Magistrate, except with the sanction of the Court before or against which the offence was committed, or of some other Court to which such Court is subordinate.

42. A complaint of an offence relating to documents, described in section 463, 471, 475 or 476 of the Indian Penal Code, when the document has been given in evidence in any proceedings in any civil or criminal Court, shall not be received against a party to such proceedings, by any Presidency Magistrate, except with the sanction of the Court in which the document was given in evidence, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences relating to documents given in evidence.

43. The sanction referred to in sections 40, 41 and 42 respectively may be expressed in general terms, and need not name the accused person, and may be given at any time. But it shall, so far as practicable, specify the court or other place in which, and the occasion on which, the offence is alleged to have been committed.

Nature of sanction necessary.

A sanction under any one of the three last preceding sections shall be deemed sufficient authority for the Presidency Magistrate to alter the charge (if any) to one of an offence coming within either of the two remaining sections, if the facts disclose such offence.

44. When any civil, criminal, or other Court inferior to a High Court is of opinion that there is sufficient ground for inquiring into any complaint mentioned in section 40, 41 or 42, such Court may either itself inquire into and commit the case for trial before the High Court, or may send the case for disposal to any Presidency Magistrate having jurisdiction.

Procedure in cases mentioned in section 40, 41 or 42.

The Court may send the accused person in custody, or take sufficient bail for his appearance, before such Magistrate; and may bind over any person to appear and give evidence in the case.

45. A complaint of an offence under section 497 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the other person (if any) under whose care she was living at the time when the adultery was committed.

Prosecution for adultery.

A complaint of an offence under section 498 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the person (if any) having the care of her on behalf of her husband at the time when the offence was committed.

Prosecution for enticing away married woman.

46. The application of the public servant or Court to a Presidency Magistrate to inquire into or try any case under this chapter shall be deemed a sufficient complaint.

Application to be deemed a complaint.

CHAPTER VI.—OF THE SUMMONS AND WARRANT.

47. Every summons issued by a Presidency Magistrate to an accused person shall be in writing signed by such Magistrate, and shall be in the form (A) given in the third schedule to this Act, or to the like effect.

Form of summons.

48. If the accused person can be found, the summons shall be served on him personally, wherever he may be, by delivering or tendering the summons to him.

Summons how served.

Every person to whom a summons is delivered or tendered under this section, shall, if required by the person delivering or tendering the same, sign a receipt therefor, or countersign a copy thereof.

49. If the accused person cannot be found, the summons may be served by leaving it for him with some adult male member or servant of his family residing with him; and the person with whom the summons is so left, shall, if so required by the serving officer, sign a receipt therefor, or countersign a copy thereof. If there is no such member or servant with whom the summons can be left, the serving officer shall fix it on some conspicuous part of the house in which the accused person ordinarily resides, and thereupon the summons shall be deemed to have been duly served.

Service when accused cannot be found.

When the person summoned is in the service of Government or of any Railway Company, the Magistrate issuing the summons may send it to the head of the office in which the person summoned is employed; and such head shall thereupon cause the summons to be served in manner hereinbefore provided.

Service on servants of Government and Railway Companies.

50. When a summons issued by a Presidency Magistrate is to be served at any place outside the local limits of his jurisdiction, he may send the summons in duplicate to the Magistrate of the place where the accused resides or is, to be there served.

Service of summons outside Presidency Towns.

51. When a summons issued by a Presidency Magistrate is served outside such local limits as aforesaid, and also in cases where the person who has served the same is not present at the hearing of the complaint, the service may be proved

Proof of service in such cases and when server not present.

(*a*) by a solemn declaration, purporting to be made before a Magistrate, that such summons has been served, and such declaration may be endorsed on the duplicate summons and returned to the Magistrate who issued the summons, or

(*b*) by a copy of the summons purporting to be countersigned by the person to whom it is addressed, or

(*c*) by a receipt under section 48.

52. The provisions relating to a summons, its issue and service, contained in sections 47 to 51 (both inclusive), shall be applicable to every summons issued under this Act.

Provisions applicable to all summonses under Act.

53. A Presidency Magistrate may, notwithstanding the issue of a summons under this Chapter, either before the appearance of the accused person as required by such summons, or after he fails so to appear, issue a warrant of arrest against him.

Issue of warrant in addition to summons.

54. A Presidency Magistrate may issue a summons for the attendance, or a warrant for the apprehension, of any person within the local limits of his jurisdiction, in respect of any offence alleged to have been committed by such person in a different district, or on the high seas, or in a foreign country: provided that if the offence were committed within such local limits, the Magistrate might issue a summons or warrant.

Summons or warrant for apprehension of person within jurisdiction for offence committed beyond.

55. On the attendance or apprehension of such person, if the Presidency Magistrate has not jurisdiction in the case, he shall either send such person the the Magistrate within to local limits of whose jurisdiction the offence is alleged to have been committed, or if the offence is bailable, take bail for his appearance before such Magistrate.

Magistrate's procedure on arrest, under his own warrant, for offence committed out of his jurisdiction.

When the Presidency Magistrate cannot satisfy himself as to the Magistrate to whom the person so attending or arrested should be sent, he shall report the case for the orders of the High Court.

56. Every warrant issued by a Presidency Magistrate shall be in writing under his hand, and shall be in the form (B) given in the third schedule to this Act, or to the like effect.

Form of warrant.

Every warrant issued under this Act remains in force until it is cancelled by the Magistrate who issued it, or until it is executed.

Force of warrant of arrest.

57. A fee of eight annas shall be paid for every summons or warrant issued by a Presidency Magistrate, except in the case of a summons to attend and give evidence or to produce documents, in which case there shall be paid a fee of four annas:

Fees for summonses and warrants.

Provided that such Magistrate may in any case remit any such fee, if he is satisfied that the complainant is unable to pay the same, and shall remit it when the complaint is made by a public servant in the execution of his duty.

Power to remit fees.

58. A Presidency Magistrate, in issuing a warrant for the arrest of any person, may in his discretion direct by endorsement on the warrant that, if such person give sufficient bail as therein mentioned for his appearance before the Magistrate on a specified day to answer the complaint, the officer to whom the warrant is directed shall take such bail, and shall release such person from custody.

When Magistrate may direct bail to be taken.

The endorsement shall state (*a*) the number of sureties, (*b*) the amount in which they and the accused person are to be respectively bound, and (*c*) the day on which he is to appear before the Magistrate.

If bail be taken, the said officer shall forward the recognizance to the Presidency Magistrate.

Recognizance to be forwarded.

59. A warrant shall ordinarily be directed to a Police-officer; but the Magistrate issuing a warrant may, if immediate execution be necessary and no Police-officer be immediately available, direct it to any other person.

Warrants to whom directed.

60. A warrant may be directed to several persons, and, when so directed, may be executed by all, or by any one or more of such persons.

Warrant to several persons.

61. A warrant directed to any Police-officer may also be executed by any other Police-officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.

Execution of warrant by Police-officer other than the one addressed.

62. Any Presidency Magistrate who issues a warrant of arrest may attend personally for the purpose of seeing that the warrant is duly executed.

Magistrate issuing warrant may superintend its execution.

Any such Magistrate may also at any time direct the arrest, in his presence, of any person for whose arrest he may issue a warrant.

Arrest in presence of Magistrate.

63. A warrant issued by a Presidency Magistrate shall ordinarily be executed within the local limits of his jurisdiction.

Where warrant may be executed.

But if the person against whom the warrant is issued goes into, or is in, any place outside such limits, the warrant may be executed in such place.

64. A Presidency Magistrate may direct a warrant to be executed outside the local limits of his jurisdiction, either with or without endorsement by a Magistrate within the local limits of whose jurisdiction it is to be executed.

Execution of warrant outside issuing Magistrate's jurisdiction.

Such warrant shall ordinarily be endorsed by the Magistrate within the local limits of whose jurisdiction it is to be executed.

The warrant may be forwarded to such Magistrate for indorsement either by post or by any Police-officer to whom it is directed.

The Magistrate to whom such warrant is forwarded by post shall indorse his name thereon and cause it to be executed within the local limits of his jurisdiction.

If the warrant is forwarded by a Police-officer, to whom it is directed, he may take it either to a Magistrate, or to a Police-officer not below the rank of an officer in charge of a station, within the local limits of whose jurisdiction the warrant is to be executed.

Such Magistrate or Police-officer shall endorse his name thereon, and such endorsement shall be sufficient authority to the Police-officer to whom the warrant is directed to execute the same within such limits, and the local police shall be bound to assist such officer in executing the warrant.

Whenever there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate or Police-officer within the local limits of whose jurisdiction the warrant is to be executed will prevent such execution, the Police-officer to whom it is directed may execute the same without such endorsement in any place beyond the local limits of the jurisdiction of the Magistrate who issued it.

65. If a warrant is executed, whether with or without endorsement, outside the district in which it was issued, the person arrested shall, unless the Presidency Magistrate who issued the warrant be within twenty miles, or be nearer than the Magistrate in whose local jurisdiction the arrest was made, or unless bail be taken under section 58, be brought before the Magistrate within the local limits of whose jurisdiction the arrest was made.

Procedure on execution of warrant outside issuer's jurisdiction.

Such Magistrate shall, if the person arrested appears to be the person intended by the Presidency Magistrate, direct his removal in custody to such Magistrate, unless such person is then ready and willing to give the bail (if any) required under section 58, in which case the Magistrate before whom he is so brought shall accept such bail and forward the recognizance to the Presidency Magistrate.

66. Every Magistrate or Police-officer to whom a warrant under this Act is directed for execution shall execute the same, or cause it to be executed.

Magistrate and Police-officer.

67. If a Presidency Magistrate having jurisdiction in the case has reason to believe that any person accused of an offence not coming within section 34 is absconding or concealing himself, so that a warrant issued against him under this Act cannot be executed, such Magistrate may issue a written proclamation, requiring him to appear to answer the complaint within a fixed period not less than thirty days from the date of publishing the proclamation.

Proclamation for person absconding.

Proclamation how published.

Such proclamation shall be published as follows—

(*a*) it shall be publicly read in some conspicuous place of the town or village in which the accused person usually resides;

(*b*) it shall be affixed to some conspicuous part of his ordinary place of abode, or some conspicuous place of such town or village; and

(*c*) a copy thereof shall be affixed to some conspicuous part of such Magistrate's Court-house.

Evidence of publication.

A statement by the Magistrate to the effect that the proclamation was duly published shall be conclusive evidence of compliance with the requirements of this section.

68. A Presidency Magistrate may order the attachment of any property, moveable or immoveable, belonging to any person believed to be absconding or concealing himself.

Attachment of property of person absconding.

Such order shall authorize the attachment of any property within the local limits of the jurisdiction of the Magistrate making the order; and it shall authorize the attachment of any property without such local limits when endorsed by the Magistrate of the District in which such property is situate.

If the property ordered to be attached be immoveable, the attachment under this section shall, in the case of land paying revenue to Government, be made through the Collector of the District in which the land is situate, and, in all other cases, (*a*) by seizure under the order of the Magistrate having jurisdiction; or (*b*) by the appointment of a manager and receiver; or (*c*) by an order prohibiting the payment of rent to the absent person; or by all or any two of such processes as such Magistrate deems proper.

If the person so believed to be absconding or concealing himself does not appear within the time specified in the proclamation, the property under attachment shall be at the disposal of Government, but shall not be sold until the expiration of six months from the date of the attachment, unless it is of a perishable nature, or such Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Magistrate may cause it to be sold whenever he thinks fit.

69. When any person whose property is or has been at the disposal of Government under the last paragraph of section 68 appears or is found within two years from the date of the attachment, and proves to the satisfaction of the Magistrate by whose order the property was attached that he did NOT abscond or conceal himself for the purpose of evading justice, such property, or, if the same has been sold, the nett proceeds of the sale, or if part only thereof has been sold, the nett proceeds of the sale and the residue of the property, shall, after satisfying thereout all costs incurred in consequence of the attachment, be delivered to him.

Restoration of forfeited property.

CHAPTER VII.—OF BAIL.

70. Every person arrested under this Act shall be kept in custody until he is discharged by the order of a competent Court, or until he is admitted to bail.

Custody of person arrested.

When bail shall be taken.

When any person appears or is brought before a Presidency Magistrate accused of any bailable offence, such person shall be admitted to bail: Provided that cases in which the Magistrate has power to inflict fine only, or imprisonment for a term not exceeding six months, the Magistrate may discharge him on his binding himself by a personal recognizance in such sum of money as the Magistrate thinks sufficient, to appear and attend at the time and place therein mentioned, and to continue so to attend until otherwise directed by the Magistrate.

71. When any person accused of any non-bailable offence appears or is brought before a Presidency Magistrate, such person shall not be admitted to bail, if there appear reasonable grounds for believing that he has been guilty of the offence of which he is accused.

When bail shall not be taken.

When bail may be taken.

If the evidence given in support of the complaint is, in the opinion of the Magistrate, not such as to afford such grounds,

or if such evidence is adduced on behalf of the accused person as, in the opinion of the Magistrate, weakens the presumption of his guilt,

but there appears to the Magistrate, in either of such cases, to be sufficient ground for further inquiry into his guilt,

the accused person shall be admitted to bail pending such inquiry.

But if the Magistrate decide not to admit the accused person to bail, he shall commit him to custody by a warrant in the form (C) given in the third schedule hereto annexed, or to the like effect.

Warrant for intermediate custody.

Any Presidency Magistrate may, at any subsequent stage of any proceeding under this Act, cancel the admission under this section of any accused person to bail, and may commit him to custody, or may admit to bail any person who has been committed to custody under this section.

72. When any person accused before a Presidency Magistrate of any offence is admitted to bail, a recognizance, in such sum of money as the Magistrate thinks sufficient, shall be entered into by the person so accused and one or more sufficient sureties, conditioned that such person shall attend at the time and place mentioned in the recognizance, and shall continue so to attend until otherwise directed by the Magistrate, and if required, shall appear when called upon at the High Court, to answer the charge.

Recognizance of accused and sureties.

It is the duty of the Presidency Magistrate or other officer accepting bail to satisfy himself that every surety entering into such recognizance is a person of whom it may reasonably be presumed that he can, if necessary, satisfy its terms.

Every such recognizance shall be in the form (D) given in the third schedule hereto annexed, or to the like effect.

73. After the recognizance has been entered into, the Presidency Magistrate, in case the accused person has appeared voluntarily or is in the custody of some officer, shall thereupon release him, and in case he is in some jail, shall issue a warrant of release to the officer in charge of the jail, and such officer shall thereupon release him.

Discharge on bail.

74. If the accused person cannot find sufficient bail when permitted so to do, he may, if the Presidency Magistrate thinks fit, be admitted to bail upon finding the same at any time afterwards before conviction.

Admission to bail after failure in first instance.

75. If, through mistake or fraud, insufficient bail have been taken, or if the bail become afterwards insufficient, the accused person may be ordered by a Presidency Magistrate to find sufficient bail, and on failing so to do may be committed to prison.

Power to order sufficient bail when that first taken is insufficient.

76. The sureties for the attendance and appearance of an accused person admitted to bail may, at any time, apply to a Presidency Magistrate to discharge their recognizance.

Discharge of sureties.

On such application being made, the Magistrate shall issue his warrant of arrest, directing that the accused person be brought before him.

On the appearance of such person pursuant to the warrant, or on his voluntary surrender, the Magistrate shall direct the recognizance of the sureties to be discharged, and shall call upon the accused person to find other sufficient sureties, and if he fail to do so, may commit him to prison.

77. Whenever, by reason of default of attendance or appearance of the person bailed, a Presidency Magistrate is of opinion that proceedings should be had to recover the penalty mentioned in the recognizance into which such person has entered, he shall proceed to recover the same, by issuing a warrant for the attachment and sale of the moveable property belonging to such person, which may be found within the local limits of the jurisdiction of such Magistrate.

Procedure to compel payment of penalty by accused.

Such warrant may be executed within such limits, and it shall authorize the distress and sale of any moveable property belonging to the accused person without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

78. Whenever, by reason of default of attendance or appearance of the person bailed, the Presidency Magistrate is of opinion that proceedings should be had to recover from the sureties the penalty mentioned in the recognizance, he shall give them notice to pay the same, or to show cause why it should not be paid.

Procedure to compel payment of penalty by sureties.

If such penalty be not paid, and if no sufficient cause for its non-payment be shown, the Presidency Magistrate shall proceed to recover the penalty from such sureties, by issuing a warrant for the attachment and sale of any moveable property belonging to them, or either of them, which may be found within the local limits of the jurisdiction of such Magistrate. Such warrant may be executed within such limits; and it shall authorize the attachment and sale of any moveable property belonging to the sureties, or either of them, without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, such sureties shall be liable to confinement by order of the Presidency Magistrate, in the civil jail, during a period not exceeding six months.

79. The powers given by sections 77 and 78 may be exercised by every Presidency Magistrate in every case in which a recognizance has been given for the appearance of any person, if default is made by the non-appearance of such person before such Magistrate, according to the conditions of the recognizance:

In what cases powers given by sections 77 and 78 may be exercised.

Provided that the Magistrate may, at his discretion, remit any portion of the penalty mentioned in any such recognizance and enforce payment in part only.

Remission of part of penalty.

80. When any person is required by a Presidency Magistrate to give bail, such Magistrate may permit him to deposit a sum of money or Government promissory notes to such amount as the Magistrate may fix in lieu of such bail.

Deposit instead of bail.

CHAPTER VIII.—OF INQUIRY INTO CASES TRIABLE BY THE HIGH COURT.

Procedure in preliminary inquiries.

81. Cases, triable by a High Court in the exercise of its ordinary original criminal jurisdiction, or which, in the opinion of the Presidency Magistrate before whom the accused person is brought, ought to be tried by such Court, shall be inquired into by a Presidency Magistrate; and in such inquiry he shall adopt the following procedure.

Examination of complainant and witnesses for prosecution.

82. When the accused person appears or is brought before the Magistrate, or if his personal attendance is dispensed with, after reasonable notice to his advocate, attorney or pleader, the Magistrate shall at such time as he thinks fit, take the evidence of the complainant and of such persons as are stated by the complainant to have any knowledge of the facts which form the subject-matter of the accusation and the attendant circumstances.

Such evidence shall be recorded in the manner described in clauses 2, 3 and 4 of section 115.

Examination to be in presence of accused.

83. The complainant and the witnesses for the prosecution shall be examined in the presence of the accused person, or, when his personal attendance is dispensed with, of his advocate, attorney, or pleader (if any).

Procedure in inquiries preliminary to commitment.

The Magistrate may, in his discretion, summon or examine any witness offered on behalf of the accused person to answer or disprove the evidence against him.

Accused may examine, cross-examine and re-examine.

The accused person or his advocate, attorney or pleader shall be permitted to examine his own witnesses, to cross-examine the complainant and his witnesses, and to re-examine his own witnesses, in accordance with the Indian Evidence Act, 1872.

Examination of accused how recorded.

84. Whenever an accused person is examined in the course of a preliminary inquiry into a case triable by the High Court, the whole of such examination, including every question put to him and every answer given by him, shall be recorded in full, and shall be shown or read to him, and he shall be at liberty to explain or add to his answers.

When the whole is made conformable to what he declares is the truth, the examination shall be attested by the signature of the Magistrate, who shall certify under his own hand that it was taken in his presence and in his hearing, and contains accurately the whole of the statement made by the accused person.

Power of Magistrate to summon and examine any person.

85. The Magistrate may, at any stage of the proceedings, summon and examine any person whose evidence he considers essential to the inquiry, and recall and re-examine any person already examined.

Adjournment of inquiry and remand.

86. If, from the absence of a witness or from any other reasonable cause, it becomes necessary or advisable to adjourn the inquiry, the Magistrate may, by a written order, from time to time adjourn the inquiry on such terms as he thinks fit and remand the accused person for a reasonable time not exceeding fifteen days.

EXPLANATION.—After commencing the inquiry, if sufficient evidence has been obtained to raise a suspicion that the person accused may have committed an offence, and it appears likely that further evidence may be obtained by a remand, this is a reasonable cause for a remand.

When accused person to be discharged.

87. When a Presidency Magistrate finds that there are not sufficient grounds for committing the accused person for trial before the High Court, or for remanding him, he shall discharge him, unless it appears to the Magistrate that such person should be tried before himself, in which case he shall proceed accordingly.

EXPLANATION I.—The absence of the complainant, except when the offence may lawfully be compounded, shall not be deemed sufficient ground for a discharge, if there appear other evidence of a nature rendering a trial desirable.

EXPLANATION II.—A discharge is not equivalent to an acquittal, and does not bar the revival of a prosecution for the same offence.

EXPLANATION III.—An order of discharge shall not ordinarily be made until the evidence of the witnesses named for the prosecution has been taken.

When accused to be committed for trial.

88. When evidence has been given before a Presidency Magistrate, which appears to justify him in committing the accused person for trial for an offence triable exclusively by the High Court, or which, in the opinion of the Magistrate, ought to be tried by such Court, the accused person shall be committed for trial accordingly.

Framing of charge on which accused is to be tried before High Court.

89. When the Magistrate determines to commit the accused person for trial before the High Court, he shall, after the evidence has been recorded, frame a charge under his hand, declaring with what offence the accused person is charged, and (subject to the provisions of the High Courts' Criminal Procedure Act, 1875) committing him for trial by such Court on such charge.

All such charges shall be drawn up in accordance with the provisions of Chapter IX.

Form of commitment.

Pending such trial, the Magistrate may commit the accused person to custody by warrant in the form (E) given in the third schedule hereto annexed, or to the like effect; and

Charge, &c., to be forwarded to High Court.

the charge, the record of the enquiry, and any weapon or other article necessary to produce in evidence shall be sent to the Clerk of the Crown or other officer appointed in this behalf by the High Court.

Commitment when to be notified.

When the accused person is committed for trial before the High Court, the Magistrate shall issue an order to such person as may be appointed by

the Local Government in this behalf, notifying the commitment, and stating the offence in the same form as the charge, unless the Magistrate is satisfied that such person is already aware of the commitment and the form of the charge.

Charge to be explained, and copy furnished, to accused.

90. As soon as the charge on which the accused person is to be tried has been prepared, it shall be read and explained to him; and a copy thereof shall be furnished to him, if he so require.

List of witnesses for defence on trial before High Court.

91. The accused person shall be required at once to give in, orally or in writing, a list of the persons whom he wishes to be summoned to give evidence on his trial before the High Court.

The Magistrate may, if he thinks proper, summon all or any such persons to attend and give evidence at the enquiry; and if he does so, the commitment shall not be considered to have been made until such evidence has been taken.

Further list.

The Magistrate may in his discretion allow the accused person to give in any further list of witnesses at a subsequent time.

Power to summon supplementary witnesses.

The Magistrate may summon and examine supplementary witnesses after commitment and before the commencement of the trial. Such examination shall, if possible, be taken in the presence of the accused person.

Nothing in this section shall be deemed to preclude the accused person from giving at any time before his trial before the High Court to the Clerk of the Crown a further list of the persons whom he wishes to be summoned to give evidence on such trial.

Summons to witnesses when accused person is to be committed.

92. When the person accused is to be committed for trial, and has given in any list of the persons referred to in section 91, the Magistrate may either summon such persons to appear before the High Court, or leave them to be summoned by the Clerk of the Crown.

Recognisances of complainants and witnesses.

93. Complainants and witnesses for the prosecution and defence, whose attendance before the High Court is necessary, and who appear before the Presidency Magistrate, shall execute before him recognizances, in the form (H) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon at the High Court, to prosecute or to give evidence, as the case may be.

Detention in custody in case of refusal to attend or to execute recognizance.

If any complainant or witness refuses to attend before the High Court, or to execute the recognizance above directed, the Presidency Magistrate may detain him in custody until he executes such recognizance, or until his attendance at the High Court is required, when the Magistrate shall send him in custody to the High Court.

CHAPTER IX.—OF THE CHARGE.

Form of Charges.

Charge to state offence.

94. Every charge under this Act shall state the offence with which the accused person is charged.

Specific name of offence sufficient description.

If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.

How stated where offence has no specific name.

If the law which creates the offence does not give it any specific name, so much of the definition of the offence must be stated as to give the accused person notice of the matter with which he is charged.

The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge.

What implied in charges.

The fact that the charge is made shall be equivalent to a statement that every legal condition, necessary by law to constitute the offence charged, was fulfilled in the particular case.

Language of charge.

The charge shall be written in English. If English is not understood by the accused person, the charge shall be interpreted to him in a language which he understands.

Previous conviction when to be set out.

If the accused person has been previously convicted of any offence punishable under Chapter XII or Chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, or of any other offence mentioned in section 3 or section 4 of Act No. VI of 1864 (*to authorize the punishment of whipping in certain cases*), and if it is intended to prove such previous conviction for the purpose of affecting the punishment which is to be awarded, the fact of the previous conviction must be stated in the charge. If such statement is omitted, it may be added at any time before sentence is passed, but not afterwards.

Illustrations.

(*a.*) A is charged with the murder of B.

This is equivalent to a statement that A's act fell within the definition of murder given in sections 299 and 300 of the Indian Penal Code; that it did not fall within any of the general exceptions of the Penal Code; and that it did not fall within any of the five exceptions to section 300, or that, if it did fall within exception I, one or other of the three provisos to that exception applied to it.

(*b.*) A is charged, under section 326 of the Indian Penal Code, with voluntarily causing grievous hurt to B, by means of an instrument for shooting. This is equivalent to a statement that the case was not provided for by section 335 of the Indian Penal Code, and that the general exceptions did not apply to it.

(*c.*) A is accused of murder, cheating, theft, extortion, adultery or criminal intimidation, or using a false property-mark. The charge may state that A committed murder, or cheating, or theft, or extortion, or adultery, or criminal intimidation, or that he used a false property-mark, without reference to the definitions of those crimes contained in the Indian Penal Code; but the sections under which the offence is punishable must, in each instance, be referred to in the charge.

(*d.*) A is charged, under section 184 of the Indian Penal Code, with intentionally obstructing a sale of property offered for sale by the lawful authority of a public servant. The charge should be in these words.

95. The charge shall contain such particulars as to the time and place of the alleged offence and the person against whom, or the thing in respect of which, it was committed as are reasonably sufficient to give notice to the accused person of the matter with which he is charged.

Particulars as to time, place and person.

96. When the nature of the case is such that the particulars mentioned in sections 94 and 95 do not give sufficient notice to the accused person of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

When manner of committing offence must be stated.

Illustrations.

(*a.*) A is accused of the theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected.

(*b.*) A is accused of cheating B at a given time and place. The charge must set out the manner in which A cheated B.

(*c.*) A is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by A which is alleged to be false.

(*d.*) A is accused of obstructing B, a public servant, in discharge of his public functions at a given time and place. The charge must set out the manner in which A obstructed B in the discharge of his functions.

(*e.*) A is accused of the murder of B at a given time and place. The charge need not state the manner in which A murdered B.

(*f.*) A is accused of disobeying a direction of the law with intent to save B from punishment. The charge must set out the disobedience charged and the law infringed.

97. The charge may be in the form given in the third schedule to this Act or to the like effect.

Forms in schedule.

98. No error, either in the way in which the offence is stated, or in the particulars required to be stated in section 96, and no omission to state the offence, or to state those particulars, shall be regarded at any stage of the case as material, unless the person accused was in fact misled by such error or omission.

Effect of errors.

Illustrations.

(*a.*) A is charged, under section 242 of the Indian Penal Code, with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit," the word "fraudulently" being omitted in the charge. Unless it appears that A was in fact misled by this omission, the error shall not be regarded as material.

(*b.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge, or is set out incorrectly. A defends himself, calls witnesses, and gives his own account of the transaction. The Court may infer from this that the omission to set out the manner of the cheating is not material.

(*c.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B, and A had no means of knowing to which of them the charge referred, and offered no defence. The Court may infer from such facts that the omission to set out the manner of the cheating was, in this case, a material error.

(*d.*) A is charged with the murder of Khodá Baksh on the 21st January. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 20th January. A was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. The Court may infer from these facts that A was not misled, and that the error in the charge was immaterial.

(*e.*) A was charged with murdering Haidar Baksh on the 20th January and Khodá Baksh (who tried to arrest him for that murder) on the 21st January. When charged for the murder of Haidar Baksh, he was tried for the murder of Khodá Baksh. The witnesses present in his defence were witnesses in the case of Haidar Baksh. The Court may infer from this that A was misled, and that the error was material.

99. Any accused person may apply to a Presidency Magistrate for an amendment of the charge made against him; and in considering whether any error in a charge did in fact mislead the accused person, the Magistrate shall take into account the fact that he did or did not make such an application.

Prisoner may apply for amendment.

100. A Presidency Magistrate may, upon the application of the accused person, or of the complainant, or upon his own motion, alter any charge at any stage of the proceedings before judgment is pronounced.

Magistrate may alter charge.

Every such alteration shall be read and explained to the accused person.

101. If the alteration is such that proceeding immediately with the trial is not likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may in his discretion, after making such alteration, proceed with the trial as if the altered charge had been the original charge.

When trial may proceed immediately after alteration.

102. If the alteration is such that proceeding immediately with the trial is likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may either direct a new trial, or suspend the trial for such period as may be necessary to enable the accused person to make his defence to the altered charge; and, after hearing his defence, the Magistrate may further adjourn the trial, to admit of the appearance of any witness whose evidence the Magistrate may consider to be material to the case, or whom the accused person may wish to be summoned in his defence.

When new trial may be directed or trial suspended.

Adjournment.

103. In all cases of alteration of a charge the complainant and accused person shall be allowed to recall and examine with reference to such alteration any witness who may have been examined.

Recall of witnesses when charge altered.

104. If the offence stated in the altered charge be one for the prosecution of which previous sanction is necessary, the case shall not be proceeded with until such sanction is obtained, unless sanction has been already obtained for a prosecution on the same facts as those on which the altered charge is founded.

Stay of proceedings if prosecution of offence in altered charge require previous sanction.

Joinder of Charges.

105. There must be a separate charge for every distinct offence of which any person is accused, and every such charge must be tried separately, except in the cases hereinafter excepted.

Separate charges for distinct offences.

Illustration.

A is accused of a theft on one occasion, and of causing grievous hurt on another occasion. A must be separately charged and separately tried for the theft and the causing grievous hurt.

106. When a person is accused of more offences than one of the same kind, committed within one year of each other, he may be charged with, and tried at the same time for, any number of them not exceeding three.

More offences than one of same kind may be charged within a year of each other.

107. I.—If in one series of acts so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried for every such offence at the same time.

I.—Trial of more than one offence.

II.—If the acts alleged constitute an offence falling within two or more separate definitions of any law in force for the time being, by which offences are defined or punished, the person accused of them may be charged with each of the offences so committed; but he must not receive a more severe punishment than could be inflicted for any of such offences.

II.—One offence falling within two definitions.

III.—If several acts, of which one or more than one would by itself constitute an offence, form, when combined, a different offence, the person accused of them may be charged with every offence or any of the different offences, which he may have committed; but he must not receive for such offences, collectively, a punishment more severe than that which might have been inflicted for any one of such offences.

III.—Acts severally constituting more than one offence, but collectively coming within one definition.

Illustrations.

To paragraph I.

(*a.*) A rescues B, a person in lawful custody, and in so doing causes grievous hurt to C, a constable in whose custody B was. A may be separately charged with, convicted of, and punished for, offences under sections 225 and 333 of the Indian Penal Code.

(*b.*) A has in his possession several seals knowing them to be counterfeit and intending to use them for the purpose of committing several forgeries punishable under section 466 of the Indian Penal Code. A may be separately charged with, convicted of, and punished for, the possession of each seal, under section 473 of the Indian Penal Code.

(*c.*) A, with intent to cause injury to B, institutes a criminal proceeding against him, knowing that there is no just or lawful ground for such proceeding. A also falsely accuses B of having committed an offence, knowing that there is no just or lawful ground for such charge. A may be separately charged with, convicted of, and punished for, two offences under section 211 of the Indian Penal Code.

(*d.*) A, with intent to cause injury to B, falsely accuses him of having committed an offence, knowing that there is no just or lawful ground for such charge. On the trial, A gives false evidence against B, intending thereby to cause B to be convicted of a capital offence. A may be separately charged with, convicted of, and punished for, offences under sections 211 and 194 of the Indian Penal Code.

(*e.*) A, knowing that B, a female minor, has been kidnapped in order that she may be subjected to grievous hurt, wrongfully confines her and detains her against her will as a slave. A may be separately charged with, convicted of, and punished for, offences under sections 368 (read with 367) and 370 of the Indian Penal Code.

(*f.*) A, with six others, commits the offences of rioting, grievous hurt, and of assaulting a public servant endeavouring, in the discharge of his duty as such, to suppress the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147 and 333 and 353 of the Indian Penal Code.

(*g.*) A threatens B, C and D at the same time with injury to their persons with intent to cause alarm to them. A may be separately charged with, convicted of, and punished for, each of the three offences under section 506 of the Indian Penal Code.

(*h.*) A intentionally causes the death of three persons by upsetting a boat. A may be separately charged with, convicted of, and punished for, each of the three offences under section 302 of the Indian Penal Code.

The separate charges referred to in illustrations (*a*) to (*h*) respectively may be tried at the same time.

To paragraph II.

(*i.*) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of, offences under sections 352 and 323 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 323 only.

(*j.*) A wrongfully kills a buffalo worth sixty rupees belonging to B, and then moves the carcase in order to take it dishonestly out of B's possession without B's consent. A may be separately charged with, and convicted of, offences under sections 429 and 379 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 429 only.

(*k.*) Several stolen sacks of corn are made over to A and B, who know they are stolen property. A and B thereupon voluntarily assist each other to conceal the sacks at the bottom of a grain-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414 of the Indian Penal Code; but the Presidency Magistrate who tries them may not inflict a severer punishment than if he had convicted them under one of those sections only.

(*l.*) A dishonestly uses a forged document as genuine evidence, in order to convict B, a public servant, of an offence under section 167 of the Indian Penal Code. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the same Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under one of those sections only.

To paragraph III.

(*m.*) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under sections 454 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

(*n.*) A commits robbery on B, and, in doing so, voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 392 or 394 only.

(*o.*) A entices B, the wife of C, away from C with intent to commit adultery with B, and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

108. If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused person may be charged with having committed all or any of such offences; and any number of such charges may be tried at once; or he may be charged in the alternative with having committed some one of the said offences.

Where it is doubtful what offence has been committed.

Illustration.

A is accused of an act which may amount to theft, or receiving stolen property or criminal breach of trust, or cheating. He may be charged with theft, receiving stolen property, criminal breach of trust, and cheating, or he may be charged with having committed theft, or receiving stolen property, or criminal breach of trust, or cheating.

109. If, in the case mentioned in the last preceding section, one charge only is brought against an accused person, and it appears in evidence that he committed a different offence, for which he might have been charged under the provisions of that section, he may be convicted of the offence which he is shown to have committed, although he was not charged with it.

When a person is charged with one offence he can be convicted of another.

Illustration.

A is charged with theft. It appears that he committed the offence of criminal breach of trust, or that of receiving stolen goods. He may be convicted of criminal breach of trust, or of receiving stolen goods (as the case may be), though he was not charged with such offence.

110. When a person is charged with an offence, and part of the charge is not proved, but the part which is proved amounts to a different offence, he may be convicted of the offence which he is proved to have committed, though he was not charged with it.

When offence proved included in offence charged.

Illustrations.

(*a.*) A is charged, under section 407 of the Indian Penal Code, with criminal breach of trust in respect of property entrusted to him as a carrier. It appears that he did commit criminal breach of trust under section 406 in respect of the property, but that it was not entrusted to him as a carrier. He may be convicted of criminal breach of trust under section 406.

(*b.*) A is charged with murder. He may be convicted of culpable homicide, or of causing death by negligence.

111. When more persons than one are accused of the same offence, or of different offences committed in the same transaction, or when one person is accused of committing any offence, and another of abetment of, or attempt to commit, such offence, they may be charged and tried together, or separately, as the Presidency Magistrate thinks fit, and the provisions contained in the former part of this chapter shall apply to all such charges.

What persons may be charged jointly.

Illustrations.

(*a.*) A and B are accused of the same murder. A and B may be charged and tried together for the murder.

(*b.*) A and B are accused of a robbery, in the course of which A commits a murder with which B has nothing to do. A and B may be tried together on a charge, charging both of them with the robbery, and A alone with the murder.

(*c.*) A and B are both charged with a theft, and B is charged with two other thefts committed by him in the course of the same transaction. A and B may be both tried together on a charge, charging both with the one theft, and B alone with the two other thefts.

112. When more charges than one are made against the same person, and when a conviction has been had on one or more of them, the complainant, or the Government Solicitor or other officer conducting the prosecution, may, with the consent of the Presidency Magistrate, withdraw, or such Magistrate of his own accord may suspend, the inquiry into, or trial of, the remaining charge or charges.

Withdrawal of remaining charges on conviction on one of several charges.

Previous Acquittals or Convictions.

113. A person who has once been tried for an offence and convicted or acquitted of such offence, shall while such conviction or acquittal remains in force not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 108, or for which he might have been convicted under section 109.

Person once convicted or acquitted not to be tried for same offence.

A person convicted or acquitted of any offence may be afterwards tried for any offence for which a separate charge might have been made against him on the former trial under section 107, paragraph one.

A person acquitted or convicted of any offence constituted by any act causing consequences which, together with such act, constituted a different offence from that for which he was acquitted or convicted, may be afterwards tried for such last-mentioned offence, if the consequences had not happened, or were not known to the Court to have happened, at the time when he was acquitted or convicted.

A person acquitted or convicted of any offence constituted by any acts may, notwithstanding such acquittal or conviction, be subsequently charged with, and tried for, any other offence constituted by the same acts, which he may have committed if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged.

Illustrations.

(*a.*) A is tried upon a charge of theft as a servant and acquitted. He cannot afterwards be charged with theft as a servant, or, upon the same facts, with theft simply, or with criminal breach of trust.

(*b.*) A is tried upon a charge of murder and acquitted. There is no charge of robbery; but it appears from the facts that A committed robbery at the time when the murder was committed: he may afterwards be charged with, and tried for, robbery.

(*c.*) A is tried for an assault and convicted. The person assaulted afterwards dies. A may be tried again for culpable homicide.

(*d.*) A is tried, under section 270 of the Indian Pena Code, for malignantly doing an act likely to spread the infection of a disease dangerous to life, and is acquitted. The act so done afterwards causes a person permanently to lose his eyesight. A may be charged, under section 325 of the same Code, with voluntarily causing grievous hurt to that person.

(*e.*) A is charged by a Presidency Magistrate with, and convicted by him of, voluntarily causing hurt to B. A may not afterwards be tried for voluntarily causing grievous hurt to B on the same facts, unless the case comes within paragraph three of this section.

(*f.*) A is charged by a Presidency Magistrate with, and convicted by him of, theft of property from the person of B. A may be subsequently charged with, and tried for, robbery on the same acts.

(*g.*) A, B and C are charged by a Presidency Magistrate with, and convicted by him of, robbing D. A, B and C may afterwards be charged with, and tried for, dacoity on the same fact.

CHAPTER X.—OF THE TRIAL OF CASES BY PRESIDENCY MAGISTRATES.

114. The following procedure shall be observed in the trial of cases by Presidency Magistrates.

Cases may be tried summarily.

In every such case the Magistrate shall record the following particulars:

(*a*) the serial number,

(*b*) the date of the commission of the offence,

(*c*) the name of the complainant,

(*d*) the name of the accused person,

(*e*) the offence complained of or proved,

(*f*) the prisoner's plea,

(*g*) the final order,

(*h*) the date of such order.

115. No Presidency Magistrate shall impose a fine exceeding two hundred rupees or imprisonment for a term exceeding six months, unless he has recorded the evidence of the witnesses.

Record of evidence.

Sentences passed under section 13 on the same occasion shall for the purposes of this section be considered as one sentence.

Where the Magistrate records such evidence, it shall be sufficient either to take it down with his own hand or to cause it to be taken down in writing from his dictation in open Court. All evidence so taken down shall be signed by the Magistrate and shall be part of the record.

Evidence so taken down shall ordinarily be taken in the form of a narrative, but the Magistrate may in his discretion take down, or cause to be taken down, any particular question or answer.

Every Magistrate recording the evidence of a witness shall record such remarks as he thinks material respecting the demeanour of such witness while under examination.

116. In cases in which the Magistrate has power to impose fine only, or imprisonment for a term not exceeding six months, no formal charge need be made against the accused person; and the Magistrate may convict him of any offence punishable with fine only or with imprisonment for a term not exceeding six months, and which, from the facts proved, he appears to have committed.

Charge when dispensed with.

In cases in which the Magistrate has power to impose imprisonment for a term exceeding six months, there shall be a formal charge against the accused person.

Charge when necessary.

All charges under this section shall be drawn up by the Magistrate in accordance with the provisions of chapter IX.

117. Neither the complaint nor the process issued thereon shall be regarded otherwise than as notice to the accused person of the facts to be inquired into. No defect in the complaint or process shall invalidate the proceedings, unless it appears that the accused person was actually misled by such defect; and, in considering whether or not he was so misled, the Magistrate shall have regard to the manner in which the accused person conducted his defence.

Effect on proceedings of defect in complaint or process.

118. If upon the day appointed for the appearance of the accused person, or any day subsequent thereto on which the case may be called on, the complainant does not appear, the Magistrate shall dismiss the complaint, unless he thinks fit to adjourn the hearing of the same to some other day. Such adjournment shall be made upon such terms as the Magistrate thinks fit.

Dismissal or adjournment on non-appearance of complainant.

119. On the appearance of both parties on the day fixed for the trial, the substance of the complaint shall be stated to the accused person, and he shall be asked if he has any cause to show why he should not be convicted.

Procedure on appearance of parties.

120. If the accused person admit the truth of the complaint, his admission shall be recorded, and if he shows no sufficient cause why he should not be convicted, the Magistrate may convict him accordingly.

Conviction on admission of truth of complaint.

121. If the accused person does not admit the truth of the complaint, the Magistrate shall proceed to hear the complainant and such witnesses as he produces in support of his complaint, and also to hear the accused person and such witnesses as he produces in his defence.

Procedure when no such admission is made.

Whenever any charge is drawn up under this Act, it shall be drawn up as soon as the Magistrate is of opinion that a *primâ facie* case has been established against the accused person, and shall be read and explained to the accused person, and he shall be asked whether he is guilty or has any defence to make.

122. If the accused person be examined, the procedure prescribed in section 84 shall be followed.

Procedure on examining accused.

123. Before or during the hearing of any complaint, the Magistrate may, in order to secure the attendance of witnesses or for any other reason, adjourn the hearing, on such terms as he thinks fit, to a day to be then appointed and stated in the presence of the parties.

Adjournment.

If on the day to which such hearing or such further hearing has been so adjourned the accused person does not appear, the Magistrate may issue his warrant for the arrest of such person.

If on such day the complainant does not appear, the Magistrate may dismiss the complaint.

124. Whenever any person causes a police-officer to arrest another person, and whenever a complaint of any offence is made before any Presidency Magistrate, if it appears to the Magistrate by whom the case is heard that there was no sufficient ground for causing such arrest or for making such complaint, the Magistrate may award such compensation, not exceeding fifty rupees, to be paid by the person so causing the arrest or making the complaint, to the person so arrested or complained against, for his loss of time and expenses in the matter, as the Magistrate thinks fit.

Compensation to person groundlessly given in charge or complained against.

In such cases, if more persons than one are arrested or complained against, the Magistrate may, in like manner, award to each of them such compensation, not exceeding fifty rupees, as such Magistrate thinks fit.

All compensation awarded under this section may be recovered as if it were a fine.

125. If a complainant, at any time before a final order is passed in any case in which the Presidency Magistrate may impose fine only or imprisonment for a term not exceeding six

Withdrawal of complaint.

months, satisfies the said Magistrate that there are sufficient grounds for permitting him to withdraw his complaint, the Magistrate may permit him to do so.

The withdrawal under this section of a complaint shall operate as an acquittal of the accused person.

Acquittal.

126. If the Magistrate, in any case tried under this chapter, finds the accused person not guilty, he shall record an order of acquittal.

Sentence.

If the accused person is convicted, the Magistrate shall pass sentence upon him; and, in all cases in which the Magistrate inflicts imprisonment, or fine exceeding fifty rupees, or both, he shall add to the final order mentioned in section 114, clause (*g*), a brief statement of the reasons for the conviction.

When the personal attendance of the accused person during the trial has been dispensed with, the sentence of the Magistrate shall be pronounced in his presence, except where the sentence is for fine only, in which case it may be pronounced in the presence of the accused person's advocate, attorney or pleader.

Procedure when, after commencement of trial, Magistrate finds case beyond his jurisdiction.

127. If in the course of any trial before a Presidency Magistrate, it appears that the case is one which he has not jurisdiction to try, or one which, in his opinion, ought to be tried by the High Court, he shall stop further proceedings under this chapter, and shall either forward the case to the Magistrate having jurisdiction, or commit the accused person, in accordance with the provisions of chapter VIII, to the High Court for trial.

Trial of persons previously convicted of offences against coinage, stamp law or property.

128. Whoever, having been convicted of an offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, is again accused of any offence punishable under either of those chapters with imprisonment for a term of three years or upwards, shall ordinarily, if the Presidency Magistrate considers him an habitual offender, be committed to the High Court.

General Provisions as to Inquiries and Trials.

Permission to conduct prosecution.

129. A Presidency Magistrate inquiring into or trying any case may permit any person to conduct the case as prosecutor; but no person other than the Advocate General, Standing Counsel and Government Solicitor shall be entitled to do so without such permission.

Any person conducting the case may do so personally or by an advocate, attorney, or pleader.

Right of accused to be defended.

130. Every person accused before a Presidency Magistrate of an offence, may of right be defended by any advocate, attorney or pleader.

Procedure where accused does not understand proceedings.

131. If an accused person, though not insane, cannot be made to understand the proceedings, the Magistrate may proceed with the inquiry or trial; and if such inquiry results in a committal, or if such trial results in a conviction, the proceedings shall be forwarded to the High Court, with a report of the circumstances of the case, and the High Court shall pass thereon such order as it thinks fit.

Presidency Magistrates' Courts to be open.

132. The place in which the court of a Presidency Magistrate is held for the purpose of inquiring into or trying any offence, shall be deemed an open Court, to which the public generally may have access, so far as the same can conveniently contain them.

Provided that the Magistrate may, if he thinks fit, order at any stage of any inquiry into or trial of any particular case, that the public generally, or any particular person, shall not have access to, or be, or remain in, the room or building used by the Magistrate.

Compounding offences.

133. In the case of offences which may lawfully be compounded, the injured person may compound the offence out of Court, or in Court with the permission of the Presidency Magistrate. Such composition shall have the effect of an acquittal of the accused.

CHAPTER XI.—OF EVIDENCE.

A.—Of securing the Attendance of Witnesses.

Power to summon material witness or examine person present.

134. Any Presidency Magistrate may, at any stage of any proceeding, inquiry or trial under this Act, summon, in manner provided by chapter VI, any witness, or examine any person in attendance though not summoned as a witness; and the Magistrate shall summon and examine such person if his evidence appears essential to the just decision of the case.

When warrant of arrest may issue in first instance.

135. If a Presidency Magistrate has reason to believe that any witness whose attendance is required will not attend to give evidence without being compelled to do so, he may, instead of issuing a summons, issue a warrant of arrest in the first instance.

Arrest of person disobeying summons.

136. If any person summoned under this Act to give evidence neglects or refuses to appear at the time and place appointed by the summons, and no reasonable excuse is offered for such neglect or refusal, the Presidency Magistrate, upon proof of the summons having been duly served, may issue a warrant under his hand to bring such person before him to testify as aforesaid.

Procedure when warrant cannot be served.

137. If such warrant cannot be executed, and the Magistrate has reason to believe that the witness absconds or conceals himself for the purpose of preventing the execution thereof, he may issue a notice, requiring the attendance of such witness to give evidence at a time and place to be named therein, and such notice shall be affixed to some conspicuous part of such witness' ordinary place of abode, or, if he has no such abode, of the Magistrate's Court.

If the witness does not attend at the time and place so named, the Magistrate may order the attachment of any moveable property belonging to such witness, equal in value, as nearly as may be, to the amount of the costs of attachment and of any fine to which the witness may be liable under the provisions of section 172 of the Indian Penal Code.

Attachment, &c., of property ordered to be attached under section 137.

138. The provisions of section 68 and section 69 as to the attachment, sale and restoration of moveable property shall apply to all property ordered to be attached under section 137.

Power to order prisoner in jail to be brought up for examination.

139. Notwithstanding any thing contained in the Prisoners' Testimony Act, 1869, any Presidency Magistrate desirous of examining, as a witness or accused person in any case pending before him, any person confined in any jail within the local limits of his jurisdiction may issue an order to the officer in charge of the said jail requiring him to bring such prisoner in proper custody, at a time to be therein named, to the Magistrate for examination.

The officer so in charge, on receipt of such order, shall act in accordance therewith, and shall provide for the safe custody of the prisoner during his absence from the jail for the purpose aforesaid.

Power to require complainants, &c., to execute recognizances.

140. The Presidency Magistrate may require complainants and witnesses for the prosecution and defence whose attendance before him is necessary, to execute recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon to prosecute or give evidence, as the case may be.

Committal of person refusing to answer.

141. If any witness summoned or brought before a Presidency Magistrate refuses to answer such questions as are put to him, without offering any reasonable excuse for such refusal, such Magistrate may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to be examined and to answer; after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 205 or 206.

B.—Of Witnesses.

In cases tried upon summons.

142. In the case of offences punishable with fine only or with imprisonment for a term not exceeding six months, or with both, it shall ordinarily be the duty of the complainant and accused to produce their own witnesses. But the Presidency Magistrate may in his discretion—

(*a*) summon any person who appears to him likely to give material evidence on behalf of the complainant or the accused;

(*b*) summon any witness named by the complainant or the accused:

Provided that the Magistrate may, before summoning a witness, require that his reasonable expenses incurred in attending for the purposes of the trial be deposited in Court.

In cases tried upon warrant.

143. In the case of all other offences, the Magistrate shall ascertain from the complainant, or otherwise, the names of any persons likely to be acquainted with the facts of the case and to be able to give evidence for the prosecution, and shall summon to give evidence before him such of them as he thinks necessary.

The Magistrate shall also summon any witness, and take any evidence that may be offered, in behalf of the accused person, to answer or disprove the evidence against him.

C.—Of Securing Documentary Evidence.

Summons to produce document required as evidence.

144. Whenever a Presidency Magistrate considers that the production of any document or other thing is necessary or desirable for the purposes of any inquiry, trial, or other proceeding under this Act, he may issue a summons to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it at the time and place stated in the summons.

Issue of search-warrant in first instance.

145. Where there is reason to believe that the person to whom the summons is addressed will not produce the document or other thing as directed in the summons, the Magistrate may issue a warrant to search for such document or thing in the first instance.

Procedure as to letters and telegrams in custody of Postal Department or telegraph officer.

146. If any letter in the custody of the Postal Department, or any telegram in the custody of any telegraph officer as defined in Act No. I of 1876, is wanted for the purpose of any inquiry or trial by a Presidency Magistrate, the Magistrate may, if he is the Chief Magistrate, direct the postal authorities or such telegraph officer (as the case may be) to deliver such letter or telegram to such person as the Magistrate directs, and if he is not the Chief Magistrate, may apply to the Chief Magistrate, who may, if he thinks fit, give such direction.

The letter or telegram referred to in any direction given under this section shall be delivered accordingly.

Power to impound document produced.

147. Any Presidency Magistrate may, if he thinks fit, impound any document or other thing produced before him, or may, at the conclusion of the proceedings, order it to be returned to the person who produced it.

D.—Of the Examination of Accused Persons.

Examination of accused.

148. At any stage of any inquiry or trial under this Act, the Magistrate may, without previously warning the accused person, put such questions to him as he considers necessary.

The accused person shall not render himself liable to punishment for refusal to answer such questions, or for giving false answers to them, but the Magistrate shall draw such inference as may to him seem just from such refusal or false answers.

EXPLANATION.—The answer given by an accused person may be put in evidence against him, not

only in such inquiry or trial, but also in any other inquiry into or trial for any other offence which such answer may tend to show he has committed.

149. Except as is provided in section 150, no influence, by means of any promise or threat or otherwise, shall be used to an accused person to induce him to disclose or withhold any matter within his knowledge.

No influence to be used to induce disclosures.

150. A Presidency Magistrate may, with the view of obtaining the evidence of any person supposed to have been directly or indirectly concerned in, or privy to, any offence specified in column seven of the second schedule hereto annexed as triable exclusively by the High Court, tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances, within his knowledge, relative to such offence and to every other person concerned in the perpetration thereof.

Tender of pardon to accomplice.

Every person accepting a tender under this section shall be examined as a witness in the case.

Such person, if not on bail, shall be detained in custody until the termination of the trial.

151. When a pardon has been tendered under section 150, if before the trial it appears to the Presidency Magistrate that any person who has accepted such tender has either by wilfully concealing anything essential, or by giving false evidence, not complied with the condition under which the tender was made, such Magistrate may commit him for trial for the offence in respect of which the pardon was so tendered or for any other offence of which he may appear to have been guilty in connection with the same matter.

Commitment of person to whom pardon has been tendered.

The statement made by a person under pardon, which pardon has been withdrawn under this section, may be put in evidence against him.

E.—Special Rules of Evidence.

152. The deposition of a civil surgeon or other medical witness, taken and duly attested by a Magistrate, may be given in evidence in any inquiry or trial under this Act, although the deponent is not called as a witness.

Deposition of medical witness.

The Presidency Magistrate may, if he thinks fit, summon and examine such deponent as to the subject-matter of his deposition.

Power to summon medical witness.

153. Any document purporting to be a report from the chemical examiner, or assistant chemical examiner to Government, upon any matter or thing duly submitted to him for examination or analysis and report, in the course of any inquiry or trial under this Act, or in any preliminary inquiry relating thereto, may, if it bears his signature, be used as evidence in any inquiry or trial under this Act.

Report of chemical examiner.

The Presidency Magistrate may presume that the signature to any such document is genuine, and that the person signing it held the office which he professed to hold at the time when he signed it.

Genuineness of signature may be presumed.

The Presidency Magistrate may, if he thinks fit, summon and examine such chemical examiner or assistant chemical examiner as to the subject-matter of his said report.

Power to summon chemical examiner.

154. A previous conviction or acquittal may be proved (*a*) by an extract certified, under the hand of the officer having the custody of the records of the Court in which such conviction or acquittal was had, to be a copy of the sentence or order, or (*b*) in case of a conviction, by a certificate signed by the officer in charge of the jail in which the punishment or any part thereof was inflicted.

Previous conviction or acquittal how proved.

155. If an accused person abscond, and after due pursuit cannot be arrested, the Presidency Magistrate may, in his absence, examine the witnesses (if any) produced on behalf of the prosecution, and record their depositions; and any such deposition may, on the arrest of such person, be put in on his trial for the offence with which he is charged, if the attendance of the deponent cannot be procured.

Record of evidence in absence of accused.

156. Whenever any Presidency Magistrate, after having heard the whole or any part of the evidence in an enquiry or trial, ceases to exercise jurisdiction therein, and is succeeded by another Magistrate who has and who exercises such jurisdiction, the Magistrate so succeeding may act on the evidence so recorded by his predecessor, or partly recorded by his predecessor and partly recorded by himself, or he may re-summon the witnesses and re-commence the inquiry or trial.

Convictions on evidence partly recorded by one Magistrate and partly by another.

Provided that the accused person may, when the second Magistrate commences his proceedings, demand that the witnesses be re-summoned and reheard, in which case the inquiry or trial shall be re-commenced:

Provided also that the High Court may set aside any conviction passed on evidence not wholly recorded by the Magistrate before whom the conviction was had, if such Court is of opinion that the accused person has been materially prejudiced thereby; and may order a new inquiry or trial.

157. Whenever in the course of a trial under this Act it appears that the attendance of a witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, the Presidency Magistrate may dispense with such attendance.

When attendance of witness may be dispensed with.

158. Such Magistrate may direct a commission to any Magistrate of the District or Magistrate of the first class, within the local limits of whose jurisdiction such witness may be.

Issue of commission and procedure thereunder.

The Magistrate to whom the commission is directed, or, if he be the Magistrate of the District, such Magistrate of the first class as he appoints in this behalf shall proceed to the place where such witness is, or shall summon such witness before himself, and shall take his evidence in the same manner, and may for this purpose exercise the same powers as in trials of warrant cases under the Code of Criminal Procedure.

If the witness is within the local limits of the jurisdiction of any Presidency Magistrate, other than the Magistrate dispensing with his attendance, the latter Magistrate may direct a commission to the former Magistrate, who thereupon shall have the like power to compel the attendance of, and to examine, such witness as he possesses for that purpose in cases pending before himself.

Commission in case of witness being within Presidency town.

The complainant and the accused person may respectively forward interrogatories in writing, upon which the Magistrate to whom the commission is directed shall examine the witness,

Complainant and accused may examine witness.

or the complainant and the accused person (if on bail) may appear before such Magistrate,

or the complainant and the accused person may so appear respectively by advocate, attorney or pleader,

and may examine, cross-examine and re-examine (as the case may be) the said witness.

After any commission issued under this section has been duly executed, it shall be returned, together with the deposition of the witness examined thereunder, to the Magistrate by whom it was issued; and the commission, the return thereto, and the deposition of such witness may be used as evidence in the case and shall form part of the record.

Return of commission.

F.—Of Search-warrants.

159. When a Presidency Magistrate considers that the production of any thing is essential to the conduct of an inquiry into an offence known or suspected to have been committed or to the discovery of the offender,

Search-warrant when grantable.

or when he considers that such inquiry or discovery will be furthered by a general search or inspection,

be may grant his search-warrant; and the officer charged with the execution of such warrant may search or inspect any place within the local limits of the jurisdiction of such Magistrate.

The Magistrate may, if he thinks fit, specify in the warrant the particular place, building or part thereof to which only the search or inspection shall extend; and the officer charged with the execution of such warrant shall then search or inspect only the place, building or part so specified.

Nothing in this section or in section 145 shall authorise a Magistrate to grant a warrant to search for a letter or telegram in the custody of the Postal Department or of a telegraph officer.

160. If a Presidency Magistrate, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property, or of property which has been fraudulently obtained,

Search of house suspected to contain stolen property or forged documents.

or for the deposit or sale or manufacture of forged documents, or counterfeit Government stamps, or counterfeit coin, or instruments or materials for counterfeiting coin or for forging,

or that any forged documents, or counterfeit stamps, or false seals, or counterfeit coin, or instruments or materials used for counterfeiting coin, or for forging, are kept or deposited in any place,

he may by his warrant authorize any Police-officer above the rank of a constable—

(*a*) to enter, with such assistance as may be required, and by force if necessary, such place, and

(*b*) to search the same as specified in the warrant, and

(*c*) to take possession of any property, documents, stamps, seals or coins therein found, which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also any such instruments and materials as aforesaid, and

(*d*) to convey such property, documents, stamps, seals, coins, instruments or materials before a Presidency Magistrate, or to guard the same on the spot until the offender is taken before a Presidency Magistrate, or otherwise to dispose thereof in some place of safety, and

(*e*) to take into custody and carry before the said Magistrate every person found in such place, who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents, stamps, seals, coins, instruments or materials knowing or having reasonable cause to suspect the said property to have been stolen or otherwise unlawfully obtained, or the said documents, stamps, seals, coins, instruments or materials to have been forged, falsified or counterfeited, or the said instruments or materials to have been or to be intended to be used for counterfeiting coin or for forging.

161. The provisions of sections 59 to 62, both inclusive, shall apply to all search-warrants issued under this chapter.

Direction, &c., of search-warrants.

162. Whenever any place liable to search or inspection under this chapter is closed, any person residing in, or being in charge of, such place shall, on demand of the officer or other person executing the warrant, allow such officer or other person free ingress thereto, and afford all reasonable facilities for a search therein.

Persons in charge of closed place to allow search.

163. A Police-officer or other person, authorized by a warrant to search any place, may break open any outer or inner door or window of such place, in order to execute the warrant, if, after notification of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

Place to be searched may be broken open.

164. If the place ordered to be searched is an apartment in the actual occupancy of a woman who, according to the customs of the country, does not appear in public, the officer or other person charged with the execution of the warrant shall, unless a warrant of arrest has been issued against her, give her notice that she is at liberty to withdraw.

Search of zanána.

After giving such notice and allowing a reasonable time for such woman to withdraw, and affording her every reasonable facility for withdrawing, such officer or person may enter such apartment for the purpose of making the search, using at the same time every precaution consistent with

this section for preventing the clandestine removal of the thing mentioned in the warrant.

165. Before making a search under this chapter the officer or other person about to make it shall call upon two or more respectable inhabitants of the locality in which the place to be searched is situate to attend and witness the search.

Search to be made in presence of witnesses.

The search shall be made in their presence, but they shall not be required to attend the Court of the Magistrate as witnesses, unless especially summoned by him.

The occupant of the place searched, or some person in his behalf, shall, in every instance, be permitted to attend during the search.

Occupant of place searched may attend.

166. Whenever it is necessary to cause a woman to be searched, the search shall be made with strict regard to the customs of the country.

Mode of searching women.

CHAPTER XII.—OF APPEALS.

167. Any person convicted on a trial held by a Presidency Magistrate, may appeal to the High Court if the Magistrate has sentenced him to imprisonment for a term exceeding six months or to fine exceeding two hundred rupees:

Appeal by person convicted.

Provided that, where an accused person has been convicted on his own plea, no such appeal shall lie except as to the extent or legality of the sentence.

Sentences passed under section 13 on the same occasion shall for the purposes of this section be considered as one sentence.

For the purposes of the Indian Limitation Act 1871, all appeals under this section and all applications to the High Court for the exercise of the powers given by Act No. X of 1875, section 147, shall be deemed to be appeals under the Code of Criminal Procedure.

168. The Local Government may direct the Public Prosecutor or other officer specially or generally appointed in this behalf to present an appeal to the High Court from a Presidency Magistrate's order of acquittal, or of dismissal, or of discharge; but in no other case shall there be an appeal by the prosecution from any order under this Act.

Appeal by Government from order of acquittal.

No appeal shall be presented under this section after two months from the date of the order complained of.

When an appeal is presented under this section the High Court may order the accused person to be arrested and brought before it, and may commit him to prison pending the disposal of the appeal, or (if the offence of which he is accused be bailable) admit him to bail.

The High Court may, in any case so appealed, direct a new trial by any Presidency Magistrate, or may pass such order as may be warranted by law.

169. Every petition of appeal under this Act shall be accompanied by a copy of the order appealed against.

Copy of order to accompany petition.

170. If any person affected by an order passed under this Act desires to have a copy of such order or of any deposition or other part of the record, he shall, on applying for such copy, be furnished therewith: provided that he pay for the same, unless the Magistrate, for some special reason, thinks fit to furnish it free of cost.

Copies of proceedings.

171. If the appellant be in jail, he shall be at liberty to present his petition of appeal and the copy of the order appealed against, to the officer in charge of the jail, who shall thereupon forward such petition and copy to the High Court.

Procedure when appellant in jail.

172. On receiving the petition of appeal and the copy of the order appealed against, the High Court shall peruse the same, and may fix a reasonable time for hearing the appellant or his advocate or pleader, or if he be present may hear him at once.

Procedure on receiving petition of appeal.

The High Court may, if it considers that there is no sufficient ground for altering or revising the order appealed against, reject the appeal summarily.

Power to reject appeal summarily.

Before rejecting an appeal under this section, the High Court may call for the record of the case, but shall not be bound to do so.

Power to call for record.

In rejecting under this section an appeal by a person convicted the High Court shall not enhance the sentence.

Sentence not to be enhanced when appeal rejected under this section.

173. If the High Court does not reject the appeal summarily, it shall cause notice to be given to the appellant and the public prosecutor, Government solicitor, or other officer empowered by Government in that behalf, of the day on which such appeal will be heard,

Notice of day for hearing appeal.

and in case of appeals under section 168, the High Court shall also cause a like notice to be given to the respondent.

All such notices shall be served in manner provided by this Act for serving a summons.

Service of notice.

174. The High Court shall send for the record of the case, and after perusing the same, and hearing the appellant or his advocate or pleader, if he appears, and the Government solicitor or other officer empowered by Government in this behalf, if he appears, may—

High Court may alter or reverse finding and sentence, or enhance sentence.

(*a*) alter or reverse the order of such Court, or

(*b*) enhance any punishment that has been awarded, but not so as to inflict a greater punishment than is prescribed by law for the offence, or

(*c*) order the appellant to be re-tried before any Presidency Magistrate or before the High Court, or

(*d*) if it considers that there is no sufficient ground for interfering with the sentence or order appealed against, reject the appeal.

175. Pending any appeal under section 167, the High Court may direct that the execution of the order appealed against be suspended, and if the appellant be in confinement for a bailable offence, may order that he be released on bail.

Suspension of sentence pending appeal.

Release of appellant on bail.

Where the appellant is ultimately sentenced to imprisonment, the time during which he is so released shall be excluded in calculating the term of his imprisonment.

176. In dealing with any appeal under this chapter, the High Court, if it thinks additional evidence upon any point bearing upon the guilt or innocence of the accused person to be necessary, may either take such evidence itself, or may direct it to be taken by a Presidency Magistrate.

High Court may make or direct further inquiry.

When the additional evidence is taken by the Presidency Magistrate, he shall certify such evidence to the High Court, and the High Court shall thereupon proceed to dispose of the appeal.

Unless the High Court otherwise directs, the accused person or his advocate, attorney or pleader, shall be present when the additional evidence is taken.

The provisions of this Act relating to summoning and enforcing the attendance of witnesses and their examination shall, so far as may be, apply to witnesses examined before a Magistrate under this section.

177. No order passed by a Presidency Magistrate shall be reversed or altered on appeal on account of any error or defect, either in the charge or in the proceedings, or on account of the improper admission or rejection of any evidence, unless such error or defect has occasioned a failure of justice, either by affecting the due conduct of the prosecution, or by prejudicing the accused person in his defence.

Order when reversible by reason of error or defect in charge or proceedings.

178. No irregularity in the proceedings prior to the commencement of the trial is a sufficient ground for reversing or altering any order passed in a trial properly held.

Irregularity before trial properly held.

179. When a Presidency Magistrate has passed an order inflicting punishment on any person for an offence not triable by such Magistrate, the High Court shall cancel the order and either try the case itself or direct it to be tried by a Court of competent jurisdiction.

Procedure in case of conviction by Magistrate not having jurisdiction.

180. No appeal shall lie from any order of a Presidency Magistrate, except in the cases provided for by this Act or by any other law for the time being in force.

Unless otherwise provided, no appeal to lie from order of Presidency Magistrate.

Illustrations.

(*a.*) There is no appeal against an order refusing to grant compensation in case of a groundless complaint.

(*b.*) There is no appeal against an order requiring a person to furnish security to keep the peace.

(*c.*) There is no appeal against an order requiring a person to furnish security to be of good behaviour.

(*d.*) There is no appeal against an order of maintenance.

181. Whenever an application is made to the High Court for the exercise of the powers conferred by the High Courts' Criminal Procedure Act, 1875, section 147, the applicant shall give to the Public Prosecutor, Government Solicitor, or such other officer as the Local Government appoints in this behalf, notice in writing of the application, together with a copy of the grounds on which it is to be made; and no order shall be made on the merits of the application unless at least twenty-four hours have elapsed between the giving of such notice and the hearing of the application.

Notice to Public Prosecutor of intention to apply under Act X of 1875, s. 147.

182. When the decision of any Presidency Magistrate is called in question in the High Court, the Magistrate may submit with the record of the case a statement setting forth the grounds of his decision and any facts which he thinks material to the issue; and the Court shall consider such statement before overruling or setting aside the said decision.

Statement by Magistrate of grounds of his decision, to be considered by High Court.

CHAPTER XIII.—OF EXECUTION.

183. In cases tried by a Presidency Magistrate, the Magistrate passing any order inflicting imprisonment or whipping shall forward the accused person with a warrant for the execution of the sentence to the officer in charge of the jail of the Presidency town in which the trial was held,

Court to send accused with warrant for execution of sentence to officer in charge of jail.

or where there are more such jails than one, to the officer in charge of such of them as the Local Government from time to time directs in this behalf.

The warrant shall state the offence of which the accused person has been convicted, the nature of the punishment to which he has been sentenced, and if he has been sentenced to imprisonment, the term for which he is to be imprisoned.

184. Every such warrant shall be in writing, under the hand of the Magistrate who issues it, and shall be directed to the officer in charge of the jail aforesaid, and shall be in the form (F) given in the third schedule to this Act or to the like effect.

Form and direction of warrant of commitment.

185. Whenever a fine is imposed under this Act, the Presidency Magistrate may issue a warrant for the levy of the amount of the fine by distress and sale of any moveable property belonging to the offender, although the sentence directs that, in default of payment of the fine, the offender shall be imprisoned.

Levy of fine.

Such warrant may be executed within the local limits of such Magistrate's jurisdiction, and it shall authorize the distress and sale of any such property without such limits when endorsed by the Magistrate of the District in which it is found.

This section shall not apply to cases in which any special procedure is laid down, by any special or local law in force for the time being, for the recovery of any fine, but shall apply to cases in which no such procedure is laid down, and to all fines not levied when this Act comes into force, but which might have been levied under this section if it had been in force when they were imposed.

Section to what cases applicable.

When a warrant is issued under this section, the Presidency Magistrate may order the offender to be imprisoned until return can be conveniently made to such warrant, unless the offender enter into a recognizance with or without sureties as the Magistrate thinks fit, conditioned for his appearance before the Magistrate on the day appointed for such return, such day not being more than eight days from the time of taking the recognizance. But if, before issuing such warrant of distress, it appears to the Magistrate, by the admission of the offender or otherwise, that no sufficient distress can be had within the local limits of his jurisdiction whereon to levy such fine or penalty, he may, if he think fit, refrain from issuing such warrant.

Detention of offender until return made to distress-warrant.

No distress made under this Act shall be deemed unlawful, nor shall any person making the same be deemed a trespasser on account of any defect or want of form in the summons, conviction, warrant of distress or other proceeding relating thereto.

Distress not illegal, nor distrainer a trespasser for defect of form in proceedings.

The said warrant may be issued either by the Magistrate who imposes the fine, or by his successor in office.

Who may issue distress-warrant.

186. Whenever a Presidency Magistrate imposes a fine under any law in force for the time being, he may order the whole or any part of the fine to be paid in compensation—

Payment of fine in compensation.

(*a*) for expenses properly incurred in the prosecution,

(*b*) for the injury complained of, where such injury can, in the opinion of such Magistrate, be compensated by money.

Such payment shall be made, as the Magistrate thinks fit, to or for the benefit of the complainant, or the person injured, or both.

If the fine be imposed in a case which is subject to appeal, no such payment shall be made until the period allowed for presenting the appeal has elapsed, or, if an appeal be presented, until after the decision of the appeal.

At the time of awarding damages in any subsequent civil suit relating to the same matter, the Court shall take into consideration any sum which may have been paid under this section.

187. When the punishment of whipping is imposed, in addition to imprisonment, in a case which is subject to appeal, the whipping shall not be inflicted until fifteen days from the date of such sentence, or, if an appeal be made within that time, until the sentence is confirmed by the High Court: but the whipping shall be inflicted immediately on the expiry of the fifteen days, or, in case of an appeal, immediately on the receipt of the order of the High Court confirming the sentence.

Whipping, if imposed in addition to imprisonment, in appealable case, when to be inflicted.

188. In the case of a person of or over sixteen years of age, the punishment of whipping shall be inflicted with such instrument, in such mode, and on such part of the person, as the Local Government directs; and in the case of a person under sixteen years of age, it shall be inflicted in the way of school-discipline with a light ratan.

Mode of inflicting punishment of whipping.

In no case, if the cat-o'-nine-tails be the instrument employed, shall the punishment of whipping exceed one hundred and fifty lashes, or, if the ratan be employed, shall such punishment exceed thirty stripes.

The punishment of whipping shall be inflicted in the presence of the officer in charge of the jail.

189. The punishment of whipping shall not be inflicted unless a medical officer, if present, certifies, or, if there is not a medical officer present, unless it appears to the officer present, that the offender is in a fit state of health to undergo such punishment.

Punishment not to be inflicted if offender not in fit state of health.

If, during the execution of a sentence of whipping, a medical officer certifies, or it appears to the officer present, that the offender is not in a fit state of health to undergo the remainder of the sentence, the whipping shall be finally stopped.

Stay of execution.

190. No sentence of whipping shall be executed by instalments.

Not to be executed by instalments.

191. In any case in which, under section 189, a sentence of whipping is, wholly or partially, prevented from being executed, the offender shall be kept in custody till the Magistrate who passed the sentence can revise it; and the said Magistrate may, at his discretion, either remit such sentence, or sentence the offender, in lieu of whipping, or in lieu of so much of the sentence of whipping as was not executed, to imprisonment for any period, which may be in addition to any other punishment to which he may have been sentenced for the same offence:

Procedure if punishment cannot be inflicted under section 188.

Provided that the whole period of imprisonment to which such offender is sentenced shall not exceed that to which he is liable by law, or that which the Magistrate is competent to inflict.

192. When sentence is passed under this Act on an escaped convict, such sentence, if of fine or whipping, shall take effect immediately, and, if of imprisonment, shall take effect after he has undergone the portion of his former sentence which remained unexpired at the time of his escape.

Currency of sentence on escaped convicts.

193. When a person already under sentence of imprisonment or transportation is sentenced under this Act to imprisonment, such imprisonment shall commence at the expiration of the imprisonment or transportation to which such person has been previously sentenced.

Commencement of sentence on offender already sentenced for other offence.

PART III.

CHAPTER XIV.—OF LUNATICS.

194. When any person accused before a Presidency Magistrate of an offence appears to such Magistrate to be of unsound mind and incapable of making his defence, the Magistrate shall enquire into the fact of such unsoundness, and shall cause the accused person to be examined by such medical officer as the Local Government directs, and thereupon shall examine such officer as a witness, and shall reduce the examination into writing.

Procedure when accused is a lunatic.

If such Magistrate is of opinion that the accused person is of unsound mind, he shall stay further proceedings in the case.

195. When, from the evidence given before a Presidency Magistrate, there appears to be sufficient ground for believing that an accused person committed an act which, if he had been of sound mind, would have been an offence, and that he was at the time when the act was committed, by reason of unsoundness of mind, incapable of knowing the nature of such act, or that he was doing what was contrary to law, the Presidency Magistrate shall, if such accused person appears to be of sound mind at the time of the inquiry or trial, proceed with the case.

When accused appears to have been insane.

196. Whenever an accused person is found to be of unsound mind and incapable of making his defence, the Presidency Magistrate, if the offence of which such person is accused be bailable, may release him on sufficient bail being given that he shall be properly taken care of, and shall be prevented from doing injury to himself or to any other person, and for his appearance when required before the Magistrate or such officer as the Magistrate appoints in this behalf.

Release of lunatic on bail.

If the offence be non-bailable, or if sufficient bail be not given, the Magistrate shall report the case for the order of the Local Government, and the accused person shall be kept in safe custody in such place as the Local Government directs.

Custody when bail not given.

197. Whenever proceedings are stayed under section 194, the Presidency Magistrate may at any time resume the inquiry or trial, and require the accused person to appear or to be brought before him.

Resumption of inquiry or trial.

When the accused person has been released under section 196, and the sureties for his appearance produce him to the officer whom the Magistrate appoints in this behalf, the certificate of such officer that the accused person is capable of making his defence shall be receivable as evidence.

198. If, when the accused person appears or is again brought before the Magistrate, such Magistrate considers him capable of making his defence, the inquiry or trial shall proceed.

Procedure on accused appearing before Magistrate.

If the Magistrate considers the accused person to be still incapable of making his defence, the Magistrate shall again act according to section 194.

199. Whenever any person is acquitted by a Presidency Magistrate upon the ground that, at the time at which such person is alleged to have committed an offence he was, by reason of unsoundness of mind, incapable of knowing the nature of the act alleged as constituting the offence complained of, or that he was doing what was contrary to law, the order of acquittal shall state specially whether he committed the act or not.

Finding in case of acquittal on ground of being lunatic.

200. Whenever such order states that the accused person committed the act alleged, the Presidency Magistrate before whom the trial was held shall, if such act would, but for the incapacity found, have constituted an offence, order such person to be kept in safe custody in such place and manner as the Magistrate thinks fit, and shall report the case for the order of the Local Government.

Procedure when lunatic committed the act alleged.

The Local Government may order such person to be kept in safe custody in a lunatic asylum or other suitable place of safe custody.

201. When any person is confined under the provisions of section 196 or 200, the Inspector-General of Prisons, if such person is confined in a jail, or the visitors of the lunatic asylums, or any two of them, if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector-General or by two of such visitors as aforesaid; and such Inspector-General or visitors shall make a special report to the Local Government as to the state of mind of such person.

Visiting of lunatic prisoners.

202. If such person is confined under section 196, and such Inspector-General or visitors as aforesaid shall certify that, in his or their opinion, such person is capable of making his defence, he shall be taken before the Presidency Magistrate at such time as such Magistrate appoints, and such Magistrate shall deal with such person under the provisions of section 198; and the certificate of such Inspector-General or visitors as aforesaid shall be receivable as evidence.

Procedure where lunatic prisoner reported capable of making defence.

203. If such person is confined under the provisions of section 200, and such Inspector-General or visitors as aforesaid certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon either order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum, if he has not been already sent to such an asylum; and may appoint a commission, consisting of a judicial officer and two medical officers, whereof the chief medical officer attached to the lunatic asylum shall be one.

Procedure where lunatic confined under section 199 is declared capable of being discharged.

The said commission shall make formal inquiry into the state of mind of such person, taking such evidence as is necessary, and shall report to the Local Government, who may order his discharge or detention as it thinks fit.

204. Whenever any relative or friend of any person detained under the provisions of section 200 is desirous that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend, and on his giving security to the satisfaction of such Government that the person so detained shall be properly taken care of and shall be prevented from doing injury to himself or another, may order such person to be delivered to such relative or friend.

Delivery of lunatic to care of relative.

Whenever such person is so delivered over, it shall be upon condition that he shall be produced for the inspection of such officer as the Local Government appoints, and at such times as such Government directs.

The provisions of sections 201 and 203 shall, *mutatis mutandis*, apply to persons detained under the provisions of this section; and the certificate of the inspecting officer appointed under this section shall be dealt with as a certificate of the Inspector-General of Prisons, or the visitors of lunatic asylums, under the said sections.

CHAPTER XV.—OF CONTEMPTS OF COURT.

205. When any such offence as is described in sections 175, 178, 179, 180 or 228 of the Indian Penal Code is committed in the view or presence of a Presidency Magistrate, he may cause the offender to be detained in custody; and, at any time before the Magistrate leaves his court on the same day, he may take cognizance of the offence, and sentence the offender to punishment by fine not exceeding two hundred rupees, and, in default of payment, by imprisonment in the civil jail for a period not exceeding one month, unless such fine be sooner paid.

Procedure in certain cases of contempt.

In every such case, the Magistrate shall record the acts constituting the offence, with the statement (if any) made by the offender as well as the finding and sentence.

If the offence is under section 228 of the Indian Penal Code, the record must show the nature and stage of the judicial proceeding in which the Magistrate interrupted or insulted was sitting, and the nature of the insult or interruption.

206. If the Presidency Magistrate considers that a person accused of any of the offences referred to in section 205 should be imprisoned otherwise than in default of payment of fine, or that a fine exceeding two hundred rupees should be imposed upon him, such Magistrate, after recording the facts constituting the offence, and the statement of the accused person, shall forward the case to another Presidency Magistrate, and shall require bail to be given for the appearance of such accused person before such other Magistrate, or, if sufficient bail be not given, shall forward such person under custody to such Magistrate.

Procedure where Court considers that accused should be imprisoned, or fined more than 200 rupees.

Such other Magistrate shall proceed to try the accused person in the manner provided by this Act for trials before a Presidency Magistrate; and may sentence the offender to punishment, as provided in the section under which he is charged.

207. When any Presidency Magistrate has sentenced an offender to punishment, or forwarded him to another Magistrate for trial, for refusing or omitting to do anything which he was lawfully required to do, or for any intentional insult or interruption, the former Magistrate may discharge the offender, or remit the punishment, on his submission to the order or requisition of such Magistrate, or on apology being made to his satisfaction.

Discharge of offender on submission or apology.

CHAPTER XVI.—OF SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR.

A.—Security for keeping the Peace.

208. Whenever a person accused of rioting, assault, or other breach of the peace, or with abetting the same, or with assembling armed men or taking other unlawful measures with the evident intention of committing the same, is convicted of such offence before a Presidency Magistrate,

Personal recognizance to keep the peace in cases of conviction.

and such Magistrate is of opinion that it is necessary to require such person to execute a personal recognizance for keeping the peace,

he may, in addition to any other order passed in the case, order the person so convicted to execute a personal recognizance for keeping the peace during such period as the Magistrate thinks fit to fix, not exceeding one year.

209. Whenever a Presidency Magistrate is of opinion that it is necessary to require sureties for keeping the peace, in addition to the personal recognizance of the person so convicted, such Magistrate may require him to give such sureties, and may fix the penalties which the sureties shall be respectively bound to discharge, and may direct that, if such bail be not given, he shall be imprisoned for such term not exceeding one year as the Magistrate thinks fit.

Sureties for keeping the peace.

210. If the person so convicted be sentenced to imprisonment, the period so fixed, and the term of imprisonment in default of executing the recognizance, shall commence on the expiration of his sentence.

Commencement of period during which person may be bound to keep peace.

Where the order to execute such recognizance is not made at the time of signing, or by the Magistrate who signs, the judgment, the person so convicted must be produced before the Magistrate making such order.

211. Whenever it appears to a Presidency Magistrate that it is necessary for the preservation of the peace that the term for which any person is so bound should be extended, he may, before the expiration of the first year, record his opinion to that effect and the grounds thereof, and may refer the case for the orders of the High Court.

Extension of time for which person is bound.

Such Court, after examining the proceedings of the Magistrate, and making such further inquiry as it thinks necessary, may, if it see cause, authorize him to extend such term for a further period not exceeding one year from the expiration of the first year.

EXPLANATION.—When the subject of dispute, or ground for apprehension, is the same as that on

which the first order was passed, the Magistrate must proceed under this section if the first bond is still in force, and not under section 215.

B.—Security for Good Behaviour.

212. Whenever it is proved before a Presidency Magistrate that any person is lurking within the local limits of his jurisdiction, or that there is within such limits a person who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, the Magistrate may require such person to enter into such recognizance, with sureties for his good behaviour for a period not exceeding six months, as the Magistrate thinks sufficient.

When Magistrate may require security for good behaviour for six months.

213. Whenever it is proved before a Presidency Magistrate that any person is by repute

When Magistrate may require security for good behaviour for one year.

a robber, house-breaker or thief,

or a receiver of stolen property, knowing the same to have been stolen,

or of notoriously bad livelihood,

or of a dangerous character,

such Magistrate may require similar security for the good behaviour of such person for a period not exceeding one year.

214. Whenever it is proved before a Presidency Magistrate that any person is

Procedure where security required for more than one year.

an habitual robber, house-breaker or thief;

or an habitual receiver of stolen property, knowing the same to have been stolen,

or of a dangerous character

and that his release without security, at the expiration of the limited period of one year, would be hazardous to the community,

the Magistrate shall record his opinion to that effect, and make an order requiring similar security for the good behaviour of such person for a period not exceeding three years.

If such person does not comply with the order, the Magistrate shall issue a warrant directing his detention pending the orders of the High Court.

C.—Provisions as to both kinds of Security.

215. Whenever a Presidency Magistrate receives information that any person is likely to commit a breach of the peace, or to do any act that may probably occasion a breach of the peace, or that he is one of the persons referred to in sections 212, 213 and 214, he may summon such person to attend at a time and place mentioned in the summons, to show cause why he should not be required to execute a recognizance to keep the peace or for good behaviour, as the case may be.

Summons to person to show cause why he should not give bond to keep peace or for good behaviour.

EXPLANATION I.—A summons calling on a person to show cause why he should not execute such recognizance, may be issued on any report or other information which the Magistrate believes; but the Magistrate shall not require any person to execute such recognizance until the Magistrate has adjudicated on evidence before him.

EXPLANATION II.—A Magistrate may, if he thinks fit, recall any summons issued under this section.

216. Such summons shall set forth the substance of the report or information on which it is issued, the penalty to be specified in the recognizance, and the term for which it is to be in force, and, if bail are to be taken, their number, the penalties which they shall be respectively bound to discharge, and the time and place at which the person summoned is required to attend.

Contents of summons.

When the person believed to be likely to commit a breach of the peace or to be one of the persons referred to in sections 212, 213 and 214, is present in Court no summons is necessary, but the Magistrate may at once require him to show cause why he should not be required to execute the recognizance.

217. If the person summoned does not attend on the day appointed at the hour and place named in the summons, the Presidency Magistrate, if satisfied that the summons has been duly served, may issue a warrant for his arrest:

When warrant of arrest may issue.

Provided that, whenever it appears to such Magistrate, upon the report of a Police-officer or upon other credible information (the substance of which report or information shall be recorded by the Magistrate on the warrant) that there is reason to fear the commission of a breach of the peace, which may probably be prevented by the immediate arrest of any person, or that there is reason to think that any person is one of the persons so referred to, the Magistrate may at any time issue a warrant for his arrest.

218. The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of the person informed against under section 215, and may permit him to appear and execute the required recognizance, or show cause against such requisition, by an advocate, attorney or pleader.

Magistrate may dispense with personal attendance of person informed against.

219. If on the appearance of the person so informed against or, if his attendance is dispensed with, of his advocate, attorney or pleader, the Magistrate is not satisfied that there is occasion to bind over such person to keep the peace, or to be of good behaviour the Magistrate shall direct his discharge.

Discharge of person informed against.

220. If the Magistrate is satisfied that it is necessary for the preservation of the peace or the maintenance of good behaviour that such person shall execute a recognizance, the Magistrate shall make an order accordingly.

Order to give bond and consequence of non-compliance.

The penalty specified in every recognizance executed under this chapter shall be fixed with due regard to the circumstances of the case and the means of the person bound.

The penalty which the sureties shall be jointly and severally bound to discharge shall not exceed the penalty which the principal debtor is bound to discharge.

221. If a person required to furnish security under section 214 does not furnish the same, or offers sureties whom the Magistrate rejects, the proceedings shall be laid, as soon as conveniently may be, before the High Court.

Proceedings to be laid before High Court.

Such Court, after examining such proceedings and requiring any further information or evidence

which it thinks necessary, may pass such orders on the case as it thinks fit, provided that the period (if any) for which it may direct the security to be taken shall not exceed three years.

Contents of order for security.

222. Whenever security is required under this chapter, the amount of the security, the number and description of sureties, and the period of time for which the recognizance is to remain in force, shall be stated in the order, and the recognizance shall

Form of recognizance.

be in the form (H) or (I) as the case may be, given in the third schedule hereto annexed or to the like effect.

Imprisonment in default of security.

223. In the event of any person required to give security under the provisions of this chapter failing to furnish the security so required, he shall be committed to prison until he furnish the same:

Term of imprisonment.

Provided that no such person shall be kept in prison for a longer period than that for which the security has been required from him.

Imprisonment under this section may be rigorous or simple, as the High Court or Magistrate in each case directs.

Binding of sentenced person.

224. If any person required under this chapter to enter into a recognizance is under sentence of imprisonment, he shall, on or after the expiration of his sentence, be brought up before the Magistrate for the purpose of entering into such recognizance.

Release of prisoners under requisition of security.

225. A Presidency Magistrate may at any time release any person imprisoned for failing to furnish security for good behaviour, whether by his own order, or that of his predecessor in office, provided that the Magistrate is of opinion that such person may be released without hazard to the community.

Release of prisoner under requisition of security by order of High Court.

Whenever a Presidency Magistrate is of opinion that any person imprisoned for failing to furnish security for good behaviour, as ordered by the High Court, may be safely released without such security, such Magistrate shall make an immediate report of the case for the orders of the High Court.

Discharge of sureties.

226. A surety for the peaceable conduct or good behaviour of another person may at any time apply to a Presidency Magistrate to discharge his recognizance.

On such application being made, the Magistrate shall issue his summons or warrant requiring the person for whom such surety is bound to appear or be brought before him.

When such person appears or is brought before the Magistrate, such Magistrate shall discharge the recognizance of the surety, and shall order such person to give a fresh surety.

Commission, &c., of offence a breach.

227. The commission, or attempt to commit, or the abetment, of any offence whatever, and whatever it may be committed, is a breach of the recognizance.

Recovery of penalty from principal.

228. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter has been forfeited, he shall record the grounds of such proof and call upon the person bound by such recognizance to pay the penalty thereof, or to show cause why it should not be paid.

If sufficient cause be not shown and the penalty be not paid, the Magistrate shall proceed to recover the same by issuing a warrant for the attachment and sale of any moveable property belonging to the person bound by such recognizance.

Such warrant may be executed within the local limits of the jurisdiction of the Magistrate in which it is issued; and it shall authorize the distress and sale of any moveable property belonging to the person so bound without such limits, when endorsed by the Magistrate of the District in which such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, the person so bound shall be liable to imprisonment by order of the Presidency Magistrate in the civil jail for a period not exceeding six months.

The penalty shall not be enforced until the person so bound has had an opportunity of showing cause against the enforcement, and until the breach of the condition of the recognizance has been proved.

Recovery of penalty from surety.

229. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter by a surety has been forfeited, the Magistrate may give notice to the surety to pay the penalty to which he has thereby become liable, or to show cause why it should not be paid.

If no sufficient cause is shown, and such penalty is not paid, the Magistrate may proceed to recover the penalty from such surety in manner provided by the last preceding section.

And in case such penalty cannot be so recovered, the Magistrate may sentence the surety to imprisonment in the civil jail for a period not exceeding six months.

Proof of previous conviction.

230. Any previous conviction of the person to be bound may, in proceedings under this chapter, be proved in the manner prescribed in section 158.

Where proceedings under this chapter may be taken.

231. Proceedings under this chapter may be taken in any district in which the breach of the peace is apprehended, or in which an offence has been committed in breach of the bond, or in which the person whom it is desired to bind may be.

Provisions of chapter not applying to European vagrants.

232. The provisions of this chapter relating to security for good behaviour do not apply to European British subjects in cases where they may be dealt with under the European Vagrancy Act, 1874.

CHAPTER XVII.—OF RESTORING POSSESSION OF IMMOVEABLE PROPERTY.

Power to restore possession of immoveable property.

233. Whenever any person is convicted by a Presidency Magistrate of an offence attended with criminal force, and it appears to such Magistrate that, by such criminal force, any person has been dispossessed of any immoveable property, the Magistrate may order such person to be restored to possession.

No such order shall prejudice any right over such immoveable property which any person may be able to show in a civil suit.

CHAPTER XVIII.—OF THE MAINTENANCE OF WIVES AND FAMILIES.

Order for maintenance of wives and children.

234. If any person, having sufficient means, neglects or refuses to maintain his wife, or his legitimate or illegitimate child unable to maintain itself, a Presidency Magistrate may, upon due proof thereof by evidence, order such person to make a monthly allowance for the maintenance of his said wife, or child, or both, at such monthly rate not exceeding fifty rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate from time to time directs.

Such allowance shall be payable from the date of the order.

Enforcement of order.

If any person so ordered wilfully neglects to comply with the order, a Presidency Magistrate may, for every breach of the order, issue a warrant for levying the amount due in manner hereinbefore provided for levying fines; and may sentence such person, for each month's allowance remaining unpaid, to imprisonment for any term not exceeding one month:

Proviso.

Provided that, if such person offers to maintain his wife on condition of her living with him, and his wife refuses to live with him, such Magistrate may consider any grounds of refusal stated by such wife; and may make the order allowed by this section notwithstanding such offer, if he is satisfied that such person is living in adultery, or that he has habitually treated his wife with cruelty.

No wife shall be entitled to receive an allowance from her husband under this section, if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by mutual consent.

Alteration in allowance.

235. On the application of any person receiving or ordered to pay a monthly allowance under the provisions of section 234, and on proof of a change in the circumstances of such person, his wife, or child, the Magistrate may make such alteration in the allowance ordered as he thinks fit, provided the monthly rate of fifty rupees be not exceeded.

Enforcement of order.

236. A copy of the order of maintenance shall be given without fee to the person in whose favour it is made, or to his guardian (if any); and such order shall be enforceable by any Magistrate in any place where the person against whom it is made may be, on such Magistrate being satisfied as to the identity of the parties and the non-payment of the allowance due.

PART IV

CHAPTER XIX.—MISCELLANEOUS.

Procedure in miscellaneous criminal cases and proceedings.

237. The procedure prescribed by this Act shall be followed, so far as it can be, in all miscellaneous criminal cases and proceedings which are instituted in any Presidency Magistrate's Court.

Offences against Railway, Telegraph, Post Office and Arms' Acts.

238. All offences against the provisions of any law for the time being in force relating to Railways, Telegraphs, the Post Office, and Arms and Ammunition may be enquired into by a Presidency Magistrate, and may be tried according to the provisions of this Act.

Extent of jurisdiction.

239. The powers conferred on a Presidency Magistrate by section 238 may be exercised whether the offence is stated to have been committed within the local limits of his jurisdiction or not; but such powers shall only be exercised if the witnesses necessary for the prosecution of the offender are to be found within such limits.

Reference to High Court.

240. A Presidency Magistrate may, if he thinks fit, refer for the opinion of the High Court any question of law which may arise in the hearing of any case in which he has jurisdiction; or may give judgment in any such matter, subject to the decision of the High Court on such reference; and, pending such decision by the High Court, may either commit the accused person to jail or release him on bail to appear for judgment when called upon.

Disposal of case according to decision of High Court.

241. When a question has been so referred, the High Court shall pass such order thereon as it thinks fit, and shall cause a copy of such order to be sent to the Magistrate by whom the reference was made, who shall proceed to dispose of the case conformably to the said order.

Direction as to costs.

The High Court may direct by whom the costs of the reference shall be paid.

Order for disposal of property regarding which offence committed.

242. When the inquiry or trial before any Presidency Magistrate is concluded, he may make such order as he thinks fit for the disposal of any moveable property produced before him regarding which any offence appears to have been committed,

EXPLANATION.—In this section the term 'property' includes not only such property as has been originally in the possession or under the control of any party, but also any property into or for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise.

Power to order disposal of property connected with charge, in Police-custody.

243. If any property alleged to be stolen or fraudulently obtained, is in the custody of any Police-officer by virtue of any warrant of a Presidency Magistrate, or in prosecution of any complaint of an offence in regard to the obtaining thereof, and the person accused of such offence is not found, or has been summarily dealt with and discharged, or has been tried and acquitted,

or if such person has been tried and found guilty, but the property so in custody has not been included in the charge upon which he has been found guilty,

or if any property has been seized by a Police-officer under chapter XI,

any Presidency Magistrate may make an order for the delivery of such property to the person appearing to be the rightful owner thereof; or, in case the owner cannot be ascertained, may make such order with respect to the property as the Magistrate thinks fit:

Provided that no such order shall bar the right of any person to sue the person to whom the property is delivered, and to recover such property from him, so that the suit be instituted within six months next after such order has been made.

Expenses of complainants and witnesses.

244. Subject to any rules that may be made by the Local Government, with the previous sanction of the Governor General in Council, a Presidency Magistrate may order payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any trial under this Act.

All persons to give information of certain offences.

245. Every person aware of the commission within the local limits of the jurisdiction of a Presidency Magistrate of any offence made punishable under sections 121, 121A, 122, 123, 124, 124A, 125, 126, 130, 302, 303, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459 or 460 of the Indian Penal Code, shall, in the absence of reasonable excuse, the burthen of proving which shall lie upon such person, give information of the same to the nearest Police-officer or Presidency Magistrate.

All persons to assist Magistrate and Police in certain cases.

246. Within such local limits every person is bound to assist a Presidency Magistrate or Police-officer demanding his aid

in the prevention of a breach of the peace,

or in the suppression of a riot or an affray,

or in the taking of any other person whom such Magistrate or Police-officer is authorized to arrest.

SCHEDULE I.

ACTS REPEALED.

(SEE SECTION 2.)

No. and year.	Title or subject.	Extent of repeal.
XIII of 1856 ...	Presidency Towns Police	In the preamble, the words "and the administration of justice in the Police Courts." In section one, the words and figures "sections II and IV of Act XXII of 1837 and" Sections twenty-two, twenty-three, twenty-six to thirty-one (both inclusive), thirty-six, thirty-seven, forty-one, forty-two, forty-four, forty-five, eighty-three, eighty-four, eighty-seven, ninety-five to ninety-eight (both inclusive), one-hundred to one-hundred-and-four (both inclusive), one-hundred-and-six, one-hundred-and-eight to one-hundred-and-eleven (both inclusive). In section twenty-four, the words "or by any Magistrate of Police." In section thirty-five, clause two, the words "on oath." In section ninety-three, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
XLVIII of 1860	Amending Act XIII of 1856.	Sections four, five, six, eight, ten, twenty-four, twenty-five and twenty-six.
LII of 1860 ...	Trials for breach of Railway Police Regulations.	The whole.
XXI of 1864 ...	An Act for the extension of the jurisdiction of the Magistrates of Police in Calcutta.	The whole.
Madras Act VIII of 1867.	Madras Town Police and Police Magistrates.	In the preamble, the words "and to extend the jurisdiction of the Town Police Magistrates." Sections ten, twelve to sixteen (both inclusive), nineteen, twenty-one, twenty-two, fifty-two, fifty-three, sixty to seventy (both inclusive), seventy-two to seventy-four (both inclusive). In section fifty-eight, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act IV of 1866.	The Calcutta Police Act, 1866.	Sections twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, thirty, thirty-one, sixty-nine, seventy-three, eighty-two to ninety-four (both inclusive), ninety-six to ninety-eight (both inclusive). In section seventy-nine, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act VIII of 1866.	Amending Bengal Act IV of 1866.	The whole.
Bombay Act IV of 1866.	Court of Petty Sessions, Bombay.	The whole.

SCHEDULE II.

TABULAR STATEMENT OF OFFENCES.

(SEE SECTION 4.)

EXPLANATORY NOTES.—*1st.*—The entries in the second and sixth columns of the schedule, headed respectively "Offence" and "Punishment under the Indian Penal Code," are not intended as definitions of the offences and punishments described in the several corresponding sections of the Indian Penal Code, or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the 1st column.

2nd.—The term "Whether bailable or not," in column 5, is to be taken in connection with the provisions of sections 70 and 71 of this Act.

3rd.—The High Court may try an offence entered in column 7 as triable by a Magistrate,

4th.—The last part of the schedule, headed "Offences against other Laws," shall not be taken to alter or affect any special provision contained in such laws regarding the procedure to be followed in the case of offences made punishable thereby.

5th.—The direction in column 4 is meant to indicate to Presidency Magistrates the manner in which the discretion vested in them by sections 34 and 35 is commonly to be used.

CHAPTER V.—OF ABETMENT.

1	2	3	4	5	6	7
Section.	OFFENCE.	Whether the Police may arrest without warrant or not.	Whether a warrant or a summons shall ordinarily issue in the first instance.	Whether bailable or not.	Punishment under the Indian Penal Code.	By what Court triable.
109	Abetment of any offence, if the act abetted is committed in consequence, and where no express provision is made for its punishment.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence abetted.	By the Court by which the offence abetted is triable.
110	Abetment of any offence, if the person abetted does the act with a different intention from that of the abettor.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto.

CHAPTER V.—OF ABETMENT—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
111	When one act is abetted and a different act is done, subject to the proviso.	May arrest without warrant if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence intended to be abetted.	By the Court by which the offence abetted is triable.
113	When an effect is caused by the act abetted different from that intended by the abettor.	Ditto ...	Ditto ...	Ditto ...	The same punishment as for the offence committed.	Ditto.
114	If abettor is present when offence is committed.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
115	Abetment of an offence punishable with death or transportation for life, if the offence be not committed in consequence of the abetment.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If an act which causes harm be done in consequence of the abetment.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 14 years and fine.	Ditto.
116	Abetment of an offence punishable with imprisonment, if the offence be not committed in consequence of the abetment.	Ditto ...	Ditto ...	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the abettor or the person abetted be a public servant, whose duty is to prevent the offence.	Ditto ...	Ditto ...	Ditto ...	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
117	Abetting the commission of an offence by the public, or by more than ten persons.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
118	Concealing a design to commit an offence punishable with death or transportation for life, if the offence be committed.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If the offence be not committed	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
119	A public servant concealing a design to commit an offence which it is his duty to prevent, if the offence be committed.	Ditto ...	Ditto ...	According as the offence abetted is bailable or not.	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the offence be punishable with death or transportation.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years.	Ditto.
	If the offence be not committed	Ditto ...	Ditto ...	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
120	Concealing a design to commit an offence punishable with imprisonment, if the offence be committed.	Ditto ...	Ditto ...	Ditto ...	Imprisonment extending to quarter part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.
	If not committed	Ditto ...	Ditto ...	Ditto ...	Imprisonment extending to one-eighth part of the longest term, and of the description provided for the offence, or fine, or both.	Ditto.

CHAPTER VI.—OFFENCES AGAINST THE STATE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.	Shall not arrest without warrant.	Warrant ...	Not bailable	Death, or transportation for life, and forfeiture of property.	High Court.
121A	Conspiring to commit certain offences against the State.	Ditto ...	Ditto ...	Ditto ...	Transportation for life or any shorter term, or imprisonment of either description for 10 years.	Ditto.
122	Collecting arms, &c., with the intention of waging war against the Queen.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and forfeiture of property.	Ditto.
123	Concealing with intent to facilitate a design to wage war.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
124	Assaulting Governor General, Governor, &c., with intent to compel or restrain the exercise of any lawful power.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
124A	Exciting, or attempting to excite, disaffection	Ditto ...	Ditto ...	Ditto ...	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine.	Ditto.
125	Waging war against any Asiatic Power in alliance or at peace with the Queen, or abetting the waging of such war.	Ditto ...	Ditto ...	Ditto ...	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine.	Ditto.
126	Committing depredation on the territories of any Power in alliance or at peace with the Queen.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine, and forfeiture of certain property.	Ditto.
127	Receiving property taken by war or depredation, mentioned in sections 125 and 126.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
128	Public servant voluntarily allowing prisoner of State or War in his custody to escape.	Ditto ...	Ditto ..	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
129	Public servant negligently suffering prisoner of State or War in his custody to escape.	Ditto ...	Ditto ...	Bailable ...	Simple imprisonment for 3 years and fine.	High Court or Magistrate.
130	Aiding escape of, rescuing, or harbouring, such prisoner, or offering any resistance to the recapture of such prisoner.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY.

131	Abetting mutiny, or attempting to seduce an officer, soldier or sailor from his allegiance or duty.	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
132	Abetment of mutiny, if mutiny is committed in consequence thereof.	Ditto ...	Ditto ...	Ditto ...	Death or transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
133	Abetment of an assault by an officer, soldier or sailor on his superior officer when in the execution of his office.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
134	Abetment of such assault, if the assault is committed.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
135	Abetment of the desertion of an officer, soldier or sailor.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
136	Harbouring such an officer, soldier or sailor who has deserted.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
137	Deserter concealed on board merchant-vessel, through negligence of master or person in charge thereof.	Shall not arrest without warrant.	Summons ...	Ditto ...	Fine of 500 rupees	Ditto.
138	Abetment of act of insubordination by an officer, soldier or sailor, if the offence be committed in consequence.	May arrest without warrant.	Warrant ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
140	Wearing the dress or carrying any token used by a soldier, with intent that it may be believed that he is such a soldier.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY.

143	Being member of an unlawful assembly ...	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
144	Joining an unlawful assembly armed with any deadly weapon.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
145	Joining or continuing in an unlawful assembly, knowing that it has been commanded to disperse.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
147	Rioting	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
148	Rioting armed with a deadly weapon ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
149	If an offence be committed by any member of an unlawful assembly, every other member of such assembly shall be guilty of the offence.	According as arrest may be made without warrant for the offence or not.	According as a warrant or summons may issue for the offence.	According as the offence is bailable or not.	The same as for the offence ...	By the Court by which the offence is triable.
150	Hiring, engaging, or employing persons to take part in an unlawful assembly.	May arrest without warrant.	According to the offence committed by the person hired, engaged, or employed.	Ditto ...	The same as for a member of such assembly, and for any offence committed by any member of such assembly.	Ditto.
151	Knowingly joining or continuing in any assembly of five or more persons after it has been commanded to disperse.	Ditto ...	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
152	Assaulting or obstructing public servant when suppressing riot, &c.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
153	Wantonly giving provocation with intent to cause riot, if rioting be committed.	May arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
	If not committed	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
154	Owner or occupier of land not giving information of riot, &c.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Fine of 1,000 rupees	Ditto.
155	Person for whose benefit or on whose behalf a riot takes place not using all lawful means to prevent it.	Ditto ...	Ditto ...	Ditto ...	Fine	Ditto.
156	Agent of owner or occupier for whose benefit a riot is committed not using all lawful means to prevent it.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
157	Harbouring persons hired for an unlawful assembly.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
158	Being hired to take part in an unlawful assembly or riot.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	Or to go armed	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
160	Committing affray	Shall not arrest without warrant.	Summons ...	Ditto ...	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Ditto.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS.

161	Being or expecting to be a public servant, and taking a gratification other than legal remuneration in respect of an official act.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
162	Taking a gratification in order by corrupt or illegal means to influence a public servant.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
163	Taking a gratification for the exercise of personal influence with a public servant.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
164	Abetment by public servant of the offences defined in the last two preceding clauses with reference to himself.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
165	Public servant obtaining any valuable thing, without consideration, from a person concerned in any proceeding or business transacted by such public servant.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
166	Public servant disobeying a direction of the law with intent to cause injury to any person.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 year, or fine, or both.	Ditto.
167	Public servant framing an incorrect document with intent to cause injury.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
168	Public servant unlawfully engaging in trade ...	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
169	Public servant unlawfully buying or bidding for property.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 2 years, or fine, or both, and confiscation of property, if purchased.	Ditto.
170	Personating a public servant	May arrest without warrant.	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
171	Wearing garb or carrying token used by public servant with fraudulent intent.	Ditto ...	Summons ...	Ditto ..	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS.

172	Absconding to avoid service of summons or other proceeding from a public servant.	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If summons or notice require attendance in person, &c., in a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
173	Preventing the service or the affixing of any summons or notice, or the removal of it when it has been affixed, or preventing a proclamation.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If summons, &c., require attendance in person, &c., in a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
174	Not obeying a legal order to attend at a certain place in person or by agent, or departing therefrom without authority.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If the order require personal attendance, &c., in a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
175	Intentionally omitting to produce a document to a public servant by a person legally bound to produce or deliver such document.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
	If the document is required to be produced in, or delivered to, a Court of Justice.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
176	Intentionally omitting to give notice or information to a public servant by a person legally bound to give such notice or information.	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If the notice or information required respects the commission of an offene, &c.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
177	Knowingly furnishing false information to a public servant.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If the information required respects the commission of an offence, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
178	Refusing oath when duly required to take oath by a public servant.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
179	Being legally bound to state truth, and refusing to answer questions.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
180	Refusing to sign a statement made to a public servant when legally required to do so.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 3 months, or fine of 500 rupees, or both.	Ditto.
181	Knowingly stating to a public servant on oath as true that which is false.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
183	Resistance to the taking of property by the lawful authority of a public servant.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
184	Obstructing sale of property offered for sale by authority of a public servant.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Ditto.
185	Bidding by person under a legal incapacity to purchase it, for property at a lawfully authorised sale, or bidding without intending to perform the obligations incurred thereby.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 month, or fine of 200 rupees, or both.	Ditto.
186	Obstructing public servant in discharge of his public functions.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
187	Omission to assist public servant when bound by law to give such assistance.	Ditto ..	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	Wilfully neglecting to aid a public servant who demands aid in the execution of process, the prevention of offences, &c.	Shall not arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 6 months, or fine of 500 rupees, or both.	Magistrate.
188	Disobedience to an order lawfully promulgated by a public servant, if such disobedience causes obstruction or annoyance or injury to persons lawfully employed.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.
	If such disobedience causes danger to human life, health or safety, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
189	Threatening a public servant with injury to him, or one in whom he is interested, to induce him to do or forbear to do any official act.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
190	Threatening any person to induce him to refrain from making a legal application for protection from injury.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE.

193	Giving or fabricating false evidence in a judicial proceeding.	Shall not arrest without warrant.	Warrant ...	Bailable ..	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	Giving or fabricating false evidence in any other case.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
194	Giving or fabricating false evidence with intent to cause any person to be convicted of a capital offence.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
	If innocent person be thereby convicted and executed.	Ditto ...	Ditto ...	Ditto ...	Death, or as above	Ditto.
195	Giving or fabricating false evidence with intent to procure conviction of an offence punishable with transportation, or imprisonment for more than seven years.	Ditto ...	Ditto ...	Ditto ...	The same as for the offence ...	Ditto.
196	Using, in a judicial proceeding, evidence known to be false or fabricated.	Ditto ...	Ditto ...	According as the offence of giving such evidence is bailable or not.	The same as for giving or fabricating false evidence.	High Court or Magistrate.
197	Knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence.	Ditto ...	Ditto ...	Bailable ...	The same as for giving false evidence	Ditto.
198	Using as a true certificate one known to be false in a material point.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
199	False statement made in any declaration which is by law received as evidence.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
200	Using as true any such declaration known to be false.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
201	Causing disappearance of evidence of an offence committed, or giving false information touching it to screen the offender, if a capital offence.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation, or imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with less than 10 years' imprisonment.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
202	Intentional omission to give information of an offence by a person legally bound to inform.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
203	Giving false information respecting an offence committed.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
204	Secreting or destroying any document to prevent its production as evidence.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
205	False personation for the purpose of any act or proceeding in a suit or criminal prosecution, or for becoming bail or security.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
206	Fraudulent removal or concealment, &c., of property to prevent its seizure as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
207	Claiming property without right, or practising deception touching any right to it, to prevent its being taken as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
208	Fraudulently suffering a decree to pass for a sum not due, or suffering decree to be executed after it has been satisfied.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
209	False claim in a Court of Justice ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years and fine.	Ditto.
210	Fraudulently obtaining a decree for a sum not due, or causing a decree to be executed after it has been satisfied.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
211	False charge of offence made with intent to injure.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If offence charged be capital or punishable with transportation for life, or imprisonment for 7 years, or upwards.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
212	Harbouring an offender if the offence be capital.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If punishable with transportation for life, or with imprisonment for 10 years.	May arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with imprisonment for 1 year, and not for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
213	Taking gift, &c., to screen an offender from punishment, if the offence be capital.	Shall not arrest without warrant.	Ditto ...	Ditto ..	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
214	Gift made to cause restoration of property in consideration of screening offender if the offence be capital.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
215	Taking gift to help to recover moveable property of which a person has been deprived by an offence, without causing apprehension of offender.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
216	Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital.	May arrest without warrant.	Ditto ...	Ditto ..	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
	If with imprisonment for 1 year, and not for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
217	Pubilc servant disobeying a direction of law with intent to save persons from punishment, or property from forfeiture.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
218	Public servant framing an incorrect record or writing with intent to save person from punishment, or property from forfeiture.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court.
219	Public servant in a judicial proceeding making or pronouncing an order, report, verdict or decision which he knows to be contrary to law.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
220	Commitment for trial or confinement by a person having authority, who knows that he is acting contrary to law.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
221	Intentional omission to apprehend on the part of a public servant bound by law to apprehend an offender, if the offence be capital.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If punishable with transportation for life, or imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, with or without fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for two years, with or without fine.	Magistrate.
222	Intentional omission to apprehend on the part of a public servant bound by law to apprehend person under sentence of a Court of Justice, if under sentence of death.	Ditto ...	Ditto ...	Not bailable.	Transportation for life, or imprisonment of either description for 14 years, with or without fine.	High Court.
	If under sentence of transportation for life, or imprisonment or penal servitude for 10 years or upwards.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If under sentence of imprisonment for less than 10 years.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
223	Escape from confinement negligently suffered by a public servant.	Ditto ...	Summons ...	Ditto ...	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
224	Resistance or obstruction by a person to his lawful apprehension.	May arrest without warrant.	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
225	Resistance or obstruction to the lawful apprehension of another person, or rescuing him from lawful custody.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If charged with an offence punishable with transportation for life, or imprisonment for 10 years.	Ditto ...	Ditto ...	Not bailable.	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If charged with a capital offence... ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine.	High Court.
	If the person is sentenced to transportation for life, or to transportation, penal servitude, or imprisonment for 10 years or upwards.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If under sentence of death	May arrest without warrant.	Warrant ...	Not bailable.	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
225A	Escape, or attempt to escape, from custody for failing to furnish security for good behaviour.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for one year, or fine, or both.	Magistrate.
226	Unlawful return from transportation ...	Ditto ...	Ditto ...	Not bailable.	Transportation for life, and fine and rigorous imprisonment for 3 years before transportation.	High Court.
227	Violation of condition of remission of punishment.	Shall not arrest without warrant.	Summons ...	Ditto ...	Punishment of original sentence, or, if part of the punishment has been undergone, the residue.	By the Court by which the original offence was triable.
228	Intentional insult or interruption to a public servant sitting in any stage of a judicial proceeding.	Ditto ...	Ditto ...	Bailable ...	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions contained in chapter XXXII of the Code of Criminal Procedure.

229	Personation of a juror or assessor ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate of Police.

CHAPTER XII—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS.

231	Counterfeiting, or performing any part of the process of counterfeiting coin.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
232	Counterfeiting, or performing any part of the process of counterfeiting the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
233	Making, buying, or selling instrument for the purpose of counterfeiting coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
234	Making, buying, or selling instrument for the purpose of counterfeiting the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
235	Possession of instrument or material for the purpose of using the same for counterfeiting coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If Queen's coin	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	High Court.
236	Abetting in India the counterfeiting out of British India of coin.	Ditto ...	Ditto ...	Ditto ...	The punishment provided for abetting the counterfeiting of such coin within British India.	Ditto.
237	Import or export of counterfeit coin, knowing the same to be counterfeit.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER XII—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
238	Import or export of counterfeits of the Queen's coin, knowing the same to be counterfeit.	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
239	Having any counterfeit coin known to be such when it came into possession, and delivering, &c., the same to any person.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
240	The same with respect to the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
241	Knowingly delivering to another any counterfeit coin as genuine which, when first possessed, the deliverer did not know to be counterfeit.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine of ten times the value of the coin counterfeited, or both.	Magistrate.
242	Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
243	Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
244	Persons employed in a Mint causing coin to be of a different weight or composition from that fixed by law.	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court.
245	Unlawfully taking from a Mint any coining instrument.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
246	Fraudulently diminishing the weight or altering the composition of any coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
247	Fraudulently diminishing the weight or altering the composition of the Queen's coin.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
248	Altering appearance of any coin with intent that it shall pass as a coin of a different description.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
249	Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
250	Delivery to another of coin possessed with the knowledge that it is altered.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	Ditto.
251	Delivery of Queen's coin possessed with the knowledge that it is altered.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
252	Possession of altered coin by a person who knew it to be altered when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
253	Possession of Queen's coin by a person who knew it to be altered when he became possessed thereof.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 5 years and fine.	Ditto.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
254	Delivery to another of coin as genuine, which, when first possessed, the deliverer did not know to be altered.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 2 years, or fine of ten times the value of the coin.	Magistrate.
255	Counterfeiting a Government stamp ...	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 10 years and fine.	High Court.
256	Having possession of an instrument or material for the purpose of counterfeiting a Government stamp.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
257	Making, buying, or selling instrument for the purpose of counterfeiting a Government stamp.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
258	Sale of counterfeit Government stamp ...	Ditto ...	Ditto ...	Ditto ..	Ditto	Ditto.
259	Having possession of a counterfeit Government stamp.	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court or Magistrate.
260	Using as genuine a Government stamp known to be counterfeit.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
261	Effacing any writing from a substance bearing a Government stamp, or removing from a document a stamp used for it with intent to cause wrongful loss to Government.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
262	Using a Government stamp known to have been before used.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
263	Erasure of mark denoting that stamp has been used.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XIII.—OFFENCES RELATING TO WEIGHTS AND MEASURES.

264	Fraudulent use of false instrument for weighing	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
265	Fraudulent use of false weight or measure ...	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
266	Being in possession of false weights or measures for fraudulent use.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
267	Making or selling false weights or measures for fraudulent use.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS.

269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life.	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
271	Knowingly disobeying any quarantine-rule ...	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
272	Adulterating food or drink for man intended for sale so as to make the same noxious.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
273	Selling any food or drink as food and drink for man knowing the same to be noxious.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
274	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
275	Offering for sale, or issuing from a dispensary, any drug or medical preparation known to have been adulterated.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
276	Knowingly selling, or issuing from a dispensary, any drug or medical preparation as a different drug or medical preparation.	Ditto ..	Ditto ...	Ditto ...	Ditto	Ditto.
277	Defiling the water of a public spring or reservoir.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
278	Making atmosphere noxious to health ...	Shall not arrest without warrant.	Ditto ..	Ditto ...	Fine of 500 rupees	Ditto.
279	Driving or riding on a public way so rashly or negligently as to endanger human life, &c.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
280	Navigating any vessel so rashly or negligently as to endanger human life, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
281	Exhibition of a false light, mark, or buoy ...	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	High Court.
282	Conveying for hire any person by water in a vessel in such a state, or so loaded, as to endanger his life.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
283	Causing danger, obstruction, or injury in any public way or line of navigation.	Ditto ...	Ditto ...	Ditto ...	Fine of 200 rupees	Ditto.
284	Dealing with any poisonous substance so as to endanger human life, &c.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
285	Dealing with fire or any combustible matter so as to endanger human life, &c.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
286	So dealing with any explosive substance ...	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
287	So dealing with any machinery	Shall not arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
288	A person omitting to guard against probable danger to human life by the fall of any building, over which he has a right entitling him to pull it down or repair it.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
289	A person omitting to take order with any animal in his possession, so as to guard against danger to human life, or of grievous hurt from such animal.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
290	Committing a public nuisance	Shall not arrest without warrant.	Ditto ...	Ditto ...	Fine of 200 rupees	Ditto.
291	Continuance of nuisance after injunction to discontinue.	May arrest without warrant.	Ditto ...	Ditto ...	Simple imprisonment for 6 months, or fine, or both.	Ditto.
292	Sale, &c., of obscene books, &c.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 3 months, or fine, or both.	Ditto.
293	Having in possession obscene book, &c., for sale or exhibition.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
294	Obscene songs	Ditto ..	Ditto ..	Ditto ...	Ditto	Ditto.
294A	Keeping a lottery-office	Shall not arrest without warrant.	Summons ...	Ditto ...	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
	Publishing proposals relating to lotteries ...	Ditto ...	Ditto ...	Ditto ...	Fine of 1,000 rupees	Ditto.

CHAPTER XV.—OFFENCES RELATING TO RELIGION.

295	Destroying, damaging, or defiling a place of worship or sacred object with intent to insult the religion of any class of persons.	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
296	Causing a disturbance to an assembly engaged in religious worship.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Ditto.
297	Trespassing in a place of worship or sepulture, disturbing funeral with intention to wound the feelings or to insult the religion of any person, or offering indignity to a human corpse.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
298	Uttering any word or making any sound in the hearing, or making any gesture or placing any object in the sight of any person, with intention to wound his religious feeling.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY.

Offences affecting life.

302	Murder	May arrest without warrant.	Warrant ...	Not bailable	Death, transportation for life and fine	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Offences affecting life—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
303	Murder by a person under sentence of transportation for life.	May arrest without warrant.	Warrant ...	Not bailable	Death	High Court.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with intention of causing death, &c.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	If act is done with knowledge that it is likely to cause death, but without any intention to cause death, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
304A	Causing death by rash or negligent act ...	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
305	Abetment of suicide committed by a child, or insane or delirious person, or an idiot, or a person intoxicated.	Ditto ...	Ditto ...	Not bailable	Death, or transportation for life, or imprisonment for 10 years and fine.	High Court.
306	Abetting the commission of suicide ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
307	Attempt to murder	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If such act cause hurt to any person ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or as above...	Ditto.
308	Attempt to commit culpable homicide ...	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years, or fine, on both.	Ditto.
	If such act cause hurt to any person ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
309	Attempt to commit suicide	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 1 year and fine.	Magistrate.
311	Being a thug	Ditto ...	Ditto ...	Not bailable	Transportation for life and fine.	High Court.

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births.

312	Causing miscarriage	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court.
	If the woman be quick with child ...	Ditto ...	Ditto ..	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
313	Causing miscarriage without woman's consent	Ditto ...	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
314	Death caused by an act done with intent to cause miscarriage.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
	If act done without woman's consent ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or as above.	Ditto.
315	Act done with intent to prevent a child being born alive, or to cause it to die after its birth.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
316	Causing death of a quick unborn child by an act amounting to culpable homicide.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
317	Exposure of a child under twelve years of age, by parent or person having care of it, with intention of wholly abandoning it.	May arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 7 years, or fine, or both.	High Court.
318	Concealment of birth by secret disposal of dead body.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
	Of Hurt.					
323	Voluntarily causing hurt	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for one year, or fine of 1,000 rupees, or both.	Magistrate.
324	Voluntarily causing hurt by dangerous weapons or means.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
325	Voluntarily causing grievous hurt ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
326	Voluntarily causing grievous hurt by dangerous weapons or means.	Ditto ..	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 10 years and fine.	High Court.
328	Administering stupefying drug with intent to cause hurt.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
330	Voluntarily causing hurt to extort confession or information, or to compel restoration of property, &c.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 7 years and fine.	Ditto.
331	Voluntarily causing grievous hurt to extort confession or information, or to compel restoration of property, &c.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
332	Voluntarily causing hurt to deter public servant from his duty.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
333	Voluntarily causing grievous hurt to deter public servant from his duty.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
334	Voluntarily causing hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	Ditto ...	Summons ...	Bailable ...	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Magistrate.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Hurt—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
335	Causing grievous hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 4 years, or fine of 2,000 rupees, or both.	High Court or Magistrate.
336	Doing any act which endangers human life or the personal safety of others.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 3 months, or fine of 250 rupees, or both.	Magistrate.
337	Causing hurt by an act which endangers human life, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 6 months, or fine of 500 rupees, or both.	Ditto.
338	Causing grievous hurt by an act which endangers human life, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine of 1,000 rupees, or both.	Ditto.

Of wrongful Restaint and wrongful Confinement.

341	Wrongfully restraining any person ...	May arrest without warrant.	Summons ...	Bailable ...	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
342	Wrongfully confining any person ...	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
343	Wrongfully confining for three or more days...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
344	Wrongfully confining for ten or more days ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
345	Keeping any person in wrongful confinement, knowing that a writ has been issued for his liberation.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, in addition to imprisonment under any other section.	Ditto.
346	Wrongful confinement in secret	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
347	Wrongful confinement for the purpose of extorting property, or constraining to an illegal act, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	Ditto.
348	Wrongful confinement for the purpose of extorting confession or information, or of compelling restoration of property, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

Of Criminal Force and Assault.

352	Assault or use of criminal force otherwise than on grave provocation.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
353	Assault or use of criminal force to deter a public servant from discharge of his duty.	May arrest without warrant.	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
354	Assault or use of criminal force to a woman with intent to outrage her modesty.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Criminal Force and Assault—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
355	Assault or criminal force with intent to dishonour a person, otherwise than on grave and sudden provocation.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
356	Assault or criminal force in attempt to commit theft of property worn or carried by a person.	May arrest without warrant.	Warrant ...	Not bailable	Ditto	Ditto.
357	Assault or use of criminal force in attempt wrongfully to confine a person.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
358	Assault or use of criminal force on grave and sudden provocation.	Shall not arrest without warrant.	Summons ...	Ditto ...	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

Of Kidnapping, Forcible Abduction, Slavery and forced Labour.

363	Kidnapping	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
364	Kidnapping or abducting in order to murder...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
365	Kidnapping or abducting with intent secretly and wrongfully to confine a person.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
366	Kidnapping or abducting a woman to compel her marriage or to cause her defilement, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
368	Concealing or keeping in confinement a kidnapped person.	Ditto ...	Ditto ...	Ditto ...	Punishment for kidnapping or abduction.	Ditto.
369	Kidnapping or abducting a child with intent to take property from the person of such child.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
370	Buying or disposing of any person as a slave...	Shall not arrest without warrant.	Ditto ...	Bailable ...	Ditto	Ditto.
371	Habitual dealing in slaves	May arrest without warrant.	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
372	Selling or letting to hire a minor for the purpose of prostitution.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	High Court or Magistrate.
373	Buying or obtaining possession of a minor for the same purpose.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
374	Unlawful compulsory labour	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

Of Rape.

376	Rape	May arrest without warrant.	Warrant ...	Not bailable	Transportation of life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*concluded.*

Of Unnatural Offences.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
377	Unnatural offences	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY.

Of Theft.

379	Theft	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	Magistrate.
380	Theft in a building, tent or vessel ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
381	Theft by clerk or servant, of property in possession of master or employer.	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court or Magis trate.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing such theft, or to retiring after committing it, or to retaining property taken by it.	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 10 years and fine.	High Court.

Of Extortion.

384	Extortion	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
385	Putting or attempting to put in fear of injury, in order to commit extortion.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
386	Extortion by putting a person in fear of death or grievous hurt.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
387	Putting or attempting to put a person in fear of death or grievous hurt, in order to commit extortion.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
388	Extortion by threat of accusation of an offence punishable with death, transportation for life, or imprisonment for 10 years.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
	If the offence threatened be an unnatural offence	Ditto ...	Ditto ...	Ditto ...	Transportation for life	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Extortion—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
389	Putting person in fear of accusation of offence punishable with death, transportation for life, or with imprisonment for 10 years, in order to commit extortion.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
	If the offence be an unnatural offence ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life	Ditto.

Of Robbery and Dacoity.

392	Robbery	May arrest without warrant.	Warrant ...	Not bailable	Rigorous imprisonment for 10 years and fine.	High Court or Magistrate.
	If committed on the highway between sunset and sunrise.	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 14 years and fine.	Ditto.
393	Attempt to commit robbery	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 7 years and fine.	Ditto.
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person generally concerned in such robbery.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
395	Dacoity	Ditto ...	Ditto ...	Ditto ...	Ditto	High Court.
396	Murder in dacoity	Ditto ...	Ditto ...	Ditto ...	Death, transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
397	Robbery or dacoity with attempt to cause death or grievous hurt.	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for not less than 7 years.	Ditto.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
399	Making preparation to commit dacoity ...	Ditto ...	Ditto ...	Ditto ...	Rigorous imprisonment for 10 years and fine.	Ditto.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.	Ditto ...	Ditto ...	Ditto...	Transportation for life, or as above...	Ditto.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.	Ditto ...	Ditto ..	Ditto ...	Rigorous imprisonment for 7 years and fine.	Ditto.
402	Being one of five or more persons assembled for the purpose of committing dacoity.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

Of Criminal Misappropriation of Property.

403	Dishonest misappropriation of moveable property, or converting it to one's own use.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
404	Dishonest misappropriation of property, knowing that it was in possession of a deceased person at his death, and that it has not since been in the possession of any person legally entitled to it.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If by clerk or person employed by deceased ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Criminal Breach of Trust.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
406	Criminal breach of trust ...	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
407	Criminal breach of trust by a carrier, wharfinger, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
408	Criminal breach of trust by a clerk or servant	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
409	Criminal breach of trust by public servant, or by banker, merchant or agent, &c.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.

Of the Receiving of Stolen Property.

411	Dishonestly receiving stolen property, knowing it to be stolen.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
413	Habitually dealing in stolen property ...	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	
414	Assisting in concealment or disposal of stolen property, knowing it to be stolen.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

Of Cheating.

417	Cheating	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
418	Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
419	Cheating by personation	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
420	Cheating and thereby dishonestly inducing delivery of property, or the alteration or destruction of a valuable security.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.

Of Fraudulent Deeds and Dispositions of Property.

421	Fraudulent removal or concealment of property, &c., to prevent distribution among creditors.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Fraudulent Deeds and Dispositions of Property—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
422	Fraudulently preventing from being made available for his creditors a debt or demand due to the offender.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
423	Fraudulent execution of deed of transfer containing a false statement of consideration.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
424	Fraudulent removal or concealment of property of himself or any other person, or assisting in the doing thereof, or dishonestly releasing any demand or claim to which he is entitled.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	Of Mischief.					
426	Mischief	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 months, or fine, or both.	Magistrate.
427	Mischief, and thereby causing damage to the amount of 50 rupees or upwards.	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
428	Mischief by killing, poisoning, maiming or rendering useless, any animal of the value of ten rupees or upwards.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
429	Mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, &c., whatever may be its value, or any other animal of the value of 50 rupees or upwards.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years, or fine, or both.	High Court or Magistrate.
430	Mischief by causing diminution of supply of water for agricultural purposes, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
431	Mischief by injury to public road, bridge, river or navigable channel, and rendering it impassable or less safe for travelling, or conveying property.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
432	Mischief by causing inundation or obstruction to public drainage, attended with damage.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
433	Mischief by destroying or moving or rendering less useful a light-house or sea-mark, or by exhibiting false lights.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	High Court.
434	Mischief by destroying or moving, &c., a landmark fixed by public authority.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
435	Mischief by fire or explosive substance, with intent to cause damage to amount of 100 rupees or upwards.	May arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	High Court.
436	Mischief by fire or explosive substance, with intent to destroy a house, &c.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
437	Mischief with intent to destroy or make unsafe a decked vessel or a vessel of twenty tons burden.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Mischief—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
438	The mischief described in the last section, when committed by fire or any explosive substance.	May arrest without warrant.	Warrant ...	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
439	Running vessel ashore with intent to commit theft, &c.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 10 years and fine.	Ditto.
440	Mischief committed after preparation made for causing death or hurt, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 5 years and fine.	Ditto.
	Of Criminal Trespass.					
447	Criminal trespass	May arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
448	House-trespass	Ditto ...	Warrant ...	Ditto ...	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
449	House-trespass in order to the commission of an offence punishable with death.	Ditto ...	Ditto ...	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
450	House-trespass in order to the commission of an offence punishable with transportation for life.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
451	House-trespass in order to the commission of an offence punishable with imprisonment.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 2 years and fine.	Magistrate.
	If the offence is theft	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
452	House-trespass, having made preparation for causing hurt, assault, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
453	Lurking house-trespass or house-breaking ...	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years and fine.	Magistrate.
454	Lurking house-trespass or house-breaking in order to the commission of an offence punishable with imprisonment.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If the offence is theft	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 10 years and fine.	Ditto.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
456	Lurking house-trespass or house-breaking by night.	Ditto ...	Ditto ...	Ditto ..	Imprisonment of either description for 3 years and fine.	Ditto.

CHAPTER XVII—OF OFFENCES AGAINST PROPERTY—*concluded.*

Of Criminal Trespass—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
457	Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.	May arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
	If the offence is theft	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 14 years and fine.	Ditto.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
461	Dishonestly breaking open or unfastening any closed receptacle containing or supposed to contain property.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
462	Being entrusted with any closed receptacle containing or supposed to contain any property, and fraudulently opening the same.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS.

465	Forgery	Shall not arrest without warrant.	Warrant ...	Bailable ..	Imprisonment of either description for 2 years, or fine, or both.	High Court.
466	Forgery of a record of a Court of Justice or of a register of births, &c., kept by a public servant.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
467	Forgery of a valuable security, will or authority to make or transfer any public security, or to receive any money, &c.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	When the valuable security is a promissory note of the Government of India.	May arrest without warrant.	Ditto ...	Ditto ...	Ditto	Ditto.
468	Forgery for the purpose of cheating ...	Shall not arrest without warrant.	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
469	Forgery for the purpose of harming the reputation of any person, or knowing that it is likely to be used for that purpose.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 3 years and fine.	Ditto.
471	Using as genuine a forged document which is known to be forged.	Ditto ...	Ditto ..	Ditto ...	Punishment for forgery ...	Ditto.
	When the forged document is a promissory note of the Government of India.	May arrest without warrant.	Ditto ...	Not bailable	Ditto	Ditto.
472	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable under section 467 of the Indian Penal Code; or possessing with like intent any such seal, plate, &c., knowing the same to be counterfeit.	Shall not arrest without warrant.	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
473	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable otherwise than under section 467 of the Indian Penal Code, or possessing with like intent any such seal, &c.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
474	Having possession of a document, knowing it to be forged, with intent to use it as genuine.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
	If the document is a valuable security or will	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or as above ...	Ditto.
475	Counterfeiting a device or mark used for authenticating documents described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
476	Counterfeiting a device or mark used for authenticating documents other than those described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
477	Fraudulently destroying or defacing, or attempting to destroy or deface, or secreting, a will, &c.	Ditto ...	Ditto ...	Ditto ...	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*concluded.*

Of Trade and Property-Marks.

482	Using a false trade or property-mark with intent to deceive or injure any person.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
483	Counterfeiting a trade or property-mark used by another, with intent to cause damage or injury.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
484	Counterfeiting a property-mark used by a public servant, or any mark used by him to denote the manufacture, quality, &c., of any property.	Ditto ...	Summons ...	Ditto ...	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
485	Fraudulently making or having possession of any die, plate, or other instrument for counterfeiting any public or private property or trade-mark.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
486	Knowingly selling goods marked with a counterfeit property or trade-mark.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
487	Fraudulently making a false mark upon any package or receptacle containing goods, with intent to cause it to be believed that it contains goods which it does not contain, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
488	Making use of any such false mark ...	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
489	Removing, destroying, or defacing any property-mark with intent to cause injury.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

CHAPTER XIX—OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
490	Being bound by contract to render personal service during a voyage or journey, or to convey or guard any property or person and voluntarily omitting to do so.	Shall not arrest without warrant.	Summons ...	Bailable ...	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Magistrate.
491	Being bound to attend on or supply the wants of a person who is helpless from youth, unsoundness of mind or disease, and voluntarily omitting to do so.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.
492	Being bound by a contract to render personal service for a certain period at a distant place to which the employee is conveyed at the expense of the employer, and there voluntarily deserting the service or refusing to perform the duty.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 month, or fine of double the expense incurred, or both.	Ditto.

CHAPTER XX.—OF OFFENCES RELATING TO MARRIAGE.

493	A man by deceit causing a woman not lawfully married to him to believe that she is lawfully married to him, and to cohabit with him in that belief.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
494	Marrying again during the life-time of a husband or wife.	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 7 years and fine.	Ditto.
495	Same offence with concealment of the former marriage from the person with whom subsequent marriage is contracted.	Ditto ...	Ditto ...	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
496	A person with fraudulent intention going through the ceremony of being married, knowing that he is not thereby lawfully married.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years and fine.	Ditto.
497	Adultery	Ditto ...	Ditto ...	Bailable ...	Imprisonment of either description for 5 years, or fine, or both.	Ditto.
498	Enticing or taking away or detaining with a criminal intent a married woman.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXI.—OF DEFAMATION.

500	Defamation	Shall not arrest without warrant.	Warrant ...	Bailable ...	Simple imprisonment for 2 years, or fine, or both.	High Court or Magistrate.
501	Printing or engraving matter knowing it to be defamatory.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.
502	Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter.	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE.

504	Insult intended to provoke a breach of the peace.	Shall not arrest without warrant.	Warrant ...	Bailable ...	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
505	False statement, rumours, &c., circulated with intent to cause mutiny or offences against the public peace.	Shall not arrest without warrant.	Warrant ...	Not bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
506	Criminal intimidation	Ditto ...	Ditto ...	Bailable ...	Ditto	Ditto.
	If threat be to cause death or grievous hurt, &c.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 7 years, or fine, or both.	High Court or Magistrate.
507	Criminal intimidation by anonymous communication or having taken precaution to conceal whence the threat comes.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 2 years, in addition to the punishment under above section.	Ditto.
508	Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure.	Ditto ...	Ditto ...	Ditto ...	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
509	Uttering any word or making any gesture intended to insult the modesty of a woman.	Ditto ..	Ditto ...	Ditto ...	Simple imprisonment for 1 year, or fine, or both.	Ditto.
510	Appearing in a public place, &c., in a state of intoxication, and causing annoyance to any person.	Ditto ...	Ditto ...	Ditto ...	Simple imprisonment for 24 hours, or fine of 10 rupees, or both.	Ditto.

CHAPTER XXIII.—OF ATTEMPTS TO COMMIT OFFENCES.

511	Attempting to commit offences punishable with transportation or imprisonment, and in such attempt doing any act towards the commission of the offence.	According as the offence is one in respect of which the Police may arrest without warrant or not.	According as the offence is one in respect of which a summons or warrant shall ordinarily issue.	According as the offence contemplated by the offender is bailable or not.	Transportation or imprisonment not exceeding half of the longest term and of the description, provided for the offence, or fine, or both.	By the Court by which the offence attempted is triable.

OFFENCES AGAINST OTHER LAWS.

	If punishable with death, transportation, or imprisonment for seven years or upwards.	May arrest without warrant.	Warrant ...	Not bailable	.....	High Court.
	If punishable with imprisonment for three years and upwards but less than seven.	Ditto ...	Ditto ..	Ditto ...	.....	High Court or Magistrate.
	If punishable with imprisonment for less than three years.	Shall not arrest without warrant.	Summons ..	Bailable ...	.....	Magistrate.
	If punishable with fine only	Ditto ..	Ditto ...	Ditto ..	.....	Ditto.

SCHEDULE III.

FORMS OF SUMMONS, WARRANTS, BONDS AND RECOGNIZANCES.

A.

FORM OF SUMMONS (*section* 47).

To *A. B.*, of

Whereas complaint has this day been made before the undersigned Presidency Magistrate for the Town of that you on the day of 187 at (*state shortly the offence complained of*) contrary to section of the Indian Penal Code [*or* of Act No. of 18 , *as the case may be*] : You are hereby required to appear in person [*or* by advocate, attorney or pleader, *as the case may be*] on the day of 187 , at o'clock in the forenoon [*or* afternoon] at the Court of before such Magistrate as may then be present, to answer to the said complaint and to be further dealt with according to law.

Dated the day of

(*Signed*) C. D.
Presidency Magistrate.

B.

FORM OF WARRANT OF ARREST (*section* 56).

To (*name and designation of the person who is to execute the warrant*).

Whereas of is accused of the offence of (*state the offence*) : You are hereby directed to apprehend the said and produce him at the Court of before such Magistrate as may then be present.

(*Signature.*)

[*This warrant may be endorsed as follows* :—]

If the said shall give bail, himself in the sum of , with one surety in the sum of (*or* two sureties each in the sum of), to appear before me on the day of , he may be released.

(*Signature.*)

Dated

C.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY (*section* 71).

To the officer in charge of the

Whereas of is accused of ( ) you are hereby required to receive the said into your custody and to produce him before by whom [*or* which] the offence of which he is accused is to be tried [*or* enquired into] from time to time when so required.

D.

FORM OF RECOGNIZANCE (*section* 72).

We A. B. of , C. D. of and E. F. of do hereby bind ourselves jointly and severally that the said A. B. will attend on the day of 187 at the Court of the Presidency Magistrate of and continue so to attend until otherwise directed by the said Magistrate, and will, if required, appear when called upon at the High Court of Judicature at to answer the charge of , and in case of the said A. B. making default herein, we the said A. B., C. D. and E. F. bind ourselves jointly and severally to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated the day of 187 .

E.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY PENDING TRIAL BEFORE THE HIGH COURT (*section* 89.)

To , the officer in charge of the Jail.

Whereas of is charged with (*state the offence in respect of which the prisoner is charged*), and has been committed to take his trial before the Court of at

You are hereby required to receive the said into your custody and to produce him before the said Court when so required.

(Signature.)
(Office and powers.)

Dated

F.

FORM OF RECOGNIZANCE TO PROSECUTE OR GIVE EVIDENCE (*section* 93).

I, , of , do hereby bind myself to appear at , in the Court of , at o'clock on the day of next, and then and there to prosecute (*or, as the case may be,* to prosecute and give evidence, *or* to give evidence) in the matter of a charge of against one *A. B.*, and to attend at the said Court from day to day, or as I may be otherwise directed by the presiding officer; and in case of my making default herein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

Dated (*Signature.*)

G.

FORM OF WARRANT OF COMMITMENT AFTER SENTENCE (*section* 183).

To , the officer in charge of the Jail.

Whereas of was convicted before me *(name and official designation)* of the offence of (*mention the offence, quoting Act and section*) and was sentenced to (*state the punishment fully and distinctly, mentioning its nature and extent*) : You are hereby required to receive the said into your custody in the said jail, together with this warrant, and there carry the aforesaid sentence into execution according to law.

(Signature.)

Dated the day of

H.

FORM OF RECOGNIZANCE TO KEEP THE PEACE (*section* 222).

Whereas I, A. B., [*or* we A. B., C. D., etc.], of , have been called upon to enter into a

bond to keep the peace for the term of , I hereby bind myself [*or* each of us hereby binds himself] not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of my [*or* any of us] making default therein, I bind myself [*or* he binds himself] to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE RECOGNIZANCE OF THE PRINCIPAL.

I E. F. of hereby declare myself surety for the above-mentioned A. B., that he shall not commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

I.

FORM OF RECOGNIZANCE FOR GOOD BEHAVIOUR (*section* 222).

Whereas I, , inhabitant of , have been called to enter into a bond to be of good behaviour to Her Majesty, and to all her subjects, for the term of , I hereby bind myself to be of good behaviour to Her Majesty, and to all her subjects during the said term, and in case of my making default therein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE BOND OF THE PRINCIPAL.

I hereby declare myself surety for the above-said , that he shall be of good behaviour to Her Majesty and to all her subjects during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

CHARGES.

(*See section* 97).

(I.)—CHARGES WITH ONE HEAD.

(*a.*) I [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows:—

On Penal Code section 121. (*b.*) That you, on or about the day of , at , waged war against the Queen, and thereby committed an offence punishable under section 121 of the Indian Penal Code, and within the cognizance of the High Court.

(*c.*) And I hereby direct that you be tried by the said Court on the said charge.

[*Signature of the Magistrate.*]

[*To be substituted for* (*b*)].

On section 124. (2.) That you, on or about the day of , at , with the intention of inducing the Honourable *B.*, Member of the Council of the Governor General of India, to refrain from exercising a lawful power as such Member, assaulted such Member, and thereby committed an offence punishable under section 124 of the Indian Penal Code, and within the cognizance of the High Court.

On section 161. (3.) That you, being a public servant in the Department, directly accepted from [*state the name*] for another party [*state the name*] a gratification, other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 of the Indian Penal Code, and within the cognizance of the High Court.

On section 304. (4.) That you, on or about the day of at , committed culpable homicide not amounting to murder, causing the death of , and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

On section 306. (5.) That you, on or about the day of , at , abetted the commission of suicide by *A. B.*, a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Indian Penal Code, and within the cognizance of the High Court.

On section 325. (6.) That you, on or about the day of , at voluntarily caused grievous hurt to , and thereby committed an offence punishable under section 325 of the Indian Penal Code, and within the cognizance of the High Court.

On section 392. (7.) That you, on or about the day of , at , committed robbery, an offence punishable under section 392 of the Indian Penal Code, and within the cognizance of the High Court.

On section 395. (8.) That you, on or about the day of , at , committed dacoity, an offence punishable under section 395 of the Indian Penal Code, and within the cognizance of the High Court.

On section 166. (9.) That you, on or about the day of , at , did (*or* omitted to do, *as the case may be*) , such conduct being contrary to the provisions of Act , section , and was known by you to be prejudicial to , and thereby committed an offence punishable under section 166 of the Indian Penal Code, and within the cognizance of the High Court.

On section 193. (10.) That you, on or about the day of at , in the course of the trial of before , stated in evidence that " " which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable

under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

[*In cases tried by Magistrates, substitute* "within my cognizance" *for* "within the cognizance of the High Court." *In* (*c*, *omit* "by the said Court."]

(II.)—CHARGES WITH TWO OR MORE HEADS.

(*a*.) I, [*name and office of Magistrate, &c.*], hereby charge you [*name of accused person*], as follows:—

On Penal Code, sections 241 and 242.

(*b*.) *First*.—That you, on or about the day of , at , knowing a coin to be counterfeit, delivered the same to another person, by name *A. B.*, as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , knowing a coin to be counterfeit, attempted to induce another person, by name *A. B.*, to receive it as genuine, and thereby committed an offence punishable under section 242 of the Indian Penal Code, and within the cognizance of the High Court.

(*c*.) And I hereby commit you to the said Court to be tried on the said charge.

[*Signature of the Magistrate.*]

On sections 302 and 304.

For (*b*) *First*.—That you, on or about the day of , at , committed murder by causing the death of , and thereby committed an offence punishable under section 302 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , by causing the death of , committed culpable homicide, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

On sections 379 and 382.

For (*b*) *First*.—That you, on or about the day of , at , committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Thirdly.—That you, on or about the day of , at , committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Fourthly.—That you, on or about the day of , at , committed theft, having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Alternative charges on section 193.

For (*b*). That you, on or about the day of at , in the course of the inquiry into before , stated in evidence that " ," and that you, on or about the day of , at , in the course of the trial of before , stated in evidence that " ," one of which statements you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

In trials before Magistrates, substitute "within my cognizance," *for* "within the cognizance of the High Court;" *and omit* "by the said Court."

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in four months.

No. 6 of 1876.

A Bill to amend the Indian Registration Act, 1871.

For the purpose of amending the Indian Registration Act, 1871; It is hereby enacted as follows:—

Preamble.

Amendment of Act VIII of 1871, section 7.

1. For section seven the following shall be substituted:—

"7. The Local Government shall establish in every District an office to be styled the Office of the Registrar and in every Sub-District an office or offices to be styled the Office of the Sub-Registrar or the Offices of the Joint Sub-Registrars,

Offices of Registrar and Sub-Registrar

and may amalgamate with any Office of a Registrar any Office of a Sub-Registrar,

and may authorize any Sub-Registrar whose Office has been so amalgamated to exercise and perform all or any of the powers and duties of a Registrar other than the powers conferred by sections sixty-eight and seventy-two."

Addition of clause (*d*) to section 17.

2. In section seventeen, after clause (*c*), the following clause shall be inserted (namely):—

"or (*d*) to any document merely creating right to obtain another document which will, when executed, create, declare, assign, limit or extinguish any right, title or interest of the value of one hundred rupees and upwards, to or in immoveable property."

Amendment of section 18, clause (7).

3. In section eighteen, to clause (7) the words "All such" shall be prefixed, and for the last seven words of the same clause the following words shall be substituted (namely): "and other documents as are not required by section seventeen to be registered".

Addition to section 30, clause (*b*).

4. In section thirty, clause (*b*), after the word "Town," the words "and the Registrar of the Lahore District" shall be inserted.

Amendment of section 31.

5. For section thirty-one the following shall be substituted (namely):—

"31. In ordinary cases the presentation or deposit of documents under this Act shall be made only at the office of the officer authorized to accept the same for registration or deposit.

Presentation and deposit of documents at private residences.

But such officer may on special cause being shewn attend at the residence of any person desiring to present a document for registration or to deposit a will, and accept for registration or deposit such document or will."

Addition to section 34.

6. To section thirty-four, paragraph first, the following words shall be added (namely): "under sections twenty-three, twenty-four, twenty-five and twenty-six;" and in clause two of the same section, after the word "fee," the following words shall be inserted (namely): "in addition to the fine (if any) payable under section twenty-four."

Amendment of sections 42 to 45.

7. For sections forty-two, forty-three, forty-four and forty-five, the following shall be substituted (namely):—

"42. Any testator may, either personally or by duly authorized agent, deposit with any Registrar his will in a sealed cover superscribed with the name of the testator and that of his agent (if any), and with a statement of the nature of the document.

Deposit of wills in sealed covers.

"43. On receiving such cover the Registrar, if satisfied that the person presenting the same for deposit is the testator or his agent, shall transcribe in his Register-Book No. 5 the superscription aforesaid, and shall note in the same book and on the said cover the year, month, day and hour of such presentation and receipt, the names of any persons who may testify to the identity of the testator or his agent, and any legible inscription which may be on the seal of the cover.

Procedure on depositing wills.

The Registrar shall then place and retain the cover in his fireproof box.

"44. If the testator who has deposited such cover wishes to withdraw it, he may apply, either personally or by duly authorized agent, to the Registrar who holds it in deposit; and such Registrar, if he be satisfied that the applicant is actually the testator or his agent, shall deliver the cover accordingly.

Withdrawal of covers containing wills.

"45. If on the death of a testator who has deposited a sealed cover under section forty-two, application be made to the Registrar who holds it in deposit to open the same, and if the Registrar is satisfied that the testator is dead, he shall in the applicant's presence open the cover, and at the applicant's expense cause the contents thereof to be copied into his Book No. 3."

Procedure on testator's death.

Amendment of section 46.

8. In section forty-six, for the second sentence, the following shall be substituted (namely): "But whenever any such order is made, the Registrar shall, unless the will has already been copied under section forty-five, open the cover and copy the will in his Book No. 3, and shall make a note in such Book that the original has been removed into Court in pursuance of the order aforesaid."

Addition to section 50.

9. To section fifty the following words shall be prefixed (namely): "Every document mentioned in clauses (1), (2), (3) and (4) of section seventeen, and."

Amendment of section 59.

10. In section fifty-nine, for the words "the last preceding section," the words "sections fifty-two and fifty-eight" shall be substituted.

Addition to sections 64 and 65.

11. In section sixty-four and in the first paragraph of section sixty-five, after the word "document," the words "not testamentary" shall be inserted.

Amendment of section 71, clause 2.

12. In section seventy-one, for clause two, the following shall be substituted (namely):—

"except on the ground—

(*a*) that the property to which it relates is not situate within his District or Sub-District; or

(*b*) that he is a Registrar and that the document ought to be registered in the Office of a Sub-Registrar."

Addition to section 73.

13. To section seventy-three the following explanation shall be added (namely):—

"EXPLANATION.—In this section 'District Court' means the principal civil Court of original jurisdiction within the local limits of which is situate the Office in which the order of refusal was made."

'Section' defined.

14. In this Act 'section' means section of the said Indian Registration Act, 1871.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to make in the Registration Act thirteen amendments which the experience of the past five years has shown to be desirable.

Of these, the first is intended to authorize the Local Governments to establish in each Sub-District more Sub-Registrars than one, who will exercise concurrent jurisdiction. The absence of such a power has been found inconvenient in the Lower Provinces, and, probably, elsewhere. Power is also expressly given to authorize any Sub-Registrar whose Office has been amalga-

mated with that of a Registrar to exercise all the powers of a Registrar other than those conferred by sections 68 and 72. Some doubt had arisen whether or no such a power was implied.

The second embodies in section seventeen of the Act the resolution of the Government of India in the Home Department No. 51-1906, dated 10th July 1874. Its effect is to expressly exempt from compulsory registration documents merely creating a right to obtain other documents, which will, when executed, create, &c., rights of the value of Rs. 100 and upwards to immoveable property.

The third is intended to make it clear that section 18, clause (7), is not to encroach upon the provisions of section 17.

The fourth places the Registrar of the Lahore District on the same footing, as regards documents relating to land situate in any part of British India, as the Registrars of Districts including the Presidency Towns. This change has been made on the recommendation of the Local Government.

The fifth simply amends the drafting of section 31 of the Act.

The sixth expresses distinctly two of the intentions of the legislature in framing section 34 of the Act, *viz.*, that the time allowed for presentation is the time allowed under the first four sections of Part IV, *i. e.*, not merely the time (four months) ordinarily allowed, but also any extension of that period allowed under sections 24, 25, 26, and that, not only the fine mentioned in section 34, but the fines, if any, payable under section 24, must be paid in case of delay in appearing before the Registrar.

The seventh amends the drafting of sections 42 and 43, and expressly confines, in accordance with the intention of the framers of Act VIII of 1871, sections 44 and 45 to cases in which the testator himself, as distinguished from a depositing agent, desires to withdraw the deposit, or has died.

The eighth exempts the Registrar from the duty of copying a will under section 46 when it has already been copied under section 45; and when he has to copy a will, expressly empowers him to open the sealed cover in which it is preserved.

The ninth is an amendment of section 50, and is intended to supply a defect which has already given rise to fraudulent practices. That section now provides that registered documents relating to land, of which the registration is optional, shall take effect against unregistered documents. But it makes no such provision as to documents of which the registration is compulsory and which have accordingly been registered. Deeds coming under section 18 of the Act, whether registered or not, take effect against deeds registered under section 17, according to date of execution. The result is that, although a registered deed creating a right of the value of Rs. 99 to land cannot be defeated by an unregistered deed, a registered deed creating a similar right worth Rs. 101 may be defeated by an antedated unregistered deed creating a right worth anything under Rs. 100. The mischief feared is an extensive fabrication of falsely dated deeds purporting to create rights of small value in order to defeat deeds creating rights of large value. The remedy which the Bill proposes is to make documents registered under section 17 take effect against unregistered documents.

The tenth amendment is in section 59. That section now provides only for dating and signing endorsements made under section 58. It is desirable to make a similar provision for endorsements made under section 52.

The eleventh amendment consists in expressly excluding wills and codicils from sections 64 and 65.

The twelfth amendment effects a slight, but desirable, amendment in the drafting of section 71.

The thirteenth and last amendment clears up a doubt which has been raised as to the meaning in section 72 of the expression "District Court."

SIMLA;
The 5th June 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Seclet Committee with instructions to make their report thereon in six weeks.

No. 7 of 1876.

THE SINDH INCUMBERED ESTATES BILL, 1876.

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A Bill to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh.

Whereas many Jágírdárs and Zamíndárs in Sindh are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:— Preamble.

I.—PRELIMINARY.

Short title. **1. This Act may be called** "The Sindh Incumbered Estates Act, 1876":

Commencement. And it shall come into force on the passing thereof.

Interpretation-clause. **2.** In this Act—

"Jágírdár." 'Jágír-land' includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *mámul* or garden-grants:

"Jágírdár" means a person who was in possession of jágír-land in Sindh on the seventeenth day of February 1843, and has since been in possession of the same land or of a portion thereof, or of other jágír-land assigned by the British Government in lieu thereof, and who holds a sanad granted under the authority of the said Government confirming his title.

For the purposes of this definition, the possession of any person from whom jágír-land has descended by way of inheritance shall be deemed to be the possession of the person to whom such land has so descended:

"Zamíndár." "Zamíndár" means a person holding lands in Sindh on the aggregate of which he has paid, direct to the Government, on account of land-revenue for any one of the five revenue years next before the passing of this Act, a sum not less than three hundred rupees:

"Commissioner." "Commissioner" means the Commissioner in Sindh.

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for the benefit of this Act. **3.** At any time within twelve months after the passing of this Act, any jágírdár or zamíndár,

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities, other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person or by the legally constituted administrator or manager of his estate.

Order to enquire. **4.** When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of

Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

5. When an enquiry has been directed under section four, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

6. The officer so appointed, after making such enquiry as he thinks necessary, shall submit a report of his proceedings to the Commissioner.

Report of enquiry and proceedings thereon.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the Manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

7. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

"Order of management" to what it extends.

The management shall be deemed to commence from the date on which the order is published.

Commencement of management.

8. On the publication of the order of management the following consequences shall ensue:

Effect of order of management.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section seven shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

Bar of fresh proceedings.

Thirdly, so long as the management continues the debtor shall be incompetent

The debtor incompetent

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property under management,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent thereof.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the Manager from letting and the debtor from taking the whole or any part of such property on such terms consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the Manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

9. The Manager shall, during the management,

Manager to receive rents and profits,

receive and recover all rents and profits due in respect of the property under management,

to have powers of a Collector for their recovery.

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector, under the law for the time being in force, for the recovery of land-revenue due to Government.

In the event of any dispute arising as to the liability of any person to pay any such rent or profit, or as to the amount thereof, the decision of the Manager shall be binding until set aside by a competent Court.

10. From the sums received or recovered under section nine, the Manager shall pay

Manager to pay therefrom—

First, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management,

Government revenue, &c.,

Secondly, the rent (if any) due to the jágírdár or other superior holder, in respect of the said property;

rent due to superior holder,

Thirdly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family,

allowance for maintenance of debtor,

Fourthly, the cost of such repairs and improvements of the said property as he thinks necessary, and

cost of repairs, &c.,

Fifthly, the costs of the management.

cost of management.

The residue shall be retained by the Manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section seven other than those so due or incurred to Government.

Residue how disposed of.

11. At any time after the management has commenced the Manager may demise all or any part of the property under management for any term of years not exceeding three years to take effect in possession, so as there be reserved the best yearly rent that can be reasonably gotten without taking anything in the nature of a fine.

Power to make short leases.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the Manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhi, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such Manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the Manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the Manager, together with a copy of the entry on which he relies. The Manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the Manager along with the claim, the Manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

14. Every such claim (other than claims of the Government) not notified to the Manager within the time and in the manner required by such notice shall, except as provided in section twenty-one, be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the Manager that the claimant was unable to comply with the provisions of section twelve, the Manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

15. The Manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall in accordance with the rules to be made under this Act determine the amount of the debts and liabilities (if any) due to the several claimants.

Determination of debts and liabilities.

16. No claim shall be allowed which was barred by the law of limitation when the order of management was published.

Time-barred claims not to be allowed.

17. If on any inquiry under section fifteen it appears that, having regard to the principal amount of the debt or liability as originally incurred, and to all the circumstances of the case, the amount from time to time debited to the debtor on account of interest, though debited in accordance with the agreement between the parties, is unconscionably large, the Manager may re-open the account as far back as he deems fit, and allow for interest to the date of his decision only such amount as to him may seem fair and reasonable.

Power to reduce interest.

18. An appeal against any decision or order under section fourteen, fifteen, sixteen, or seventeen shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

19. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the Manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide (*a*) for the continuance of the payments to be made by the Manager under section ten, (*b*) for the order in which such debts and liabilities shall be paid and discharged, and (*c*) for the rate of interest (if any) on the aggregate amount finally awarded under this Part in respect of each claim from the date of the final decision on such claim to the date of the payment and discharge thereof.

Provisions of scheme.

Any such scheme may further provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

May provide for improving the property.

20. The Commissioner may—

Proceedings of Commissioner on submission of scheme.

(*a*) as often as he thinks fit send back such scheme to the Manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him either as it stands, or subject to such modifications as he may deem expedient.

21. At any time before he has sanctioned a liquidation-scheme under section twenty, the Commissioner may by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession and enjoyment thereof, subject to any leases made under section eleven;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section ten shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section eight, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

22. On the sanction of the liquidation-scheme by the Commissioner—

Effects of sanctioning scheme.

1st, all proceedings, processes, executions and attachments stayed or suspended under section eight shall be for ever barred, and

2nd, every debt or liability due or owing to any person which was proveable before the Manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

23. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the Manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the Manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive under the liquidation-scheme the amount (if any) awarded to him under Part IV of this Act.

24. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the Manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the Manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

25. Subject to ther ules made under section thirty-one, the Manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions as may be agreed upon.

Power to lease.

26. At any time after the liquidation-scheme has been sanctioned as aforesaid, the Manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme,

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the Manager thinks fit, such portion of the said property as may appear expedient:

Provided that no property shall be sold under this section without the previous consent of the owner thereof, and of the person or persons being of full age who would be his heir or heirs if he then died intestate.

27. The Manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

28. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the Manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the Manager under the power conferred by section twenty-six, but subject to the leases and mortgages (if any) granted and made by the Manager under the powers conferred by sections eleven, twenty-five and twenty-six.

29. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided,

Death of debtor during management.

1st, the management shall continue and proceed in all respects as if such debtor were still living;

2ndly, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section eight; and

3rdly, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his succession.

30. When a jágírdár or zamíndár has been restored under section twenty-eight to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jágírdár or zamíndár, shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

VI.—MISCELLANEOUS.

31. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest, and the order of paying debts and liabilities;

(*d*) to provide for the exercise by any officer conducting an enquiry under this Act of any power exercised by a Civil Court in the trial of suits;

(*e*) for investing any moneys received or raised by the Manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*f*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and when so published shall have the force of law.

32. Whenever the Commissioner thinks fit, he may suspend or remove any Manager and may appoint any officer in the stead of any Manager appointed under this Act; and thereupon the management then vested under this Act in the former Manager shall become vested in the new Manager.

Power to appoint new Manager.

Every such new Manager shall have the same powers as if he had been originally appointed.

33. Every Manager appointed under this Act, shall be deemed a public servant within the meaning of the Indian Penal Code.

Managers to be public servants.

34. Every investigation conducted by the Manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

35. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Bar of suits.

36. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act, from entertaining and disposing of such suits; but to all such suits the Manager of such property shall be made a party.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, which has been prepared at the desire of the Local Government, is to provide for the relief of certain Jágírdárs and Zamíndárs in Sindh, whose estates are heavily encumbered. The Bill closely resembles the measures which have been passed of late years for the relief of the Taluqdárs of Oudh, the Thákurs of Broach, and the landholders of Chutiá Nágpur, and the reasons for introducing it are substantially the same as the reasons which led to those enactments.

As the Bill purports to bar certain suits throughout British India, the Bombay legislature is incompetent to pass it.

SIMLA, *The 22nd June* 1876. } T. C. HOPE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in a month.

No. 8 of 1876.

A Bill to amend the law relating to the transfer of Bombay Municipal Debentures.

Whereas under the Bombay Municipal Act of 1865, the Justices of the Peace for the City of Bombay were empowered to mortgage for the purposes therein mentioned the rates and taxes imposed and levied under that Act:

Preamble.

And whereas by section 255 of the same Act it was enacted that any person entitled to any such mortgage might transfer his right and interest therein to any other person, and that every such transfer should be by deed duly stamped, wherein the consideration should be truly stated, and that every such transfer might be according to the form in Schedule K to the said Act annexed or to the like effect:

And whereas in exercise of the said power divers mortgages of the said rates and taxes have been made, and the mortgagees have purported to transfer their mortgages to other persons, but such transfers have been by simple endorsement and not by deed duly stamped:

And whereas it is expedient to provide that such transfers may hereafter be made by endorsement, and to confirm the said transfers heretofore made,

and to exempt the parties thereto from the penalties which they have incurred by reason of their failure to comply with the provisions of the said section and of the law relating to stamp-duties for the time being in force;

It is hereby enacted as follows:—

Transfers of Bombay Municipal debentures to be by endorsement and free from stamp-duty.

1. Every mortgage of rates and taxes, authorized to be made under the said Bombay Municipal Act of 1865, shall be transferable by endorsement on the instrument of mortgage, and no such endorsement shall be chargeable with any stamp-duty.

Validation of former transfers by endorsement.

2. Every transfer of any such mortgage heretofore made by endorsement shall be, and be deemed to have been, as valid as if this Act had been in force at the date of such transfer; and no stamp-duty shall be, or be deemed to have been, chargeable in respect of any such transfer; and no penalty shall be deemed to have been incurred by reason of any failure to comply with the provisions of the said section 255 or of the law relating to stamp-duties for the time being in force.

STATEMENT OF OBJECTS AND REASONS.

Under the power conferred by the Bombay Municipal Act (Bombay Act No. II of 1865), numerous mortgages (generally called Municipal Debentures) were made of the rates and taxes imposed and levied under that Act. The mortgagees in many, if not in all, instances have purported to transfer their interests to other persons. In so doing, however, the directions contained in section 255 of that Act, that every such transfer should be "by deed duly stamped, wherein the consideration shall be truly stated," have been unintentionally disregarded, and the transfers have been made by simple unstamped endorsement.

The objects of this Bill, which has been prepared at the request of the Local Government, are, first, to assimilate in Bombay the law as to the transfer of Municipal debentures to that which prevails in the other Presidency Towns under Bengal Act IV of 1876, section 335, and Madras Act IX of 1867, section 98, and, secondly, to validate the transfers which have already been made of the Bombay Municipal debentures, and to relieve the parties thereto from the penalties which they have incurred from their neglect of the requirements of the Stamp Act.

SIMLA;
16th June 1876. } T. C. HOPE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in a month.

No. 9 of 1876.

A Bill to amend the Stage Carriages Act.

Preamble.

Whereas Act No. XVI of 1861 (*for licensing and regulating Stage Carriages*) does not apply to carriages drawn by camels or oxen, and it is expedient to render it applicable to such carriages; It is hereby enacted as follows:—

Amendment of Act XVI of 1861, s. 21.

1. For the third sentence of section 21 of the said Act, the following shall be substituted (that is to say):

"The term 'horse' shall include ponies, mules, camels, and oxen."

Local extent of Act XVI of 1861.

2. The said Act, as amended by this Act, applies to the whole of British India, but not so as to supersede or contravene the provisions of any local law dealing with the same subject.

STATEMENT OF OBJECTS AND REASONS.

The Government of the North-Western Provinces has recently called the attention of the Government of India to the necessity of bringing conveyances drawn by camels within the scope of the Stage Carriages Act of 1861. The primary object of the present Bill is to make this amendment; and the opportunity has been taken to render the Act applicable also to carriages drawn by oxen, and to declare it to be in force throughout British India.

SIMLA;
The 22nd June 1876. } E. C. BAYLEY.

WHITLEY STOKES,
Secy. to the Govt. of India.

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July 1876:—

[First publication.]

We, the undersigned Members of the Select Committee to which the Bill to amend the law relating to Opium was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Note by the Hon'ble Sir W. Muir, dated 2nd September 1875.
Despatch from Secretary of State, No. 43, dated 31st August 1875.
From Chief Commissioner, Oudh, No. 3478, dated 27th September 1875.
„ Secretary to Government, North-Western Provinces, No. 152A, dated 4th October 1875.
„ Chief Commissioner, Assam, No. 3464, dated 28th September 1875.
„ Officiating Secretary to Chief Commissioner, Central Provinces, No. 3787-165, dated 21st October 1875, and enclosure.
„ Secretary to Government, Panjáb, No. 2186, dated 29th October 1875.
„ „ „ Bengal, No. 2643, dated 10th November 1875.
„ Chief Commissioner, British Burma, No. 1933-400, dated 14th November 1875.
Endorsement, Financial Department, No. 2974, dated 14th December 1875, forwarding despatch from Secretary of State, No. 46, dated 21st October 1875.
From Officiating Secretary to Chief Commissioner, Mysore, No. 7836-6J, dated 18th January 1876.
„ Government of Madras, No. 6, dated 24th January 1876.
„ „ Bombay, No. 1498, dated 8th March 1876, and enclosures.
Suggestions by J. R. Naylor, Esq.
Demi-official from Collector of Salt Revenue, Bombay, dated 27th March 1876.
From Acting Commissioner of Customs, Bombay, No. 1540, dated 30th July 1874, and enclosures.
Extract from the Proceedings of the Government of Bombay, No. 5448, dated 14th October 1874.
Extract from the Proceedings of the Government of Bombay, No. 119, dated 9th January 1875.
From Acting Chief Secretary to the Government of Bombay, No. 3330, dated 6th June 1876.

2. We think that the proposed Act should come into force throughout British India on 1st January 1877.

3. Act No. VII of 1836 declared that the legality of acts done under the two Bombay Regulations which the Bill proposes to repeal, should not be questioned in any Court of law. That Act was repealed by Act VIII of 1868, but not so as to restore the jurisdiction thus withdrawn. We have endeavoured to maintain the present state of affairs by declaring that the reference made in Act No. VII of 1836 to those Regulations shall be read as if made to the corresponding provisions of the Bill.

4. We have defined "opium" so as to include poppy-heads and all intoxicating drugs prepared from the poppy, and "Magistrate" so as to confine criminal jurisdiction under the proposed Act to Presidency Magistrates and (in the Mofussil) Magistrates of the first class.

5. We have repealed and consolidated all extant enactments relating to opium, except the legal and departmental rules contained in sections 3 to 31 of Act XIII of 1857. The Bill, accordingly, now not merely authorizes the Local Government to make rules as to poppy-cultivation and the possession, transport and sale of opium, it also provides rules as to the import, export and warehousing of opium; and it empowers the Local Government, with the previous sanction of the Governor General in Council, to prohibit or permit poppy-cultivation and the manufacture, possession, transport, import, export, or sale of opium, to make rules as to the manufacture, import, or export of opium, as to its safe custody and removal when warehoused, as to the disposal of things confiscated under the proposed Act, and as to rewards to officers and informers.

6. The penalties incurred for contravening the proposed Act, or any rule made thereunder, are a year's imprisonment, fine for Rs. 1,000, or both; and where a fine is imposed, we have required (in accordance with Bombay Regulation XXI of 1827, section 7) the convicting Magistrate to direct the offender to be imprisoned in default of payment for a term which may extend to six months.

7. We have extended the power of confiscation to the whole of the opium which an offender against the rules as to transport, import or export, is transporting, importing or exporting, as the case may be; and, when the offence is against the rules as to sale, to the whole of the opium in the offender's possession.

8. We have declared that, in prosecutions under the proposed Act, all opium for which the accused is unable satisfactorily to account shall be presumed to be opium in respect of which an offence has been committed.

9. When an offender against the Act is not known, or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, we have provided for an enquiry and confiscation by the Collector of the district, or other proper officer.

10. We have empowered any duly authorized officer of any of the departments of Excise Police, Customs, Salt, Opium or Revenue, superior in rank to a Peon or Constable, on receiving written information that opium is unlawfully kept in an enclosed place, to enter, seize and arrest; and we have empowered any officer of any of those departments to seize opium carried in an open place, which he has reason to believe liable to confiscation, and to arrest the person carrying it. We have required these officers to assist each other.

11. We have provided for the issue of warrants for arrest or search, and for the disposal of persons arrested and things seized.

12. We have provided a penalty for vexatious searches, seizures and arrests under the proposed Act, and we think that every officer making an arrest or seizure should within forty-eight hours report the particulars to his official superior.

13. We have also provided, in places where Act XIII of 1857 is not in force, for the attachment of a poppy-crop alleged to be illegally cultivated.

14. Lastly, we have declared that arrears of taxes, &c., due under the proposed Act or rules, and arrears due from farmers of opium-revenue, may be recovered as if they were arrears of land-revenue.

15. The publication ordered by the Council has taken place; but the Bill has been so much altered that we think that it should be republished, with this report, in the *Gazette of India* and in the local Gazettes.

W. MUIR.
R. H. DAVIES.
A. HOBHOUSE.
JOHN INGLIS.
T. C. HOPE.
F. R. COCKERELL.

SIMLA;
26th June 1876.

No. II.

THE OPIUM BILL, 1876.

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SCHEDULE.

A Bill to amend the law relating to Opium.

Preamble. Whereas it is expedient to amend the law relating to opium; It is hereby enacted as follows:—

Short title. 1. This Act may be called "The Opium Act, 1876":

Local extent. It extends to the whole of British India;

Commencement. And it shall come into force on the first day of January 1877.

Repeal of enactments. 2. The enactments mentioned in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. And in Acts No. XI of 1849, No. XXI of 1856 and No. X of 1871 the words "intoxicating drugs" (wherever they occur) shall not include opium.

Amendment of Act VII of 1836, s. 1. The reference made to Bombay Regulations XXI of 1827 and XX of 1830 in Act No. VII of 1836 shall be read as if made to the corresponding sections of this Act.

Interpretation-clause. 3. In this Act, unless there be something repugnant in the subject or context—

"Opium." "Opium" includes also poppy-heads, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy:

"Magistrate." "Magistrate" means in the Presidency towns a Magistrate of Police or a Presidency Magistrate, and elsewhere a Magistrate of the first class.

Import of opium. 4. No opium shall be imported, by land or by sea, into any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or a Local Government; or

(*b*) it has been imported by sea on payment of the duty prescribed by the Indian Tariff Act, 1875,

or any other law for the time being in force relating to the duties of customs on goods imported by sea into British India; or

(*c*) such import is permitted under the power next hereinafter conferred.

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the import of opium, or of any kind of opium, by land into any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Export of opium. 5. No opium shall be exported by land or by sea from any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or the Local Government; or

(*b*) it has been imported by sea into any British Indian port, and the Local Government has permitted it to be exported on payment of a duty equal in amount to the fee to which it would have been liable under any law for the time being in force, if it had been transhipped at such port; or

(*c*) such export is permitted under the power next hereinafter conferred:

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the export of opium by land or by sea from any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Customs laws applied to opium. 6. Subject to the other provisions of this Act, the laws for the time being in force relating to goods imported or exported by sea shall, so far as may be, apply to opium so imported or exported by sea, and the laws for the time being in force relating to goods imported or exported by land shall, so far as may be, apply to opium imported or exported by land.

Warehousing opium. 7. The Governor General in Council may, by order notified in the *Gazette of India*, authorize any Local Government to establish warehouses for opium legally imported into or intended to be exported from the territories subject to such Local Government, and may cancel any such order.

So long as such order remains in force, the Local Government may declare, by notification published in the official Gazette, any place to be a warehouse for all or any opium legally imported, whether before or after the payment of any duty leviable thereon, into the territories subject to such Government, or into any specified part thereof, or intended to be exported thence.

On and after such publication the owner of all such opium shall be bound to deposit it in such warehouse.

Power to make rules as to poppy-cultivation, opium, &c. 8. The Local Government may from time to time make rules consistent with this Act, or with any other enactment relating to opium for the time being in force, to prohibit or permit within the whole or any specified part of the territories subject to such Government, all or any of the following matters:—

(*a*) the cultivation of the poppy;

(*b*) the manufacture of opium;

(*c*) the possession of opium;

(*d*) the transport of opium from one place to another within British India;

(*e*) the importation or exportation of opium into or out of British India;

(*f*) the sale of opium;

and to regulate within the whole or any specified part of such territories all or any of the matters aforesaid, and also

(*g*) the safe custody of opium warehoused under section seven; the levy of fees for such warehousing; the removal of such opium for sale or exportation; and the manner in which it shall be disposed of, if any duty leviable on it be not paid within twelve months from the date of warehousing the same;

(*h*) the disposal of all things confiscated under this Act;

(*i*) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act.

Such rules shall be submitted for the sanction of the Governor General in Council, and on receiving such sanction, shall be published in the local official Gazette, and shall thereupon have the force of law.

Prohibition of poppy-cultivation and possession, &c., of opium. 9. Unless in accordance with this Act or with any other enactment relating to opium for the time being in force, or with rules framed under this Act, no one shall—

(*a*) cultivate the poppy;

(*b*) manufacture opium;

(*c*) possess opium;

(*d*) transport opium from one place to another within British India;

(*e*) import or export opium into or out of British India; or

(*f*) sell opium.

Penalty for illegal cultivation of poppy, &c. 10. Whoever in contravention of this Act, or of rules made and published under section eight,

(*a*) cultivates the poppy, or

(*b*) manufactures opium, or

(*c*) possesses opium, or

(*d*) omits to warehouse opium when bound to do so under section seven, or

(*e*) transports opium from one place to another within British India, or

(*f*) imports or exports opium into or out of British India, or

(*g*) sells opium, or otherwise contravenes the said rules relating to sales,

shall, on conviction before a Magistrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned

in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

11. In prosecutions under section ten, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act.

Presumption as to opium.

12. In any case in which an offence under section ten has been committed—

Confiscation of opium.

(*a*) the poppy so cultivated,

(*b*) the opium in respect of which any offence under the same section has been committed,

(*c*) where, in the case of an offence under clause (*e*) or (*f*) of the same section, the offender is transporting, importing or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import or export, as the case may be, the whole of the opium which he is transporting, importing or exporting,

(*d*) where, in the case of an offence under clause (*g*) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium, and

(*e*) the vessels, packages and coverings in which any opium confiscated under the same section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it,

shall be liable to confiscation.

13. When the offender is convicted, such confiscation may be ordered by the convicting Magistrate.

Order of confiscation by whom to be made.

When an offence against this Act has been committed, but the offender is not known, or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector of the District or Deputy Commissioner, or by any other officer authorized by the Local Government in this behalf, either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,

Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.

(*a*) enter into any such building, vessel or place,

(*b*) in case of resistance, break open any door and remove any other obstacle to such entry,

(*c*) seize such opium and all materials used in the manufacture thereof, and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium, and

(*d*) detain and search, and if he think proper, arrest any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

15. If any officer of any of the said departments find

Power to seize opium found in open place and arrest possessor.

(*a*) any person in any open place whom he has reason to believe to be carrying any opium, or

(*b*) any person having in any open place any opium in his possession, or

(*c*) any opium in transit,

and such officer has reason to believe that the opium mentioned in clause *a*, clause *b*, or clause *c* of this section is opium in respect of which an offence has been committed, or which is liable to confiscation under this Act or any other law relating to opium for the time being in force,

he may stop and detain such person,

and may seize such opium and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium,

and may arrest such person, if opium be found in his possession, and any other persons in his company.

16. All searches under section fourteen or section fifteen shall be made in accordance with the provisions of the Code of Criminal Procedure.

Searches how made.

17. The officers of the several departments mentioned in section fourteen shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Officers to assist each other.

18. Any officer of any of the said departments who without reasonable ground of suspicion enters, or searches, or causes to be entered or searched any building, vessel or place,

Vexatious entries, searches, seizures and arrests.

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

Such fine, or any part thereof, may be paid to the person aggrieved.

19. The Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom

Issue of warrants.

he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any house, boat or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.

20. Every person arrested, and thing seized, under section fourteen or section fifteen, shall be forwarded without delay to the officer in charge of the nearest Police station; and every person arrested and thing seized under section nineteen shall be forwarded without delay to the officer by whom the warrant was issued.

Disposal of person arrested or thing seized.

Every officer to whom any person or thing is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or thing.

21. Whenever any officer makes any arrest or seizure under this Act, he shall within forty-eight hours next after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his official superior.

Report of arrests and seizures.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable who may in right of his office be authorized by the Local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail:

Procedure in case of illegal poppy-cultivation.

Provided that wherever Act No. XIII of 1857 (*An Act to consolidate and amend the law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal*) or any part thereof, is in force, nothing in this Act shall apply to such cultivation and manufacture.

23. Any arrear of tax, fee or duty due under this Act or under any rule duly made under section eight,

Recovery of arrears of taxes and opium-revenue.

and any arrear due from any farmer of opium-revenue,

may be recovered as if it were an arrear of land-revenue.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
Act XI of 1849.	Abkárí Revenue of Calcutta	In section 5, the word "opium." In section 6, the word "opium" and the last thirty-one words.
Act III of 1852.	Spirituous liquors, Bombay...	Section 10, so far as it relates to opium.
Act XXI of 1856.	Bengal Abkárí Act ...	In section 28, the word "opium." Sections 34, 51, 52, 53 and 87. In section 35, the words "or opium." In section 49, the words "except opium." Section 59, so far as it relates to opium. In section 75, the words "except opium" and from and including the words "opium seized" down to the end. In section 76, from and including the words "except opium" down to and including the words "each seer," and from and including the words "or, in" down to and including the words "each seer." In paragraph 8 of section 90, the words "and opium."
Act XIII of 1857.	Cultivation of the poppy and manufacture of opium.	Section 2.

Number and year.	Subject.	Extent of repeal.
Act X of 1871.	The Northern India Excise Act.	In paragraph 5 of section 3, the word "opium." Sections 18, 65, 66, 67 and 87. In section 19, the words "or opium." Section 46, so far as it relates to opium. In section 46, paragraph 3 from and including the words "as well as" down to and including the words "dealings in opium." In section 63, the words "except opium." In section 78, the words "except opium," and paragraph 2. In section 79, from and including the words "except opium" down to and including the words "each ser" and from and including the words "or in" down to and including the words "each ser."
Act IV of 1872.	The Panjáb Laws Act ...	Section 49.
Act XXVI of 1872.	Panjáb Opium Law Amendment.	The whole Act.
Act VI of 1873.	Transhipment of goods ...	Section 7.
Act XVI of 1875.	The Indian Tariff Act ...	Section 9.

BOMBAY REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bom. Reg. XXI of 1827.	Duty on opium	The preamble from and including the words "with the combined" down to and including the words "be prohibited." Chapters I, II, III and IV.
Bom. Reg. XX of 1830.	Malwa opium	So much as has not been repealed.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 15, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in four months:—

No. 6 of 1876.

A Bill to amend the Indian Registration Act, 1871.

Preamble. For the purpose of amending the Indian Registration Act, 1871; It is hereby enacted as follows:—

Amendment of Act VIII of 1871, section 7. 1. For section seven the following shall be substituted:—

Offices of Registrar and Sub-Registrar. "7. The Local Government shall establish in every District an office to be styled the Office of the Registrar and in every Sub-District an office or offices to be styled the Office of the Sub-Registrar or the Offices of the Joint Sub-Registrars,

and may amalgamate with any Office of a Registrar any Office of a Sub-Registrar,

and may authorize any Sub-Registrar whose Office has been so amalgamated to exercise and perform all or any of the powers and duties of a Registrar other than the powers conferred by sections sixty-eight and seventy-two."

Addition of clause (*d*) to section 17. 2. In section seventeen, after clause (*c*), the following clause shall be inserted (namely):—

"or (*d*) to any document merely creating a right to obtain another document which will, when executed, create, declare, assign, limit or extinguish any right, title or interest of the value of one hundred rupees and upwards, to or in immoveable property."

Amendment of section 18, clause (7). 3. In section eighteen, to clause (7) the words "All such" shall be prefixed, and for the last seven words of the same clause the following words shall be substituted (namely): "and other documents as are not required by section seventeen to be registered".

Addition to section 30, clause (*b*). 4. In section thirty, clause (*b*), after the word "Town," the words "and the Registrar of the Lahore District" shall be inserted.

Amendment of section 31. 5. For section thirty-one the following shall be substituted (namely):—

Presentation and deposit of documents at private residences. "31. In ordinary cases the presentation or deposit of documents under this Act shall be made only at the office of the officer authorized to accept the same for registration or deposit.

But such officer may on special cause being shewn attend at the residence of any person desiring to present a document for registration or to deposit a will, and accept for registration or deposit such document or will."

6. To section thirty-four, paragraph first, the following words shall be added (namely): "under sections twenty-three, twenty-four, twenty-five and twenty-six;" and in clause two of the same section, after the word "fee," the following words shall be inserted (namely): "in addition to the fine (if any) payable under section twenty-four."

Addition to section 34.

7. For sections forty-two, forty-three, forty-four and forty-five, the following shall be substituted (namely):—

Amendment of sections 42 to 45.

"42. Any testator may, either personally or by duly authorized agent, deposit with any Registrar his will in a sealed cover superscribed with the name of the testator and that of his agent (if any), and with a statement of the nature of the document.

Deposit of wills in sealed covers.

"43. On receiving such cover the Registrar, if satisfied that the person presenting the same for deposit is the testator or his agent, shall transcribe in his Register-Book No. 5 the superscription aforesaid, and shall note in the same book and on the said cover the year, month, day and hour of such presentation and receipt, the names of any persons who may testify to the identity of the testator or his agent, and any legible inscription which may be on the seal of the cover.

Procedure on depositing wills.

The Registrar shall then place and retain the cover in his fireproof box.

"44. If the testator who has deposited such cover wishes to withdraw it, he may apply, either personally or by duly authorized agent, to the Registrar who holds it in deposit; and such Registrar, if he be satisfied that the applicant is actually the testator or his agent, shall deliver the cover accordingly.

Withdrawal of covers containing wills.

"45. If on the death of a testator who has deposited a sealed cover under section forty-two, application be made to the Registrar who holds it in deposit to open the same, and if the Registrar is satisfied that the testator is dead, he shall in the applicant's presence open the cover, and at the applicant's expense cause the contents thereof to be copied into his Book No. 3."

Procedure on testator's death.

8. In section forty-six, for the second sentence, the following shall be substituted (namely): "But whenever any such order is made, the Registrar shall, unless the will has already been copied under section forty-five, open the cover and copy the will in his Book No. 3, and shall make a note in such Book that the original has been removed into Court in pursuance of the order aforesaid."

Amendment of section 46.

9. To section fifty the following words shall be prefixed (namely): "Every document mentioned in clauses (1), (2), (3) and (4) of section seventeen, and."

Addition to section 50.

10. In section fifty-nine, for the words "the last preceding section," the words "sections fifty-two and fifty-eight" shall be substituted.

Amendment of section 59.

11. In section sixty-four and in the first paragraph of section sixty-five, after the word "document," the words "not testamentary" shall be inserted.

Addition to sections 64 and 65.

12. In section seventy-one, for clause two, the following shall be substituted (namely):—

Amendment of section 71, clause 2.

"except on the ground—

(*a*) that the property to which it relates is not situate within his District or Sub-District; or

(*b*) that he is a Registrar and that the document ought to be registered in the Office of a Sub-Registrar."

13. To section seventy-three the following explanation shall be added (namely):—

Addition to section 73.

"EXPLANATION.—In this section 'District Court' means the principal civil Court of original jurisdiction within the local limits of which is situate the Office in which the order of refusal was made."

14. In this Act 'section' means section of the said Indian Registration Act, 1871.

'Section' defined.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to make in the Registration Act thirteen amendments which the experience of the past five years has shown to be desirable.

Of these, the first is intended to authorize the Local Governments to establish in each Sub-District more Sub-Registrars than one, who will exercise concurrent jurisdiction. The absence of such a power has been found inconvenient in the Lower Provinces, and, probably, elsewhere. Power is also expressly given to authorize any Sub-Registrar whose Office has been amalgamated with that of a Registrar to exercise all the powers of a Registrar other than those conferred by sections 68 and 72. Some doubt had arisen whether or no such a power was implied.

The second embodies in section seventeen of the Act the resolution of the Government of India in the Home Department No. 51-1906, dated 10th July 1874. Its effect is to expressly exempt from compulsory registration documents merely creating a right to obtain other documents, which will, when executed, create, &c., rights of the value of Rs. 100 and upwards to immoveable property.

The third is intended to make it clear that section 18, clause (7), is not to encroach upon the provisions of section 17.

The fourth places the Registrar of the Lahore District on the same footing, as regards documents relating to land situate in any part of British India, as the Registrars of Districts including the Presidency Towns. This change has been made on the recommendation of the Local Government.

The fifth simply amends the drafting of section 31 of the Act.

The sixth expresses distinctly two of the intentions of the legislature in framing section 34 of the Act, *viz.*, that the time allowed for presentation is the time allowed under the first four sections of Part IV, *i. e.*, not merely the time (four months) ordinarily allowed, but also any extension of that period allowed under sections 24, 25, 26, and that, not only the fine mentioned in section 34, but the fines, if any, payable under section 24, must be paid in case of delay in appearing before the Registrar.

The seventh amends the drafting of sections 42 and 43, and expressly confines, in accordance with the intention of the framers of Act VIII of 1871, sections 44 and 45 to cases in which the testator himself, as distinguished from a depositing agent, desires to withdraw the deposit, or has died.

The eighth exempts the Registrar from the duty of copying a will under section 46 when it has already been copied under section 45; and when he has to copy a will, expressly empowers him to open the sealed cover in which it is preserved.

The ninth is an amendment of section 50, and is intended to supply a defect which has already given rise to fraudulent practices. That section now provides that registered documents relating to land, of which the registration is optional, shall take effect against unregistered documents. But it makes no such provision as to documents of which the registration is compulsory and which have accordingly been registered. Deeds coming under section 18 of the Act, whether registered or not, take effect against deeds registered under section 17, according to date of execution. The result is that, although a registered deed creating a right of the value of Rs. 99 to land cannot be defeated by an unregistered deed, a registered deed creating a similar right worth Rs. 101 may be defeated by an antedated unregistered deed creating a right worth anything under Rs. 100. The mischief feared is an extensive fabrication of falsely dated deeds purporting to create rights of small value in order to defeat deeds creating rights of large value. The remedy which the Bill proposes is to make documents registered under section 17 take effect against unregistered documents.

The tenth amendment is in section 59. That section now provides only for dating and signing endorsements made under section 58. It is desirable to make a similar provision for endorsements made under section 52.

The eleventh amendment consists in expressly excluding wills and codicils from sections 64 and 65.

The twelfth amendment effects a slight, but desirable, amendment in the drafting of section 71.

The thirteenth and last amendment clears up a doubt which has been raised as to the meaning in section 72 of the expression "District Court."

SIMLA;
The 5th June 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in six weeks:—

No. 7 of 1876.

THE SINDH INCUMBERED ESTATES BILL, 1876.

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A Bill to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh.

Whereas many Jágírdárs and Zamíndárs in Sindh are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

I.—PRELIMINARY.

Short title.

1. This Act may be called "The Sindh Incumbered Estates Act, 1876":

Commencement.

And it shall come into force on the passing thereof.

Interpretation-clause.

2. In this Act—

"Jágír-land."

'Jágír-land' includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *mámul* or garden-grants:

"Jágírdár."

"Jágírdár" means a person who was in possession of jágír-land in Sindh on the seventeenth day of February 1843, and has since been in possession of the same land or of a portion thereof, or of other jágír-land assigned by the British Government in lieu thereof, and who holds a sanad granted under the authority of the said Government confirming his title.

For the purposes of this definition, the possession of any person from whom jágír-land has descended by way of inheritance shall be deemed to be the possession of the person to whom such land has so descended:

"Zamíndár."

"Zamíndár" means a person holding lands in Sindh on the aggregate of which he has paid, direct to the Government, on account of land-revenue for any one of the five revenue years next before the passing of this Act, a sum not less than three hundred rupees:

"Commissioner."

"Commissioner" means the Commissioner in Sindh.

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for the benefit of this Act.

3. At any time within twelve months after the passing of this Act, any jágírdár or zamíndár,

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities, other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person or by the legally constituted administrator or manager of his estate.

Order to enquire.

4. When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

Verified statement to be submitted.

5. When an enquiry has been directed under section four, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

False averments in statement.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

Report of enquiry and proceedings thereon.

6. The officer so appointed, after making such enquiry as he thinks necessary, shall submit a report of his proceedings to the Commissioner.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the Manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

"Order of management" to what it extends.

7. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

Commencement of management.

The management shall be deemed to commence from the date on which the order is published.

Effect of order of management.

8. On the publication of the order of management the following consequences shall ensue:

Stay of pending proceedings, &c.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section seven shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Bar of fresh proceedings.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

The debtor incompetent

Thirdly, so long as the management continues, the debtor shall be incompetent

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property under management,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent thereof.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the Manager from letting and the debtor from taking the whole or any part of such property on such terms consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the Manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

Manager to receive rents and profits,

9. The Manager shall, during the management, receive and recover all rents and profits due in respect of the property under management,

to have powers of a Collector for their recovery.

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector, under the law for the time being in force, for the recovery of land-revenue due to Government.

In the event of any dispute arising as to the liability of any person to pay any such rent or profit, or as to the amount thereof, the decision of the Manager shall be binding until set aside by a competent Court.

Manager to pay therefrom—

10. From the sums received or recovered under section nine, the Manager shall pay

Government revenue, &c.,

First, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management,

rent due to superior holder,

Secondly, the rent (if any) due to the jágírdár or other superior holder, in respect of the said property;

allowance for maintenance of debtor,

Thirdly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family,

cost of repairs, &c.,

Fourthly, the cost of such repairs and improvements of the said property as he thinks necessary, and

cost of management.

Fifthly, the costs of the management.

Residue how disposed of.

The residue shall be retained by the Manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section seven other than those so due or incurred to Government.

Power to make short leases.

11. At any time after the management has commenced the Manager may demise all or any part of the property under management for any term of years not exceeding three

years to take effect in possession, so as there be reserved the best yearly rent that can be reasonably gotten without taking anything in the nature of a fine.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the Manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhi, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such Manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the Manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the Manager, together with a copy of the entry on which he relies. The Manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the Manager along with the claim, the Manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

14. Every such claim (other than claims of the Government) not notified to the Manager within the time and in the manner required by such notice shall, except as provided in section twenty-one, be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the Manager that the claimant was unable to comply with the provisions of section twelve, the Manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

15. The Manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall in accordance with the rules to be made under this Act determine the amount of the debts and liabilities (if any) due to the several claimants.

Determination of debts and liabilities.

16. No claim shall be allowed which was barred by the law of limitation when the order of management was published.

Time-barred claims not to be allowed.

17. If on any inquiry under section fifteen it appears that, having regard to the principal amount of the debt or liability as originally incurred, and to all the circumstances of the case, the amount from time to time debited to the debtor on account of interest, though debited in accordance with the agreement between the parties, is unconscionably large, the Manager may re-open the account as far back as he deems fit, and allow for interest to the date of his decision only such amount as to him may seem fair and reasonable.

Power to reduce interest.

18. An appeal against any decision or order under section fourteen, fifteen, sixteen, or seventeen shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

19. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the Manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide (*a*) for the continuance of the payments to be made by the Manager under section ten, (*b*) for the order in which such debts and liabilities shall be paid and discharged, and (*c*) for the rate of interest (if any) on the aggregate amount finally awarded under this Part in respect of each claim from the date of the final decision on such claim to the date of the payment and discharge thereof.

Provisions of scheme.

Any such scheme may further provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

May provide for improving the property.

20. The Commissioner may—

Proceedings of Commissioner on submission of scheme.

(*a*) as often as he thinks fit send back such scheme to the Manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him either as it stands, or subject to such modifications as he may deem expedient.

21. At any time before he has sanctioned a liquidation-scheme under section twenty, the Commissioner may by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession and enjoyment thereof, subject to any leases made under section eleven;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section ten shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section eight, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

22. On the sanction of the liquidation-scheme by the Commissioner—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section eight shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the Manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

23. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the Manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the Manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive under the liquidation-scheme the amount (if any) awarded to him under Part IV of this Act.

24. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the Manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the Manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

25. Subject to ther ules made under section thirty-one, the Manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions as may be agreed upon.

Power to lease.

26. At any time after the liquidation-scheme has been sanctioned as aforesaid, the Manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme,

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the Manager thinks fit, such portion of the said property as may appear expedient:

Provided that no property shall be sold under this section without the previous consent of the owner thereof, and of the person or persons being of full age who would be his heir or heirs if he then died intestate.

27. The Manager's receipt for any money, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

28. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the Manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the Manager under the power conferred by section twenty-six, but subject to the leases and mortgages (if any) granted and made by the Manager under the powers conferred by sections eleven, twenty-five and twenty-six.

29. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided,

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabili-

ties imposed by clauses (*b*) and (*c*) of section eight; and

3rdly, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his succession.

Mortgages, &c., made by restored jágírdár valid only for his life.

30. When a jágírdár or zamíndár has been restored under section twenty-eight to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jágírdár or zamíndár, shall be valid as to any time beyond his natural life.

VI.—MISCELLANEOUS.

Power to make rules.

31. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest, and the order of paying debts and liabilities;

(*d*) to provide for the exercise by any officer conducting an enquiry under this Act of any power exercised by a Civil Court in the trial of suits;

(*e*) for investing any moneys received or raised by the Manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*f*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and when so published shall have the force of law.

Power to appoint new Manager.

32. Whenever the Commissioner thinks fit, he may suspend or remove any Manager and may appoint any officer in the stead of any Manager appointed under this Act; and thereupon the management then vested under this Act in the former Manager shall become vested in the new Manager.

Every such new Manager shall have the same powers as if he had been originally appointed.

Managers to be public servants.

33. Every Manager appointed under this Act, shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

34. Every investigation conducted by the Manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Bar of suits.

35. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

36. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act, from entertaining and disposing of such suits; but to all such suits the Manager of such property shall be made a party.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, which has been prepared at the desire of the Local Government, is to provide for the relief of certain Jágírdárs and Zamíndárs in Sindh, whose estates are heavily encumbered. The Bill closely resembles the measures which have been passed of late years for the relief of the Taluqdárs of Oudh, the Thákurs of Broach, and the landholders of Chutiá Nágpur, and the reasons for introducing it are substantially the same as the reasons which led to those enactments.

As the Bill purports to bar certain suits throughout British India, the Bombay legislature is incompetent to pass it.

SIMLA, *The 22nd June* 1876. } T. C. HOPE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in a month:—

No. 8 of 1876.

A Bill to amend the law relating to the transfer of Bombay Municipal Debentures.

Preamble.

Whereas under the Bombay Municipal Act of 1865, the Justices of the Peace for the City of Bombay were empowered to mortgage for the purposes therein mentioned the rates and taxes imposed and levied under that Act:

And whereas by section 255 of the same Act it was enacted that any person entitled to any such mortgage might transfer his right and interest therein to any other person, and that every such transfer should be by deed duly stamped, wherein the consideration should be truly stated, and that every such transfer might be according to the form in Schedule K to the said Act annexed or to the like effect:

And whereas in exercise of the said power divers mortgages of the said rates and taxes have been made, and the mortgagees have purported to transfer their mortgages to other persons, but such transfers have been by simple endorsement and not by deed duly stamped:

And whereas it is expedient to provide that such transfers may hereafter be made by endorsement, and to confirm the said transfers heretofore made,

and to exempt the parties thereto from the penalties which they have incurred by reason of their failure to comply with the provisions of the said section and of the law relating to stamp-duties for the time being in force;

It is hereby enacted as follows:—

Transfers of Bombay Municipal debentures to be by endorsement and free from stamp-duty.

1. Every mortgage of rates and taxes, authorized to be made under the said Bombay Municipal Act of 1865, shall be transferable by endorsement on the instrument of mortgage, and no such endorsement shall be chargeable with any stamp-duty.

Validation of former transfers by endorsement.

2. Every transfer of any such mortgage heretofore made by endorsement shall be, and be deemed to have been, as valid as if this Act had been in force at the date of such transfer; and no stamp-duty shall be, or be deemed to have been, chargeable in respect of any such transfer; and no penalty shall be deemed to have been incurred by reason of any failure to comply with the provisions of the said section 255 or of the law relating to stamp-duties for the time being in force.

STATEMENT OF OBJECTS AND REASONS.

Under the power conferred by the Bombay Municipal Act (Bombay Act No. II of 1865), numerous mortgages (generally called Municipal Debentures) were made of the rates and taxes imposed and levied under that Act. The mortgagees in many, if not in all, instances have purported to transfer their interests to other persons. In so doing, however, the directions contained in section 255 of that Act, that every such transfer should be "by deed duly stamped, wherein the consideration shall be truly stated," have been unintentionally disregarded, and the transfers have been made by simple unstamped endorsement.

The objects of this Bill, which has been prepared at the request of the Local Government, are, first, to assimilate in Bombay the law as to the transfer of Municipal debentures to that which prevails in the other Presidency Towns under Bengal Act IV of 1876, section 335, and Madras Act IX of 1867, section 98, and, secondly, to validate the transfers which have already been made of the Bombay Municipal debentures, and to relieve the parties thereto from the penalties which they have incurred from their neglect of the requirements of the Stamp Act.

SIMLA; *16th June* 1876. } T. C. HOPE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th June 1876, and was referred to a Select Committee with instructions to make their report thereon in a month:—

No. 9 of 1876.

A Bill to amend the Stage Carriages Act.

Preamble.

Whereas Act No. XVI of 1861 (*for licensing and regulating Stage Carriages*) does not apply to carriages drawn by camels or oxen, and it is expedient to render it applicable to such carriages; It is hereby enacted as follows:—

Amendment of Act XVI of 1861, s. 21.

1. For the third sentence of section 21 of the said Act, the following shall be substituted (that is to say):

"The term 'horse' shall include ponies, mules, camels, and oxen."

Local extent of Act XVI of 1861.

2. The said Act, as amended by this Act, applies to the whole of British India, but not so as to supersede or contravene the provisions of any local law dealing with the same subject.

STATEMENT OF OBJECTS AND REASONS.

The Government of the North-Western Provinces has recently called the attention of the Government of India to the necessity of bringing conveyances drawn by camels within the scope of the Stage Carriages Act of 1861. The primary object of the present Bill is to make this amendment; and the opportunity has been taken to render the Act applicable also to carriages drawn by oxen, and to declare it to be in force throughout British India.

SIMLA; *The 22nd June* 1876. } E. C. BAYLEY.

WHITLEY STOKES,
Secy. to the Govt. of India.

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July 1876 :—

[Second publication.]

We, the undersigned Members of the Select Committee to which the Bill to amend the law relating to Opium was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Note by the Hon'ble Sir W. Muir, dated 2nd September 1875.
Despatch from Secretary of State, No. 43, dated 31st August 1875.
From Chief Commissioner, Oudh, No. 3478, dated 27th September 1875.
" Secretary to Government, North-Western Provinces, No. 152A, dated 4th October 1875.
" Chief Commissioner, Assam, No. 3464, dated 28th September 1875.
" Officiating Secretary to Chief Commissioner, Central Provinces, No. 3787-165, dated 21st October 1875, and enclosure.
" Secretary to Government, Panjáb, No. 2186, dated 29th October 1875.
" " " Bengal, No. 2643, dated 10th November 1875.
" Chief Commissioner, British Burma, No. 1933-400, dated 14th November 1875.
Endorsement, Financial Department, No. 2974, dated 14th December 1875, forwarding despatch from Secretary of State, No. 46, dated 21st October 1875.
From Officiating Secretary to Chief Commissioner, Mysore, No. 7836-6J, dated 18th January 1876.
" Government of Madras, No. 6, dated 24th January 1876.
" " Bombay, No. 1498, dated 8th March 1876, and enclosures.
Suggestions by J. R. Naylor, Esq.
Demi-official from Collector of Salt Revenue, Bombay, dated 27th March 1876.
From Acting Commissioner of Customs, Bombay, No. 1540, dated 30th July 1874, and enclosures.
Extract from the Proceedings of the Government of Bombay, No. 5448, dated 14th October 1874.
Extract from the Proceedings of the Government of Bombay, No. 119, dated 9th January 1875.
From Acting Chief Secretary to the Government of Bombay, No. 3330, dated 6th June 1876.

2. We think that the proposed Act should come into force throughout British India on 1st January 1877.

3. Act No. VII of 1836 declared that the legality of acts done under the two Bombay Regulations which the Bill proposes to repeal, should not be questioned in any Court of law. That Act was repealed by Act VIII of 1868, but not so as to restore the jurisdiction thus withdrawn. We have endeavoured to maintain the present state of affairs by declaring that the reference made in Act No. VII of 1836 to those Regulations shall be read as if made to the corresponding provisions of the Bill.

4. We have defined "opium" so as to include poppy-heads and all intoxicating drugs prepared from the poppy, and "Magistrate" so as to confine criminal jurisdiction under the proposed Act to Presidency Magistrates and (in the Mofussil) Magistrates of the first class.

5. We have repealed and consolidated all extant enactments relating to opium, except the local and departmental rules contained in sections 3 to 31 of Act XIII of 1857. The Bill, accordingly, now not merely authorizes the Local Government to make rules as to poppy-cultivation and the possession, transport and sale of opium, it also provides rules as to the import, export and warehousing of opium; and it empowers the Local Government, with the previous sanction of the Governor General in Council, to prohibit or permit poppy-cultivation and the manufacture, possession, transport, import, export, or sale of opium, to make rules as to the manufacture, import, or export of opium, as to its safe custody and removal when warehoused, as to the disposal of things confiscated under the proposed Act, and as to rewards to officers and informers.

6. The penalties incurred for contravening the proposed Act, or any rule made thereunder, are a year's imprisonment, fine for Rs. 1,000, or both; and where a fine is imposed, we have required (in accordance with Bombay Regulation XXI of 1827, section 7) the convicting Magistrate to direct the offender to be imprisoned in default of payment for a term which may extend to six months.

7. We have extended the power of confiscation to the whole of the opium which an offender against the rules as to transport, import or export, is transporting, importing or exporting, as the case may be; and, when the offence is against the rules as to sale, to the whole of the opium in the offender's possession.

8. We have declared that, in prosecutions under the proposed Act, all opium for which the accused is unable satisfactorily to account shall be presumed to be opium in respect of which an offence has been committed.

9. When an offender against the Act is not known, or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, we have provided for an enquiry and confiscation by the Collector of the district, or other proper officer.

10. We have empowered any duly authorized officer of any of the departments of Excise Police, Customs, Salt, Opium or Revenue, superior in rank to a Peon or Constable, on receiving written information that opium is unlawfully kept in an enclosed place, to enter, seize and arrest; and we have empowered any officer of any of those departments to seize opium carried in an open place, which he has reason to believe liable to confiscation, and to arrest the person carrying it. We have required these officers to assist each other.

11. We have provided for the issue of warrants for arrest or search, and for the disposal of persons arrested and things seized.

12. We have provided a penalty for vexatious searches, seizures and arrests under the proposed Act, and we think that every officer making an arrest or seizure should within forty-eight hours report the particulars to his official superior.

13. We have also provided, in places where Act XIII of 1857 is not in force, for the attachment of a poppy-crop alleged to be illegally cultivated.

14. Lastly, we have declared that arrears of taxes, &c., due under the proposed Act or rules, and arrears due from farmers of opium-revenue, may be recovered as if they were arrears of land-revenue.

15. The publication ordered by the Council has taken place; but the Bill has been so much altered that we think that it should be republished, with this report, in the *Gazette of India* and in the local Gazettes.

W. MUIR.
R. H. DAVIES.
A. HOBHOUSE.
JOHN INGLIS.
T. C. HOPE.
F. R. COCKERELL.

SIMLA;
26th June 1876.

No. II.

THE OPIUM BILL, 1876.

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SCHEDULE.

A Bill to amend the law relating to Opium.

Preamble. Whereas it is expedient to amend the law relating to opium; It is hereby enacted as follows:—

Short title. 1. This Act may be called "The Opium Act, 1876":

Local extent. It extends to the whole of British India;

Commencement. And it shall come into force on the first day of January 1877.

Repeal of enactments. 2. The enactments mentioned in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. And in Acts No. XI of 1849, No. XXI of 1856 and No. X of 1871 the words "intoxicating drugs" (wherever they occur) shall not include opium.

Amendment of Act VII of 1836, s. 1. The reference made to Bombay Regulations XXI of 1827 and XX of 1830 in Act No. VII of 1836 shall be read as if made to the corresponding sections of this Act.

Interpretation-clause. 3. In this Act, unless there be something repugnant in the subject or context—

"Opium." "Opium" includes also poppy-heads, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy:

"Magistrate." "Magistrate" means in the Presidency towns a Magistrate of Police or a Presidency Magistrate, and elsewhere a Magistrate of the first class.

Import of opium. 4. No opium shall be imported, by land or by sea, into any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or a Local Government; or

(*b*) it has been imported by sea on payment of the duty prescribed by the Indian Tariff Act, 1875,

or any other law for the time being in force relating to the duties of customs on goods imported by sea into British India; or

(c) such import is permitted under the power next hereinafter conferred.

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(d) permit the import of opium, or of any kind of opium, by land into any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(e) cancel such permission.

Export of opium.

5. No opium shall be exported by land or by sea from any part of British India unless—

(a) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or the Local Government; or

(b) it has been imported by sea into any British Indian port, and the Local Government has permitted it to be exported on payment of a duty equal in amount to the fee to which it would have been liable under any law for the time being in force, if it had been transhipped at such port; or

(c) such export is permitted under the power next hereinafter conferred:

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(d) permit the export of opium by land or by sea from any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(e) cancel such permission.

Customs laws applied to opium.

6. Subject to the other provisions of this Act, the laws for the time being in force relating to goods imported or exported by sea shall, so far as may be, apply to opium so imported or exported by sea, and the laws for the time being in force relating to goods imported or exported by land shall, so far as may be, apply to opium imported or exported by land.

Warehousing opium.

7. The Governor General in Council may, by order notified in the *Gazette of India*, authorize any Local Government to establish warehouses for opium legally imported into or intended to be exported from the territories subject to such Local Government, and may cancel any such order.

So long as such order remains in force, the Local Government may declare, by notification published in the official Gazette, any place to be a warehouse for all or any opium legally imported, whether before or after the payment of any duty leviable thereon, into the territories subject to such Government, or into any specified part thereof, or intended to be exported thence.

On and after such publication the owner of all such opium shall be bound to deposit it in such warehouse.

Power to make rules as to poppy-cultivation, opium, &c.

8. The Local Government may from time to time make rules consistent with this Act, or with any other enactment relating to opium for the time being in force, to prohibit or permit within the whole or any specified part of the territories subject to such Government, all or any of the following matters:—

(a) the cultivation of the poppy;

(b) the manufacture of opium;

(c) the possession of opium;

(d) the transport of opium from one place to another within British India;

(e) the importation or exportation of opium into or out of British India;

(f) the sale of opium;

and to regulate within the whole or any specified part of such territories all or any of the matters aforesaid, and also

(g) the safe custody of opium warehoused under section seven; the levy of fees for such warehousing; the removal of such opium for sale or exportation; and the manner in which it shall be disposed of, if any duty leviable on it be not paid within twelve months from the date of warehousing the same;

(h) the disposal of all things confiscated under this Act;

(i) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act.

Such rules shall be submitted for the sanction of the Governor General in Council, and on receiving such sanction, shall be published in the local official Gazette, and shall thereupon have the force of law.

Prohibition of poppy-cultivation and possession, &c., of opium.

9. Unless in accordance with this Act or with any other enactment relating to opium for the time being in force, or with rules framed under this Act, no one shall—

(a) cultivate the poppy;

(b) manufacture opium;

(c) possess opium;

(d) transport opium from one place to another within British India;

(e) import or export opium into or out of British India; or

(f) sell opium.

Penalty for illegal cultivation of poppy, &c.

10. Whoever in contravention of this Act, or of rules made and published under section eight,

(a) cultivates the poppy, or

(b) manufactures opium, or

(c) possesses opium, or

(d) omits to warehouse opium when bound to do so under section seven, or

(e) transports opium from one place to another within British India, or

(f) imports or exports opium into or out of British India, or

(g) sells opium, or otherwise contravenes the said rules relating to sales,

shall, on conviction before a Magtisrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

Presumption as to opium.

11. In prosecutions under section ten, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act.

Confiscation of opium.

12. In any case in which an offence under section ten has been committed—

(a) the poppy so cultivated,

(b) the opium in respect of which any offence under the same section has been committed,

(c) where, in the case of an offence under clause (e) or (f) of the same section, the offender is transporting, importing or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import or export, as the case may be, the whole of the opium which he is transporting, importing or exporting,

(d) where, in the case of an offence under clause (g) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium, and

(e) the vessels, packages and coverings in which any opium confiscated under the same section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it,

shall be liable to confiscation.

Order of confiscation by whom to be made.

13. When the offender is convicted, such confiscation may be ordered by the convicting Magistrate.

When an offence against this Act has been committed, but the offender is not known, or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector of the District or Deputy Commissioner, or by any other officer authorized by the Local Government in this behalf, either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,

(a) enter into any such building, vessel or place,

(b) in case of resistance, break open any door and remove any other obstacle to such entry,

(c) seize such opium and all materials used in the manufacture thereof, and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium, and

(d) detain and search, and if he think proper, arrest any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

Power to seize opium found in open place and arrest possessor.

15. If any officer of any of the said departments find

(a) any person in any open place whom he has reason to believe to be carrying any opium, or

(b) any person having in any open place any opium in his possession, or

(c) any opium in transit,

and such officer has reason to believe that the opium mentioned in clause a, clause b, or clause c of this section is opium in respect of which an offence has been committed, or which is liable to confiscation under this Act or any other law relating to opium for the time being in force,

he may stop and detain such person,

and may seize such opium and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium,

and may arrest such person, if opium be found in his possession, and any other persons in his company.

Searches how made.

16. All searches under section fourteen or section fifteen shall be made in accordance with the provisions of the Code of Criminal Procedure.

Officers to assist each other.

17. The officers of the several departments mentioned in section fourteen shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Vexatious entries, searches, seizures and arrests.

18. Any officer of any of the said departments who without reasonable ground of suspicion enters, or searches, or causes to be entered or searched any building, vessel or place,

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

Such fine, or any part thereof, may be paid to the person aggrieved.

Issue of warrants.

19. The Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom

he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any house, boat or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.

Disposal of person arrested or thing seized.

20. Every person arrested, and thing seized, under section fourteen or section fifteen, shall be forwarded without delay to the officer in charge of the nearest Police station; and every person arrested and thing seized under section nineteen shall be forwarded without delay to the officer by whom the warrant was issued.

Every officer to whom any person or thing is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or thing.

Report of arrests and seizures.

21. Whenever any officer makes any arrest or seizure under this Act, he shall within forty-eight hours next after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his official superior.

Procedure in case of illegal poppy-cultivation.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable who may in right of his office be authorized by the Local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail:

Provided that wherever Act No. XIII of 1857 *(An Act to consolidate and amend the law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal)* or any part thereof, is in force, nothing in this Act shall apply to such cultivation and manufacture.

Recovery of arrears of taxes and opium-revenue.

23. Any arrear of tax, fee or duty due under this Act or under any rule duly made under section eight,

and any arrear due from any farmer of opium-revenue,

may be recovered as if it were an arrear of land-revenue.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
Act XI of 1849.	Abkárí Revenue of Calcutta	In section 5, the word "opium." In section 6, the word "opium" and the last thirty-one words.
Act III of 1852.	Spirituous liquors, Bombay...	Section 10, so far as it relates to opium.
Act XXI of 1856.	Bengal Abkárí Act ...	In section 28, the word "opium." Sections 34, 51, 52, 53 and 87. In section 35, the words "or opium." In section 49, the words "except opium." Section 59, so far as it relates to opium. In section 75, the words "except opium" and from and including the words "opium seized" down to the end. In section 76, from and including the words "except opium" down to and including the words "each seer," and from and including the words "or, in" down to and including the words "each seer." In paragraph 8 of section 90, the words "and opium."
Act XIII of 1857.	Cultivation of the poppy and manufacture of opium.	Section 2.
Act X of 1871.	The Northern India Excise Act.	In paragraph 5 of section 3, the word "opium." Sections 18, 65, 66, 67 and 87. In section 19, the words "or opium." Section 46, so far as it relates to opium. In section 46, paragraph 3 from and including the words "as well as" down to and including the words "dealings in opium." In section 63, the words "except opium." In section 78, the words "except opium," and paragraph 2. In section 79, from and including the words "except opium" down to and including the words "each seer" and from and including the words "or in" down to and including the words "each seer."
Act IV of 1872.	The Panjáb Laws Act ...	Section 49.
Act XXVI of 1872.	Panjáb Opium Law Amendment.	The whole Act.
Act VI of 1873.	Transhipment of goods ...	Section 7.
Act XVI of 1875.	The Indian Tariff Act ...	Section 9.

BOMBAY REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bom. Reg. XXI of 1827.	Duty on opium	The preamble from and including the words "with the combined" down to and including the words "be prohibited." Chapters I, II, III and IV.
Bom. Reg. XX of 1830.	Malwa opium	So much as has not been repealed.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 22, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July 1876 :—

We, the undersigned Members of the Select Committee to which the Bill to amend the law relating to Opium was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Note by the Hon'ble Sir W. Muir, dated 2nd September 1875.
Despatch from Secretary of State, No. 43, dated 31st August 1875.
From Chief Commissioner, Oudh, No. 3478, dated 27th September 1875.
„ Secretary to Government, North-Western Provinces, No. 152A, dated 4th October 1875.
„ Chief Commissioner, Assam, No. 3464, dated 28th September 1875.
„ Officiating Secretary to Chief Commissioner, Central Provinces, No. 3787-165, dated 21st October 1875, and enclosure.
„ Secretary to Government, Panjáb, No. 2186, dated 29th October 1875.
„ „ „ Bengal, No. 2643, dated 10th November 1875.
„ Chief Commissioner, British Burma, No. 1933-400, dated 14th November 1875.
Endorsement, Financial Department, No. 2974, dated 14th December 1875, forwarding despatch from Secretary of State, No. 46, dated 21st October 1875.
From Officiating Secretary to Chief Commissioner, Mysore, No. 7836-6J, dated 18th January 1876.
„ Government of Madras, No. 6, dated 24th January 1876.
„ „ Bombay, No. 1498, dated 8th March 1876, and enclosures.
Suggestions by J. R. Naylor, Esq.
Demi-official from Collector of Salt Revenue, Bombay, dated 27th March 1876.
From Acting Commissioner of Customs, Bombay, No. 1540, dated 30th July 1874, and enclosures.
Extract from the Proceedings of the Government of Bombay, No. 5448, dated 14th October 1874.
Extract from the Proceedings of the Government of Bombay, No. 119, dated 9th January 1875.
From Acting Chief Secretary to the Government of Bombay, No. 3330, dated 6th June 1876.

2. We think that the proposed Act should come into force throughout British India on 1st January 1877.

3. Act No. VII of 1836 declared that the legality of acts done under the two Bombay Regulations which the Bill proposes to repeal, should not be questioned in any Court of law. That Act was repealed by Act VIII of 1868, but not so as to restore the jurisdiction thus withdrawn. We have endeavoured to maintain the present state of affairs by declaring that the reference made in Act No. VII of 1836 to those Regulations shall be read as if made to the corresponding provisions of the Bill.

4. We have defined "opium" so as to include poppy-heads and all intoxicating drugs prepared from the poppy, and "Magistrate" so as to confine criminal jurisdiction under the proposed Act to Presidency Magistrates and (in the Mofussil) Magistrates of the first class.

5. We have repealed and consolidated all extant enactments relating to opium, except the local and departmental rules contained in sections 3 to 31 of Act XIII of 1857. The Bill, accordingly, now not merely authorizes the Local Government to make rules as to poppy-cultivation and the possession, transport and sale of opium, it also provides rules as to the import, export and warehousing of opium; and it empowers the Local Government, with the previous sanction of the Governor General in Council, to prohibit or permit poppy-cultivation and the manufacture, possession, transport, import, export, or sale of opium, to make rules as to the manufacture, import, or export of opium, as to its safe custody and removal when warehoused, as to the disposal of things confiscated under the proposed Act, and as to rewards to officers and informers.

6. The penalties incurred for contravening the proposed Act, or any rule made thereunder, are a year's imprisonment, fine for Rs. 1,000, or both; and where a fine is imposed, we have required (in accordance with Bombay Regulation XXI of 1827, section 7) the convicting Magistrate to direct the offender to be imprisoned in default of payment for a term which may extend to six months.

7. We have extended the power of confiscation to the whole of the opium which an offender against the rules as to transport, import or export, is transporting, importing or exporting, as the case may be; and, when the offence is against the rules as to sale, to the whole of the opium in the offender's possession.

8. We have declared that, in prosecutions under the proposed Act, all opium for which the accused is unable satisfactorily to account shall be presumed to be opium in respect of which an offence has been committed.

9. When an offender against the Act is not known, or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, we have provided for an enquiry and confiscation by the Collector of the district, or other proper officer.

10. We have empowered any duly authorized officer of any of the departments of Excise Police, Customs, Salt, Opium or Revenue, superior in rank to a Peon or Constable, on receiving written information that opium is unlawfully kept in an enclosed place, to enter, seize and arrest; and we have empowered any officer of any of those departments to seize opium carried in an open place, which he has reason to believe liable to confiscation, and to arrest the person carrying it. We have required these officers to assist each other.

11. We have provided for the issue of warrants for arrest or search, and for the disposal of persons arrested and things seized.

12. We have provided a penalty for vexatious searches, seizures and arrests under the proposed Act, and we think that every officer making an arrest or seizure should within forty-eight hours report the particulars to his official superior.

13. We have also provided, in places where Act XIII of 1857 is not in force, for the attachment of a poppy-crop alleged to be illegally cultivated.

14. Lastly, we have declared that arrears of taxes, &c., due under the proposed Act or rules, and arrears due from farmers of opium-revenue, may be recovered as if they were arrears of land-revenue.

15. The publication ordered by the Council has taken place; but the Bill has been so much altered that we think that it should be republished, with this report, in the *Gazette of India* and in the local Gazettes.

W. MUIR.

R. H. DAVIES.

A. HOBHOUSE.

JOHN INGLIS.

T. C. HOPE.

F. R. COCKERELL.

SIMLA;
26th June 1876.

No. II.

THE OPIUM BILL, 1876.

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SCHEDULE.

Bill to amend the law relating to Opium.

Preamble. WHEREAS it is expedient to amend the law relating to opium; It is hereby enacted as follows:—

Short title. This Act may be called "The Opium Act, 1876":

Local extent. It extends to the whole of British India;

Commencement. And it shall come into force on the first day of January 1877.

Repeal of enactments. 2. The enactments mentioned in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. And in Acts No. XI of 1849, No. XXI of 1856 and No. X of 1871 the words "intoxicating drugs" (wherever they occur) shall not include opium.

Amendment of Act VII of 1836, s. 1. The reference made to Bombay Regulations XXI of 1827 and XX of 1830 in Act No. VII of 1836 shall be read as if made to the corresponding sections of this Act.

Interpretation-clause. 3. In this Act, unless there be something repugnant in the subject or context—

"Opium." "Opium" includes also poppy-heads, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy:

"Magistrate." "Magistrate" means in the Presidency towns a Magistrate of Police or a Presidency Magistrate, and elsewhere a Magistrate of the first class.

Import of opium. 4. No opium shall be imported, by land or by sea, into any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or a Local Government; or

(*b*) it has been imported by sea on payment of the duty prescribed by the Indian Tariff Act, 1875, or any other law for the time being in force relating to the duties of customs on goods imported by sea into British India; or

(*c*) such import is permitted under the power next hereinafter conferred.

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the import of opium, or of any kind of opium, by land into any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Export of opium. 5. No opium shall be exported by land or by sea from any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or the Local Government; or

(*b*) it has been imported by sea into any British Indian port, and the Local Government has permitted it to be exported on payment of a duty equal in amount to the fee to which it would have been liable under any law for the time being in force, if it had been transhipped at such port; or

(*c*) such export is permitted under the power next hereinafter conferred:

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the export of opium by land or by sea from any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Customs laws applied to opium. 6. Subject to the other provisions of this Act, the laws for the time being in force relating to goods imported or exported by sea shall, so far as may be, apply to opium so imported or exported by sea, and the laws for the time being in force relating to goods imported or exported by land shall, so far as may be, apply to opium imported or exported by land.

7. The Governor General in Council may, by order notified in the *Gazette of India*, authorize any Local Government to establish warehouses for opium legally imported into or intended to be exported from the territories subject to such Local Government, and may cancel any such order.

Warehousing opium.

So long as such order remains in force, the Local Government may declare, by notification published in the official Gazette, any place to be a warehouse for all or any opium legally imported, whether before or after the payment of any duty leviable thereon, into the territories subject to such Government, or into any specified part thereof, or intended to be exported thence.

On and after such publication the owner of all such opium shall be bound to deposit it in such warehouse.

8. The Local Government may from time to time make rules consistent with this Act, or with any other enactment relating to opium for the time being in force, to prohibit or permit within the whole or any specified part of the territories subject to such Government, all or any of the following matters:—

Power to make rules as to poppy-cultivation, opium, &c.

(*a*) the cultivation of the poppy;

(*b*) the manufacture of opium;

(*c*) the possession of opium;

(*d*) the transport of opium from one place to another within British India;

(*e*) the importation or exportation of opium into or out of British India;

(*f*) the sale of opium;

and to regulate within the whole or any specified part of such territories all or any of the matters aforesaid, and also

(*g*) the safe custody of opium warehoused under section seven; the levy of fees for such warehousing; the removal of such opium for sale or exportation; and the manner in which it shall be disposed of, if any duty leviable on it be not paid within twelve months from the date of warehousing the same;

(*h*) the disposal of all things confiscated under this Act;

(*i*) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act.

Such rules shall be submitted for the sanction of the Governor General in Council, and on receiving such sanction, shall be published in the local official Gazette, and shall thereupon have the force of law.

9. Unless in accordance with this Act or with any other enactment relating to opium for the time being in force, or with rules framed under this Act, no one shall—

Prohibition of poppy-cultivation and possession, &c., of opium.

(*a*) cultivate the poppy;

(*b*) manufacture opium;

(*c*) possess opium;

(*d*) transport opium from one place to another within British India;

(*e*) import or export opium into or out of British India; or

(*f*) sell opium.

10. Whoever in contravention of this Act, or of rules made and published under section eight,

Penalty for illegal cultivation of poppy, &c.

(*a*) cultivates the poppy, or

(*b*) manufactures opium, or

(*c*) possesses opium, or

(*d*) omits to warehouse opium when bound to do so under section seven, or

(*e*) transports opium from one place to another within British India, or

(*f*) imports or exports opium into or out of British India, or

(*g*) sells opium, or otherwise contravenes the said rules relating to sales,

shall, on conviction before a Magtisrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

11. In prosecutions under section ten, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act.

Presumption as to opium.

12. In any case in which an offence under section ten has been committed—

Confiscation of opium.

(*a*) the poppy so cultivated,

(*b*) the opium in respect of which any offence under the same section has been committed,

(*c*) where, in the case of an offence under clause (*e*) or (*f*) of the same section, the offender is transporting, importing or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import or export, as the case may be, the whole of the opium which he is transporting, importing or exporting,

(*d*) where, in the case of an offence under clause (*g*) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium, and

(*e*) the vessels, packages and coverings in which any opium confiscated under the same section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it,

shall be liable to confiscation.

13. When the offender is convicted, such confiscation may be ordered by the convicting Magistrate.

Order of confiscation by whom to be made.

When an offence against this Act has been committed, but the offender is not known, or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily

accounted for, the case shall be enquired into and determined by the Collector of the District or Deputy Commissioner, or by any other officer authorized by the Local Government in this behalf, either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,

Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.

(*a*) enter into any such building, vessel or place,

(*b*) in case of resistance, break open any door and remove any other obstacle to such entry,

(*c*) seize such opium and all materials used in the manufacture thereof, and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium, and

(*d*) detain and search, and if he think proper, arrest any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

15. If any officer of any of the said departments find

Power to seize opium found in open place and arrest possessor.

(*a*) any person in any open place whom he has reason to believe to be carrying any opium, or

(*b*) any person having in any open place any opium in his possession, or

(*c*) any opium in transit,

and such officer has reason to believe that the opium mentioned in clause *a*, clause *b*, or clause *c* of this section is opium in respect of which an offence has been committed, or which is liable to confiscation under this Act or any other law relating to opium for the time being in force,

he may stop and detain such person,

and may seize such opium and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium,

and may arrest such person, if opium be found in his possession, and any other persons in his company.

16. All searches under section fourteen or section fifteen shall be made in accordance with the provisions of the Code of Criminal Procedure.

Searches how made.

17. The officers of the several departments mentioned in section fourteen shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Officers to assist each other.

18. Any officer of any of the said departments who without reasonable ground of suspicion enters, or searches, or causes to be entered or searched any building, vessel or place,

Vexatious entries, searches, seizures and arrests.

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

Such fine, or any part thereof, may be paid to the person aggrieved.

19. The Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any house, boat or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

Issue of warrants.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.

20. Every person arrested, and thing seized, under section fourteen or section fifteen, shall be forwarded without delay to the officer in charge of the nearest Police station; and every person arrested and thing seized under section nineteen shall be forwarded without delay to the officer by whom the warrant was issued.

Disposal of person arrested or thing seized.

Every officer to whom any person or thing is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or thing.

21. Whenever any officer makes any arrest or seizure under this Act, he shall within forty-eight hours next after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his official superior.

Report of arrests and seizures.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable who may in right of his office be authorized by the Local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail;

Procedure in case of illegal poppy-cultivation.

Provided that wherever Act No. XIII of 1857 *(An Act to consolidate and amend the law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal)* or any part thereof, is in force, nothing in this Act shall apply to such cultivation and manufacture.

Recovery of arrears of taxes and opium-revenue.

23. Any arrear of tax, fee or duty due under this Act or under any rule duly made under section eight,

and any arrear due from any farmer of opium-revenue,

may be recovered as if it were an arrear of land-revenue.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
Act XI of 1849.	Abkárí Revenue of Calcutta	In section 5, the word "opium." In section 6, the word "opium" and the last thirty-one words. In section 15, from and including the words "except in the case" to the end of the section. In section 33, from and including the words "except opium" down to and including the words "each seer;" and the words "or in the case of opium as aforesaid, a reward of one rupee eight annas for each seer."
Act III of 1852.	Spirituous liquors, Bombay...	Section 10, so far as it relates to opium.
Act XXI of 1856.	Bengal Abkárí Act ...	In section 28, the word "opium." Sections 34, 51, 52, 53 and 87. In section 35, the words "or opium." In section 49, the words "except opium." Section 59, so far as it relates to opium.
Act XIII of 1857.	Cultivation of the poppy and manufacture of opium.	Section 2.
Act X of 1871.	The Northern India Excise Act.	In paragraph 5 of section 3, the word "opium." Sections 18, 65, 66, 67 and 87. In section 19, the words "or opium." Section 46, so far as it relates to opium. In section 46, paragraph 3 from and including the words "as well as" down to and including the words "dealings in opium." In section 63, the words "except opium." In section 78, the words "except opium," and paragraph 2. In section 79, from and including the words "except opium" down to and including the words "each ser" and from and including the words "or in" down to and including the words "each ser."
Act IV of 1872.	The Panjáb Laws Act ...	Section 49.
Act XXVI of 1872.	Panjáb Opium Law Amendment.	The whole Act.
Act VI of 1873.	Transhipment of goods ...	Section 7.
Act XVI of 1875.	The Indian Tariff Act ...	Section 9.

BOMBAY REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bom. Reg. XXI of 1827.	Duty on opium	The preamble from and including the words "with the combined" down to and including the words "be prohibited." Chapters I, II, III and IV.
Bom. Reg. XX of 1830.	Malwa opium	So much as has not been repealed.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 29, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 27th July 1876 :—

We, the undersigned Members of the Select Committee to which the Bill to consolidate and define the law relating to Land-Revenue in Oudh was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Endorsement, Department of Revenue, Agriculture and Commerce, No. 900 $\frac{L. R.}{8}$, dated 19th September 1872, forwarding—

Letter from Personal Assistant to Chief Commissioner, Oudh, No. 2779, dated 5th August 1872, and enclosures.

From Officiating Personal Assistant to Chief Commissioner, Oudh, No. 82, dated 10th January 1873, and enclosures.

From Officiating Secretary to Chief Commissioner, Oudh, No. 5208, dated 10th November 1875, and enclosures.

„ ditto ditto ditto, No. 5686, dated 14th December 1875, and enclosures.

„ ditto ditto ditto, No. 1850, dated 20th April 1876, and enclosures.

„ ditto ditto ditto, No. 1962, dated 28th April 1876, and enclosures.

Note by Hon'ble J. F. D. Inglis, dated 20th June 1876.

„ by Chief Commissioner, Oudh, dated 5th June 1876, and enclosures.

Office Memorandum from Department of Revenue, Agriculture and Commerce, No. 503, dated 11th July 1876, and enclosure.

Preliminary.

2. We have omitted as unnecessary the definitions of 'Chief Commissioner' and 'Estate,' and replaced them by definitions of 'incumbrance,' 'agricultural year,' 'revenue officer' and 'revenue-free.'

Revenue Officers.

3. In Chapter II relating to Revenue-officers, we have made the following changes: For sections 2, 3 and 4 of the Bill as introduced, we have substituted a section (4) declaring that, subject to rules prescribed by the Governor General in Council, the Chief Commissioner shall appoint Commissioners, Deputy Commissioners and Assistant Commissioners. We have authorized the Chief Commissioner to place any Assistant Commissioner of the first class in charge of one or more subdivisions, and to delegate this power to the Deputy Commissioner of the district. We have also empowered the Chief Commissioner, subject to rules prescribed by the Governor General in Council, to invest

any Assistant Commissioner in charge of a subdivision with the powers of a Deputy Commissioner. We think that Deputy Commissioners of the district and Assistant Commissioners in charge of subdivisions should be empowered to transfer cases to, and withdraw cases from, their subordinates, and we have introduced a section (10) for this purpose. We have provided (section 11) for the administration of a district in case of a temporary vacancy in the office of the Deputy Commissioner. We have, lastly, copied from Act XIX of 1873 the useful provision, that when an officer invested with powers in one district is transferred to an equal or higher office in another district, he shall be held to have the same powers in the latter district.

Settlement.

4. Section 14 of the Bill as introduced specified the documents of which the settlement record is to consist. We think it preferable merely to provide that the Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what those documents shall be.

5. We have declared (section 18) that every settlement shall be deemed to be in progress until its closing is duly notified, and that all districts in which settlements are now in progress shall be deemed to be under settlement for the purpose of that section.

6. We have transferred from the Oudh Civil Courts Act (XXXII of 1871) a section (20) empowering the Chief Commissioner to invest Settlement Officers with the powers of Civil Courts in suits relating to revenue-paying land.

7. We have declared (section 26) that in case of a taluqdárí mahál the settlement shall be made with the taluqdár.

8. We have provided (section 31) for the enforcement of the custom of periodical redistribution of land and adjustment of revenue.

9. We have expanded the provisions contained in the Bill as introduced, as to the exclusion of a taluqdár or proprietor refusing to accept settlement. We have provided (section 32) that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council; and we have raised the amount of the allowance to excluded proprietors.

10. We have directed (section 40) the Settlement Officer to determine the rent to be paid to the proprietor by under-proprietors and by holders of heritable, non-transferable leases, (other than tenants with right of occupancy,) whose rent has not been fixed by contract; and we have declared that whenever rent payable by such under-proprietors or lessees has been determined by a Settlement Officer, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

11. We have declared that all land shall be deemed liable to be charged with payment of revenue, and that no length of occupancy shall discharge such liability.

12. We have provided (section 46) for the alteration of assessment during the currency of a settlement, and (section 47) for the assessment of land added by alluvion. We have provided in the case of such land for the increase of a fixed rent in proportion to the increase of revenue effected by the assessment. Where the revenue assessed on a mahál has been reduced, remitted or suspended, we have declared (section 49) that the under-proprietor shall be entitled to a corresponding reduction, remission or suspension.

13. We have declared, in conformity with Regulation XIX of 1793 and other Regulations of the Bengal Code, that rent-free grants made by proprietors or the persons through whom they claim shall be liable to resumption except when such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner; but we have required proprietors wishing to resume such grants to apply to the Civil Court for a declaration of the right to resume, and we have exempted, wholly or partially, from the operation of these provisions, (*a*) land which the grantor has expressly agreed not to resume, (*b*) land held rent-free under a judicial decision, and (*c*) land held rent-free and acquired before the passing of the proposed Act, where the right to resume has been barred by the law of limitation. We have also provided (section 56) for fixing the rent of land declared liable to resumption.

Registration and the Revenue record.

14. We have provided (section 57), with more particularity than was thought necessary, for the lists and registers of rights in land to be prepared and maintained by the Deputy Commissioner on the basis of the settlement record. And we have declared that all entries in such lists or registers shall be made with reference to actual possession, and that all persons not in possession, but claiming the right to be so, shall be referred to the Civil Court.

15. We have required (section 62) all persons obtaining possession of land as proprietors, under-proprietors, lessees whose rents have been fixed by a Settlement Officer, or mortgagees, to give notice to the Tahsíldár or the Deputy Commissioner. And where the Deputy Commissioner cannot satisfy himself as to which party is in possession of any such land, we have required him to ascertain the fact by summary enquiry.

Partition and Union of Mahál.

16. We have inserted a chapter (V) dealing with the partition and union of mahál, which is founded on Act XIX of 1863—the law on this subject now in force in Oudh; but we have endeavoured to simplify the provisions of that Act. We have given an appeal within one year from the decision of the Deputy Commissioner confirming a partition. We have added definitions of 'perfect partition' and 'imperfect partition'. We have allowed any co-sharer to claim an imperfect partition, provided that the consent of recorded co-sharers holding in the aggregate more than a moiety of the property has been first obtained. We have provided for the partition of taluqdárí and under-proprietary mahál and of mahál held by lessees whose rent has been fixed by a Settlement Officer, subject to rules made by the Chief Commissioner as to when such partitions shall or shall not be permitted. In the case of the partition of a taluqdárí mahál, we have provided (section 101) for the assignment or partitioning of the inferior mahál and for duly limiting the joint responsibility of the co-sharers.

17. When the partition of a mahál in respect of which rent is payable is effected, we have directed the Deputy Commissioner to fix the amount payable in respect of each portion, and we have empowered the person entitled to such rent to obtain a decision as to his objections (if any) to the distribution of the rental.

Maintenance of Boundaries.

18. We have inserted a chapter (VI) on the maintenance of boundaries, the provisions of which correspond with those of Act I of 1847 and of sections 140—144 of Act XIX of 1873.

Collection of Land-Revenue.

19. In the chapter (VII) relating to the collection of land-revenue, we have made no substantial change, except that we have declared (section 117) that no person exempted from personal attendance in the Civil Court, no taluqdár and no female shall be subject to arrest or imprisonment, and we have provided that the Deputy Commissioner may realize as arrears of revenue all arrears of rent, due by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, in respect of land attached, or of which the settlement has been annulled.

20. We have inserted a section (135=section 28 of Act I of 1845) empowering the Chief Commissioner to direct a sale of land for arrears of revenue to be made subject to incumbrances.

21. We have provided (section 140) that such sales must be made either by the Deputy Commissioner or by an Assistant Commissioner specially appointed by him.

22. We have by section 159 entitled the proprietor of a mahál or pattí held in sub-settlement, or under a heritable, non-transferable lease, the rent payable under which has been fixed by a Settlement Officer, to apply to the Deputy Commissioner to realize the arrears of such rent as arrears of revenue.

Court of Wards.

23. We have transferred from the Oudh Laws Bill the chapter relating to the Court of Wards. In so doing we have extended the section relating to disqualified persons so as to apply to females deemed by the Chief Commissioner incompetent to manage their estates, to persons physically incapable of managing them, to persons convicted of non-bailable offences and disqualified by vice or bad character from managing their estates, and lastly, to persons declared by the Chief Commissioner on their own application to be disqualified. We have also declared (section 174) that persons whose property is under the superintendence of the Court of Wards, shall be incompetent, without the sanction of the Court, to create charges upon such property. We have provided for suits by and against disqualified proprietors, and we have inserted rules relating to managers equivalent to those contained in Act XIX of 1873, section 206. Lastly, we have, in section 177, amended Act XL of 1858 so as to render it applicable to all mahál, whether assessed to revenue or held revenue-free.

Powers of Officers.

24. Chapter IX is new. It deals with the powers of Assistant Commissioners, Settlement Officers and Assistant Settlement Officers, and is to some extent founded on sections 234 and 235 of Act XIX of 1873.

Appeals. Arbitration.

25. Chapter X deals with appeals, and Chapter XI with references to arbitration. Both are new. The latter is to a large extent taken from Act XIX of 1873.

Patwárís.

26. In section 208 it is provided that the Chief Commissioner may make rules respecting the appointment of Patwárís. This is not intended to preclude the free discussion of the claim of the taluqdárs to make such appointments, which is still under the consideration of the local authorities.

27. The publication directed by the Rules for the conduct of legislative business has taken place; but the Bill has been so altered that we think it should be re-published, with this report, in the *Gazette of India*, and also in the local Gazette, and that its further consideration should be stayed for two months.

JOHN INGLIS.
R. H. DAVIES.
A. HOBHOUSE.
E. C. BAYLEY.
T. C. HOPE.
F. R. COCKERELL.

SIMLA:
The 22nd July 1876.

No. II.

THE OUDH LAND REVENUE BILL, 1876.

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A Bill to consolidate and define the law relating to Land Revenue in Oudh.

Preamble. Whereas it is expedient to consolidate and define the law relating to land-revenue in Oudh; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title. 1. This Act may be called "The Oudh Land Revenue Act, 1876":

Local extent. It extends only to the territories now under the administration of the Chief Commissioner of Oudh;

Commencement. And it shall come into force on the passing thereof.

But all rules now in force and relating to any of the matters hereinafter dealt with shall, so far as they are consistent with this Act, continue in force until they are superseded by rules made in exercise of the powers hereinafter conferred.

Interpretation-clause. 2. In this Act, unless there be something repugnant in the subject or context—

"Incumbrance." (1) "incumbrance" means a charge upon or claim against land arising out of contract between private persons:

"Agricultural year." (2) "agricultural year" means a year commencing on the first day of July and ending on the thirtieth day of June:

"Revenue officer." (3) "revenue officer" means any officer powered to dispose of matter under this Act:

"Revenue-free." "Free of revenue." (4) "revenue-free" or "free of revenue" applies to land whereof the revenue has been wholly or in part released, compounded for, redeemed or assigned.

CHAPTER II.

REVENUE OFFICERS.

Chief Controlling Revenue Authority in revenue matters. 3. The Chief Controlling Revenue Authority in all matters connected with land-revenue in Oudh shall be the Chief Commissioner.

Commissioners of Division. 4. Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner shall—

(*a*) appoint in each Division a Commissioner, who shall, subject to the control of the Chief Commissioner, exercise authority over all the Revenue Officers in his Division:

Deputy Commissioner of the District. (*b*) appoint in each district an officer who shall be the Deputy Commissioner of the District:

Assistant Commissioner. (*c*) appoint to each district as many other persons as he thinks fit to be Assistant Commissioners of the first or of the second class.

Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner may suspend or remove any officer appointed under this section.

Subordination of Assistant Commissioners and other Revenue Officers.

5. All such Assistant Commissioners, and all other persons employed in maintaining revenue-records or otherwise in or about the business of the land-revenue, shall be subordinate to the Deputy Commissioner of the District.

Assistant Commissioner in charge of Sub-division of District.

6. The Chief Commissioner may place any Assistant Commissioner of the first class in charge of one or more Sub-divisions of a District, and may at any time remove him therefrom.

Such Assistant Commissioner shall be called an Assistant Commissioner in charge of a Sub-division of a District, and shall exercise the powers and discharge the duties conferred and imposed upon him by this Act or by any other law for the time being in force, subject to the control of the Deputy Commissioner of the District.

The Chief Commissioner may, from time to time, delegate his powers under this section to the Deputy Commissioner of the District, and may revoke such delegation.

Power to invest certain Assistant Commissioners with powers of Deputy Commissioner.

7. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer on any Assistant Commissioner in charge of a Sub-division of a District all or any of the powers of a Deputy Commissioner; and all powers so conferred shall be exercised subject to the control of the Deputy Commissioner of the District.

Subordination of Revenue Officers.

8. Every officer of a Sub-division of a District employed in maintaining revenue-records or otherwise in or about the business of the land-revenue shall be subordinate to the Assistant Commissioner (if any) in charge of such Sub-division, subject to the general control of the Deputy Commissioner of the District.

Conferring of powers.

9. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer upon any person all or any of the powers of an Assistant Commissioner of the first or of the second class, and may, in conferring those or any other powers under this Act, empower persons by name, or classes of officials generally by their official titles, and may vary or cancel any order conferring powers under this Act.

Power to vary and cancel orders conferring powers.

Transfer of cases to subordinates.

10. The Deputy Commissioner of the District, or any Assistant Commissioner in charge of a Sub-division of a District, may make over any case, or class of cases, arising under the provisions of this Act or otherwise, for enquiry or decision, from his own file to any of his subordinates competent to deal with such case or class,

or may withdraw any such case, or class of cases from any Revenue Officer subordinate to him, and may deal with such case or class himself, or refer the same for disposal to any other such Revenue Officer competent to deal therewith.

Power to withdraw cases from subordinates.

Deputy Commissioner of the District in case of temporary vacancy.

11. If the Deputy Commissioner of the District dies, or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the District in revenue matters shall be held to be the Deputy Commissioner of the District under this Act until the Chief Commissioner appoints a successor to the Deputy Commissioner so dying or disabled, and such successor takes charge of his appointment.

Powers of officers transferred to another district.

12. Whenever any person holding an office in the service of Government, who has been invested with any powers under this Act in any District, is transferred to an equal or higher office of the same nature within another District, he shall, unless the Chief Commissioner otherwise directs, be held to be invested with the same powers in the District to which he is so transferred.

Appointment of Tahsíldárs.

13. Tahsíldárs shall be appointed by the Chief Commissioner, subject to such rules as to qualification or otherwise as the Chief Commissioner may from time to time make under section 208.

CHAPTER III.

SETTLEMENT.

Notification as to settlement.

14. Whenever the Chief Commissioner thinks that any District or other local area liable to be brought under settlement should be so brought, he shall, with the previous sanction of the Governor General in Council, publish a notification to that effect.

Notification as to settlement record.

And if he thinks that a settlement record should be prepared for any District or other local area, he shall, with the like sanction, publish a notification to that effect.

Chief Commissioner to issue rules as to mode of assessment.

15. The Chief Commissioner shall, from time to time, with the previous sanction of the Governor General in Council, frame and issue rules regarding the mode in which the revenue demand in respect of any local area is to be assessed; and may from time to time make rules prescribing the manner in which Settlement Officers shall report for sanction the rates and method of assessment and the amounts they propose to assess.

Settlement record.

16. The Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what documents shall form the settlement-record, and frame and issue rules regarding (*a*) the mode in which such record is to be prepared, (*b*) the facts to be therein entered, and (*c*) the manner in which the entries shall be attested.

The Chief Commissioner may from time to time, with the same sanction, alter such rules.

Presumption as to entries in settlement record.

17. Every entry in such settlement record duly made and attested shall, until the contrary is proved, be presumed to be a correct record of the fact entered.

Settlement to be deemed in progress until closing notified.

18. Every local area shall be held to be under settlement from the date of any notification published under section 14, and relating thereto, until the issue of another notification declaring settlement operations to be closed therein.

Settlements now in progress brought under operation of Act.

Every local area under settlement at the time of the passing of this Act shall be held to be under settlement within the meaning of this section without the issue of either of the notifications prescribed by section 14.

Appointment and powers of Settlement Officers.

19. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, appoint an officer to be in charge of the settlement of any local area and as many Assistant Settlement Officers as the Chief Commissioner thinks fit; and such officers shall exercise the powers conferred on them respectively under this Act so long as such area is under settlement.

Power to invest Settlement Officers with powers of Civil Courts in certain cases.

20. In any local area in which a settlement of the land-revenue is in progress, the Chief Commissioner, with the previous sanction of the Governor General in Council, may by order confer on any officer making or controlling such settlement the powers of a Civil Court of any specified grade for the purpose of trying suits and appeals, or any specified class of suits and appeals, relating to property in land assessed or assessable to revenue, in such District, and may revoke any such order; and so long as such order remains in force the jurisdiction of the Civil Courts of the same grade shall be excluded in respect of such suits and appeals.

Power to transfer cases from Settlement Officers to Civil Courts.

21. Notwithstanding the existence of any such order, the Chief Commissioner may from time to time direct that any cases pending before the Settlement Officers invested with the powers mentioned in section nineteen, shall be transferred to the ordinary Civil Courts of the District if the state of business in his opinion requires such transfer.

Trial of suit relating to land and to other property.

22. If a suit relating as well to such land as other property be instituted before any officer so invested, he shall make a reference regarding the disposal of such suit to the Commissioner of the Division in which the District wherein the suit was instituted is included, who shall determine by what Court the suit shall be tried.

Powers of Settlement Officers as to erection of boundary-marks and decision of disputes.

23. When any local area is under settlement, the Settlement Officer shall have power to call upon all proprietors, by proclamation to be stuck up in some conspicuous place in each village, to erect within fifteen days such boundary-marks as he may think necessary to define the limits of their villages, mahals or fields; and in default of their compliance within the time specified in the notice, he may cause such boundary-marks to be erected, and he shall recover the cost of such erection from the proprietors as if it were an arrear of land-revenue.

In case of dispute concerning any boundary-marks, the Settlement Officer shall decide such dispute on the basis of possession, or may refer it to arbitration, for decision on the merits as provided for in sections 192 to 203, both inclusive.

Power of Settlement and Survey Officers to do necessary acts.

24. All Settlement Officers, and all officers in charge of a survey made in connection with the revenue, and their assistants, servants, agents and workmen, may do all acts necessary for any purpose connected with the settlement or survey, as the case may be.

Power to require attendance of persons concerned, and production of documents.

25. The Settlement Officer may order all persons whose presence is, in his opinion, necessary for any of the purpose of this chapter, to attend at any specified time and place, and to produce any written document in their possession or power; and all such persons shall be legally bound to obey such order.

With whom settlement to be made.

26. The settlement shall be made in the case of a taluqdárí mahál with the taluqdár, and in the case of other mahals with the proprietor of the mahál;

or if there are two classes of proprietors, superior and inferior, with either of such classes as the Chief Commissioner directs,

or if the taluqdár or proprietor has transferred possession of his mahál to a mortgagee or conditional vendee, then with such mortgagee or vendee.

Settlement of estate in possession of lunatic or minor.

If, at the time of settlement, a mahál, or any share thereof, be in the possession of a lunatic, idiot or minor, nor or other person incapable of making a contract, the settlement shall be made on his behalf with his guardian or with the manager of his property.

Power to make joint settlement with several proprietors or their elected representatives.

27. When several persons are in possession of a mahál, not being a taluqdárí mahál, the Settlement Officer shall have power to make a joint settlement with all such persons, or with their representatives.

Framing and reporting general proposals of assessment.

28. The Settlement Officer shall, in accordance with the rules made under section fifteen, frame general proposals of assessment for any local area or any portion thereof regarding which a notification has been published under the first clause of section fourteen, and shall report such proposals through the Commissioner of the Division to the Chief Commissioner.

Detailed assessment and declaration thereof to persons concerned.

29. After the receipt of the orders of the Chief Commissioner thereon, and subject to such orders, the Settlement Officer shall ascertain the amount of the assessment proper for each mahál in such area, and shall declare the same to the person with whom the settlement of such mahál is to be made.

If any mahál in any such area comprise two or more villages, or portions of villages, the Settlement Officer shall declare the assessment due on each of such villages or portions of villages, together with the aggregate amount of the assessment proper in his opinion for the whole mahál.

Such declaration shall be made on a date to be notified by proclamation at the tahsil in which such mahál is situate.

30. If the persons with whom the settlement of such mahál is to be made agree to the assessment so proposed, they and those (if any) whom they represent in interest shall become liable from the date of such agreement, or from such subsequent date as the Chief Commissioner directs, to pay such assessment in respect of such mahál.

Effect of agreement to assessment proposed.

and in a mahál in which the land, or part of the land is held in severalty, the Settlement Officer shall distribute such assessment on the lands so held.

Distribution of assessment.

31. In any mahál where, by the established custom, the land or the amount of revenue payable by each co-sharer is subject to periodical re-distribution or re-adjustment, the Settlement Officer may, on application of one or more of the co-sharers, enforce such re-distribution or re-adjustment according to such custom.

Enforcement of custom as to re-distribution of land and adjustment of revenue of shares.

32. If the person to be settled with be a taluqdár and such taluqdár refuse to accept the assessment offered by the Settlement Officer in respect of his entire taluqá, or in respect of any portion thereof, or if, within thirty days from the date of the declaration by the Settlement Officer under section 29, such taluqdár fail to accept such assessment, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner.

Exclusion of taluqdár declining or failing to accept settlement.

The Chief Commissioner, after hearing and considering the reasons which the taluqdár may have to urge against the assessment, may direct that the taluqdár so refusing or failing be excluded from the settlement of his entire taluqá, or of any portion thereof, for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner shall fix; and the Settlement Officer or Deputy Commissioner shall either farm the taluqá or any portion thereof or hold it under direct management during such term, or any part thereof: provided that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council.

33. If a taluqdár be excluded from the settlement of any portion of his taluqá, and if such portion be held in sub-settlement by an under-proprietor, the farm of such portion shall be offered to such under-proprietor on such terms as the Chief Commissioner may in each case direct.

Offer of farm to under-proprietor.

34. If such under-proprietor accept the assessment so offered, the taluqdár so excluded shall be entitled to an allowance out of the profits of such portion to be fixed by the Chief Commissioner not exceeding the share of the gross assets, if any, to which he would have been entitled had he accepted the assessment.

Allowance to excluded taluqdár.

In other cases, the taluqdár so excluded shall (subject to the orders of the Chief Commissioner) be entitled to an allowance out of the profits of such portion of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

35. In a mahál other than a taluqdárí mahál, if the person to be settled with refuse to accept the assessment offered by the Settlement Officer, or fail to accept such assessment within thirty days from the date of the declaration by the Settlement Officer under section 29, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner,

Exclusion of person declining or failing to accept settlement in a mahál.

and the Chief Commissioner may direct that the person so refusing or failing be excluded from the settlement for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner thinks fit,

and the Settlement Officer or the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either farm the mahál or hold it under direct management during such term or any part thereof.

In such case the person so excluded shall be entitled (subject to the orders of the Chief Commissioner) to an allowance out of the profits of the mahál, of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

Allowance to person excluded.

36. If in a mahál held on a pattídárí or imperfect pattídárí tenure any of the co-sharers refuse or fail within thirty days from the date of the declaration by the Settlement Officer under section 29 to accept the proposed assessment, the shares of such co-sharers shall be dealt with under the provisions of section 35, and they shall receive an allowance, as provided in that section, in proportion to their respective shares in the mahál.

Procedure in case of some of several proprietors refusing assessment.

If the Settlement Officer farms any share in such mahál, the farm of such share shall be offered in the first instance to those co-sharers who have accepted the proposed terms.

Farm of shares of proprietors refusing.

37. Any proprietor excluded from settlement under sections 35 and 36 shall be entitled to hold as a tenant with a right of occupancy so much of the land in the mahál actually cultivated by him as the Settlement Officer may determine, and the rent to be paid by such proprietor for such land during such exclusion shall be fixed by the Settlement Officer at the rate which would have been paid by a tenant-at-will for the said land less four annas in the rupee.

Adjustment of rent of the sir land of proprietors of mahál farmed under section 35 or 36.

38. The aggregate amount of any allowance assigned under section 35 or section 36 to any proprietor of a mahál who has been excluded from settlement, and of the difference between the rent fixed under section 37, and the rent which he would be liable to pay if he were a tenant-at-will,

Amount of allowance assigned under section 35 or 36 to excluded proprietor, and of difference between rent fixed under section 37, and rent payable by him if he were a tenant-at-will.

shall not be less than five or more than fifteen per cent. on the amount proposed by the Settlement Officer to be assessed on such mahál.

39. On the expiration of the term fixed under section 32 or section 35, the settlement of such mahál portion, or share comprised therein shall be offered by the Deputy Commissioner to the person then entitled to be settled with in respect of such mahál portion or share, at such assessment for the remainder of the term of settlement of the District as the Chief Commissioner may direct.

Offer of settlement to excluded proprietor on expiry of term of exclusion.

And if such person refuse to accept the offer, the Deputy Commissioner shall report such refusal through the Commissioner of the Division to the Chief Commissioner, and such person may be excluded from settlement for such period not exceeding the term of the settlement of the District, as the Chief Commissioner may direct, and the provisions of sections 32 to 38 (both inclusive) shall, so far as may be applicable, apply to his case.

Procedure on refusal.

40. The Settlement Officer shall, in accordance with the provisions of the Oudh Sub-settlement Act, 1866, so far as they are applicable, determine the rent to be paid to the proprietor by all under-proprietors in a mahál and by all holders of heritable, non-transferable leases, whose rent has not been fixed by contract.

Determination of rent payable to proprietor.

When the rent is so determined the co-sharers may at their option agree with the Settlement Officer that the rent shall be paid either by them collectively or by one of them on behalf of himself and the others. Whenever, whether before or after the passing of this Act, rent payable by such under-proprietors or lessees has been determined by a Settlement Officer, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

Nothing in this section applies to rent payable by a tenant with a right of occupancy.

41. All land shall be deemed liable to be charged with the payment of revenue to Government, unless some competent authority has declared it exempt from such payment. And no length of occupancy of any land, nor any grant of land made by the proprietor, shall release such land from such liability.

Saving of liability for Government revenue.

42. The Settlement Officer shall enquire into the case of all lands released, conditionally or for a term, from the payment of revenue, and shall assess such lands if it appear to him that the conditions have been transgressed or the term has expired.

Inquiry into cases of land released from payment of revenue.

43. Every settlement shall be made subject to confirmation by the Governor General in Council.

Confirmation of settlement.

44. The Governor General in Council shall, at some time before confirming the settlement, fix the period for which the settlement is to be made. Such period shall be fixed with reference to the agricultural year.

Period for which settlement is to be made.

45. The assessment of any mahál may be revised at any time before it is confirmed by the Governor General in Council, and in such case the revised assessment shall be proposed to the proprietors of such mahál, and the provisions of sections 23 to 40 (both inclusive) shall apply.

Revision of assessment before confirmation.

Alteration of assessment during the currency of a Settlement.

46. The Deputy Commissioner shall enquire annually into the cases of all land released from the payment of revenue conditionally, or for a term, or for the life of the grantee.

Annual enquiry as to revenue-free grants.

If the condition be broken, he shall report the case through the Commissioner of the Division to the Chief Commissioner for orders,

and if the term has expired, or (where the grant is for the life of the grantee) if the grantee has died, the Deputy Commissioner shall assess the land comprised therein, and shall report his proceedings through the Commissioner of the Division to the Chief Commissioner for sanction.

47. All land added by alluvion to a mahál is liable to assessment. Such land may be assessed and settled under rules to be framed under section 208.

Assessment of land added by alluvion.

48. Where such land is held by an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such rent shall be increased proportionately to the increase of revenue effected by such assessment.

Proportionate increase of rent payable by under-proprietor.

49. Where for any cause the revenue assessed on a mahál has, by order of the Chief Commissioner, been reduced or been wholly or in part remitted or suspended, and the land on account of which the revenue has been so reduced, remitted or suspended is in the possession of an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such under-proprietor or lessee shall be entitled (where the revenue has been reduced or remitted) to a proportionate reduction or remission of the rent payable by him in respect of such land, or (where the revenue has been suspended) to a suspension of the payment of such rent for the time during which the revenue has been so suspended.

Proportionate reduction or remission of rent payable by under-proprietor or lessee.

50. Assessments under sections 46 and 47 shall be made by the Deputy Commissioner in the same manner and with the same powers as if he were an officer in charge of a settlement.

Deputy Commissioner to have powers of officer in charge of settlement.

51. At any time during the currency of a settlement, the Chief Commissioner may, with the previous sanction of the Governor General in Council, invest any officer with all or any of the powers of an officer in charge of a settlement under this Act within such limits, and with such restrictions, and for such period as he thinks fit;

Power to invest officer with Settlement Officer's powers.

but not so as to enable him to enhance the total amount of revenue payable on account of any

mahál except in respect of land added thereto or becoming liable to payment of revenue since the confirmation of the settlement.

Resumption of rent-free grants.

52. All grants (whether in writing or otherwise) by proprietors or the persons whom they represent of land to be held exempt from the payment of rent are hereby declared to be liable to resumption, unless such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner.

Liability of rent-free grants to resumption.

53. Provided that grants of land held under a written instrument (whether executed before or after the passing of this Act) by which the grantor expressly agrees that the grant shall not be resumed, shall be held valid against him (but not as against his representatives after his death) during the continuance of the settlement of the District in which the land is situate which was current at the date of the grant.

Grants under certain instruments.

54. Proprietors wishing to resume grants made by themselves or the persons whom they represent shall apply by petition to the principal Court of original civil jurisdiction of the District in which the land is situate for a declaration of the liability of the grant to resumption.

Application for declaration of such liability.

The Court shall cause notice of such application to be served on the grantee, and shall fix a day for hearing his objections (if any) to the declaration; and thereupon, after considering such objections (if any), may either dismiss the application with or without costs to be paid by the applicant, or declare that the grant is liable, in whole or in part, to resumption.

55. Nothing in section 52, section 53, or section 54 applies to either of the following cases:—

Exemptions from sections 52, 53 and 54.

(*a*) where land is held rent-free under a judicial decision;

(*b*) where previously to the passing of this Act, land held rent-free has been acquired for a valuable consideration and the right to resume it has been barred by the law of limitation.

56. The amount of rent payable in respect of land which has been declared by a Civil Court liable to resumption shall, when the district in which the land is situate is under settlement, be determined by the Settlement Officer and in every other case by the Deputy Commissioner of the District.

Rent of land declared liable to resumption.

CHAPTER IV.

REGISTRATION, INCLUDING THE PREPARATION AND MAINTENANCE OF REVENUE RECORDS.

57. The Deputy Commissioner of the District shall, on the basis of the settlement record, and in accordance with such rules as the Chief Commissioner from time to time prescribes in this behalf, prepare the following lists and registers:—

Lists and registers to be prepared by Deputy Commissioner.

(*a*) A list of all the villages in each pargana or tahsíl of his District;

The pargana register.

(*b*) A list of all the revenue-paying mahals in each pargana or tahsíl, shewing the revenue assessed on each mahál, and the name of the person responsible for its payment whether as sole proprietor or as lambardár;

The málguzári register.

(*c*) A register of all the co-sharers in each mahál with the nature and extent of the interest of each co-sharer;

The khewat.

(*d*) A register of all mahals in which the rent of any under-proprietor or lessee has been fixed by the Settlement Officer, the names of all the co-sharers in such mahals, together with the nature and extent of the interest of such co-sharers.

Register of sub-settled mahals with khewat.

(*e*) For each mahál a list—

Register of under-proprietary and other tenures

(1) of all under-proprietors and lessees whose rent has been so fixed, and of all tenants with a right of occupancy, with the nature and extent of the interest of each such person, and the rent (if any) which he is liable to pay therefor,

(2) of all other persons (if any) holding land free of rent, or revenue free.

(*f*) A register—

Register of revenue-free tenures.

(1) of all land in his District held revenue free, with the names of the holders, and the conditions of the grant under which they hold,

(2) of all land declared by competent authority to be waqf or nazul, or the property of the State.

(*g*) A register of all mahals on which a málikána allowance has been sanctioned by competent authority, with the names of the persons entitled to such allowance, the amount of such allowance, and the conditions under which it was given.

The málikána register.

(*h*) A register of all jungle-grants, the names of the grantees, and the conditions of the grants.

Register of jungle-grants.

58. In the preparation of the said lists and registers, the Deputy Commissioner shall correct any errors in the settlement records which the parties interested admit to have been made therein; and any dispute arising regarding any entry in such record shall be investigated and decided on the basis of actual possession; and all persons not in possession, but claiming the right to be so, shall be referred to a Court of competent jurisdiction, except where the claim is founded on the decision of such Court, and in such case the entry shall be in accordance with such decision.

Correction of errors in settlement record.

59. The Deputy Commissioner shall keep and maintain the said lists and registers,

Deputy Commissioner to keep the lists and registers.

and he shall from time to time cause to be registered all events and transactions affecting any of the rights or interests recorded in the said registers, to such extent as the Chief Commissioner may from time to time prescribe.

60. The Chief Commissioner shall prescribe the forms in which the lists and registers mentioned in section 57 are to be prepared,

Forms of lists and registers.

and the manner in which, the persons by whom, and the occasions on which, the alterations referred to in section 58 and section 59 are to be recorded.

61. The Chief Commissioner may prescribe proper fees for alteration in the lists and registers formed under the said rules: Provided that no fee for a single alteration shall exceed one hundred rupees.

Power to prescribe fees for mutations.

Such fee shall be levied from the person in whose favour the mutation is made, and shall be expended in such manner as the Chief Commissioner thinks fit.

Levy of fees.

Fees how spent.

62. All persons obtaining the possession of land or the profits thereof, whether by succession, purchase or other form of transfer, as proprietors or under-proprietors, or as lessees whose rents have been fixed by a Settlement Officer, or as mortgagees, shall give notice of the same immediately after it has taken place to the tahsíldár of the tahsíl in which the mahál to which such land belongs is situated, or to the Deputy Commissioner of the District.

Notice of transfer of possession.

If the notification be made to the tahsíldár, that officer shall report such notice to the Deputy Commissioner.

63. The Deputy Commissioner on receiving such notice or report shall make such enquiry as the Chief Commissioner may from time to time prescribe to ascertain the fact of the alleged transfer of the property, and if the transfer appears to have taken place, he shall, subject to the rules framed by the Chief Commissioner under section 208, record the same in the appropriate register:

Enquiry as to truth of transfer.

Provided that no such entry shall be held to affect the rights of any other person who may claim and establish in any Court of competent jurisdiction any interest in the land to which the entry has reference.

64. If the person so succeeding is a minor or otherwise under disability, the guardian or other person who has charge of his property shall give the notice required by section 62.

Notification in case of minority or other disqualification.

65. Any person neglecting to give the notice prescribed in section 62 within three months from the date of the occurrence of the fact to be notified, shall be liable, at the discretion of the Deputy Commissioner, to a fine not exceeding five times the amount of the fee which would otherwise have been payable under section 61.

Fine for neglect to notify.

66. If in the course of enquiry made under section 63, a dispute regarding the possession of the property arises, and the Deputy Commissioner is unable to satisfy himself as to which party is in possession, he shall ascertain by summary enquiry who is the person *primâ facie* entitled to the property and shall put such person in possession, and make the necessary entry in the record accordingly, subject to any order that may be subsequently passed by the Civil Court.

Power to put one party in possession in certain cases of dispute.

67. When any person obtains possession of land or of the profits thereof, for any interest other than those referred to in section 62, the transfer of such possession shall be recorded by the Kánúngo and patwárí in such manner as the Chief Commissioner from time to time directs;

Registry of transfers of interests in land other than those referred to in section 62.

and all disputed cases shall be reported to the Deputy Commissioner or Assistant Commissioner, who shall make such enquiry as may be necessary to ascertain the fact of the alleged transfer, and cause the record to be amended accordingly.

Enquiry in disputed cases.

68. All registers prepared under the preceding sections of this chapter shall be deemed to be public documents and the property of Government, and shall be open to public inspection at such hours and on such conditions as to fees or otherwise as the Chief Commissioner may from time to time prescribe.

Inspection of registers.

CHAPTER V.

PARTITION AND UNION OF MAHALS.

69. Partition is either perfect or imperfect.

Partitions.

'Perfect partition' means the division of a mahál into two or more mahals, severally responsible for the revenue assessed on each.

'Perfect partition.'

'Imperfect partition' means the division of any mahál, or of any portion of a mahál, into two or more portions jointly responsible for the revenue assessed on the whole mahál.

'Imperfect partition.'

70. Any recorded co-sharer in a mahál and any person in whose favour a decree has been passed by any Civil Court, awarding to him the proprietary right in a portion of a mahál, whether such portion consists of a fractional share in the whole or a part of the mahál, or of specific lands, is entitled to claim perfect partition of his share.

Persons entitled to perfect partition.

Any two or more recorded co-sharers may claim that their shares be divided from the other shares by a perfect partition, and be held by them as a single mahál.

If any recorded co-sharer be under disability, the person in possession of his property shall, for the purpose of this section, be deemed to be a recorded co-sharer.

71. Applications for perfect partition are to be made in writing to the Deputy Commissioner of the district in which the mahál is situated;

Application for perfect partition.

and shall be accompanied by a certified copy of the record, showing the share held by the applicant in the mahál:

Provided that, if the mahál be situated in two or more districts, the application may be made in any one of those districts, and the partition shall be made by such one of the Deputy Commissioners of those districts as the Chief Commissioner any direct.

Provision as to estates situated in more than one district.

72. The Deputy Commissioner, on receiving an application for partition shall, if the application be in order and not open to objection on the face of it, publish a notification of the same at his office, and at some conspicuous place in the mahál to which the application relates,

Notification of application.

and shall serve a notice on all such of the recorded co-sharers in the mahál as have not joined in the application, requiring any co-sharer in possession who may object to the partition to appear before him to state his objection, either in person or by a duly authorized agent, on a day to be specified in the notice, not less that thirty, or more than sixty, days from the date on which such notice was issued.

Notice to co-sharers not joining.

73. Where, from any cause, notice cannot be personally served on any co-sharer, the notification so published shall be deemed sufficient notice.

Notification when alone sufficient.

74. If, on or before the day so specified, any objection is made to the partition by any co-sharer in possession, and the Deputy Commissioner, on a consideration of such objection, is of opinion that there is any good and sufficient reason why the partition should be absolutely disallowed, he may refuse the application, recording the grounds of his refusal.

Power to refuse partition when objection admitted.

75. If the objection raises any question of title, or of proprietary right, which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner may either decline to grant the application until the question in dispute has been determined by a competent Court, or he may proceed to enquire into the merits of the objection.

Procedure if question of title be raised.

In the latter case the Deputy Commissioner after making the necessary inquiry and taking such evidence as may be adduced, shall record a proceeding declaring the nature and extent of the interests of the party or parties applying for the partition, and any other party or parties who may be affected thereby.

The procedure to be observed by the Deputy Commissioner in trying such cases shall be that laid down in the Code of Civil Procedure for the trial of original suits, and he may, with the consent of the parties, refer any question arising in such case to arbitration, and the provisions of chapter VI (relative to arbitrators) of the same Code shall apply to such references.

Procedure in such cases.

Reference to arbitration.

76. All orders and decisions passed by the Deputy Commissioner under the last preceding section, declaring the rights of parties, shall be held to be decisions of a Court of civil judicature of first instance, and shall be open to appeal under the provisions of the Oudh Civil Courts Act.

Deputy Commissioner's decision equivalent to decision of Civil Court.

Appeal thereupon.

Upon such appeal being made, the appellate Court may issue a precept to the Deputy Commissioner, desiring him to stay the partition, pending the decision of the appeal.

Appellate Court may stay partition.

77. When it has been decided to make a partition under this chapter, the Deputy Commissioner shall either give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he shall make the partition himself or cause it to be made by any Assistant Commissioner subordinate to him, and when made by an Assistant Commissioner, it shall be reported to the Deputy Commissioner for his confirmation.

Option to make partition themselves or to appoint arbitrators.

78. If arbitrators are appointed, the provisions of sections 192 to 203, both inclusive, shall apply.

Partition by arbitrators.

In making a partition, arbitrators shall not be bound by the provisions of sections 81 to 84 both inclusive; but they shall deliver a full and complete paper of partition, specifying the separate mahálsinto which they propose that the mahál shall be divided; the names of the parties to whom the several mahálsare proposed to be allotted, and the amount of land revenue which in the opinion of the arbitrators should be assessed on each of such mahálsa.

79. In making partitions, the Deputy Commissioner, and any person appointed by him, shall have the same powers to enter on the land under partition, for marking out the boundaries, surveying the mahál, and other purposes, as are conferred on Settlement Officers under this Act.

Power to enter on land for purposes of partition.

80. When a Deputy Commissioner has decided that a partition shall be made, he may, with the sanction of the Commissioner, hold the mahál under direct management, pending the completion of the partition.

Power to hold mahál under direct management, pending partition.

The provisions of the law in force for the time being, for the management of mahálsheld under direct management for arrears of revenue shall be applicable to mahálsa, the management of which is assumed under this section.

The collections of the mahál shall be applied to the payment of the Government revenue, and, after defraying the expenses of management and any other expenses with which the mahál is chargeable, the residue shall be divided amongst the recorded co-sharers in proportion to their respective shares at such periods as the Deputy Commissioner may see fit.

81. Where there are no lands held in common, the lands held in severalty by the applicant for partition shall be declared a separate mahál, and shall be separately assessed to the Government revenue.

Partition of lands held only in severalty.

82. Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of such lands in accordance with village custom, if any such exist.

Partition of lands some of which are held in common.

If no such custom exist, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the common lands.

83. The portion of the common lands falling by such partition to the share of the applicant shall be added to the land held by him in severalty, and the mahálsthus formed shall be assessed and declared separate mahálsa.

Formation of separate mahálsfrom shares allotted in partition.

84. In making partitions under this Act, the Deputy Commissioner shall give effect to any transfer of lands held in severalty and forming part of the mahál, which has been agreed to by the parties, previous to the declaration of the partition.

Transfers to be effectuated in making partition.

85. Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the mahál.

Partition where all lands are held in common.

86. In all cases each mahál shall be made as compact as possible: Provided that, except with the sanction of the Chief Commissioner, no partition be disallowed solely on the ground of incompactness.

Estate to be compact.

87. If in making the partition it be necessary to include in the mahál assigned to one sharer, the land occupied by a dwelling-house or other building in the possession of another co-sharer, such other co-sharer shall be allowed to retain it, with the buildings thereon (if any) on condition of his paying a reasonable ground-rent therefor to the sharer into whose portion it may fall.

Rule when dwelling-house of one sharer is included in mahál assigned to another.

The limits of such land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

88. Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

Rule as to tanks, wells, water-courses and embankments.

Where, from the extent, situation or construction of such works, it is found necessary that they should continue the joint property of the proprietors of two or more of the mahálsinto which the mahál may be divided, the Deputy Commissioner shall determine the extent to which the proprietors of each mahál may make use of the said works, and the proportion of the charges for repairs of such works to be borne by such proprietors respectively, and the manner in which the profits, if any, derived form such works, shall be divided.

89. Places of worship and burial-grounds, held in common previous to the partition of a mahál, shall continue to be so held, unless the persons who so held them otherwise agree among themselves.

Rules as to places of worship and burial-grounds.

In such cases they shall state in writing the agreement into which they have entered, and such writing shall be filed with the record.

90. In all cases whether partition has been made by arbitrators or otherwise, the amount of revenue to be paid in respect of each portion of a mahál partitioned under this chapter shall be determined by the Deputy Commissioner, provided that the aggregate revenue payable in respect of the new mahálsshall not exceed the revenue assessed on the mahál immediately before partition;

Determination of revenue payable by each division of a mahál.

and the proprietor of each new mahál shall be held liable for the portion of the revenue assessed on his mahál, whether a new engagement be taken from him or not.

Liability of proprietors.

91. If at any stage of any proceedings under this chapter there appears to be any reason for stopping the partition, the Deputy Commissioner may of his own motion, or on the report of the Assistant Commissioner making the partition, stay the partition and order the proceedings to be quashed.

Power to stay partition.

92. A partition, whether made by the Deputy Commissioner himself or otherwise, shall not be deemed to be complete unless the Deputy Commissioner has made an order confirming it.

Order confirming partition.

On making such order, he shall publish a notification of the fact at his office and at some conspicuous place in each of the new mahálsa,

Notification of order.

and the partition shall take effect on and from the first day of July next after the date of such notification.

Partition when to take effect.

93. An appeal against the decision of the Deputy Commissioner confirming a partition, shall lie to the Commissioner of the division within one year from the date on which such partition takes effect.

Appeal to Commissioner from orders of Deputy Commissioner.

94. Where the land-revenue is fraudulently or erroneously distributed at the time of the partition, the Chief Commissioner may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the land-revenue upon the several mahálsinto which the mahál has been divided, on an estimate of the assets of each mahál at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

Power to order new allotment of revenue on proof of fraud or error in first distribution.

95. Imperfect partition shall be carried out according to the provisions of sections 70 to 93 (both inclusive) so far as they are applicable: Provided that no application for imperfect partition shall be entertained unless the consent of recorded co-sharers holding in the aggregate more than one moiety of the property of which partition is sought be first obtained.

Making of imperfect partitions.

96. No Civil Court shall entertain any suit or application for perfect or imperfect partition.

Civil Courts barred from entertaining applications for partitions.

97. All imperfect partitions and all partitions perfect or imperfect of under-proprietary mahálsheretofore made, shall be deemed to have been made under the provisions of this Act.

Previous imperfect partitions and partitions of under-proprietary mahálsa.

98. If two or more revenue-paying mahâls have originally formed portions of the same village, the proprietor shall be entitled to have such mahâls united and to hold them as a single mahâl.

Union of mahâls originally part of same village.

99. Every application for the union of such mahâls shall be made in writing to the Deputy Commissioner of the district in which the mahâls are situate.

Application for such union.

If the Deputy Commissioner see no objection, he shall comply with the application, and cause the necessary entries to be made in the register of his office, reporting the case to the Commissioner of the division.

Application how dealt with.

100. The provisions of this chapter, so far as they are applicable, may be applied by order of the Deputy Commissioner to the partition or union of mahâls held free of revenue.

Partition or union of revenue-free mahâls.

101. The partition of taluqdârî and under-proprietary mahâls and of mahâls held by lessees whose rent has been fixed by the Settlement Officer, shall be carried out accordingly to the provisions of sections 70 to 94 (both inclusive), so far as they are applicable.

Partition of taluqdârî and under-proprietary mahâls.

(*a*) In the partition of taluqdârî mahâls, all mahâls, whether under-proprietary or held by lessees whose rent has been fixed by the Settlement Officer shall, if practicable, be assigned to one or other of the new taluqâs to be formed by the partition;

Assignment of inferior mahâls.

(*b*) if any such mahâl cannot be assigned in whole, the assignment shall be made by thoks, pattîs or other existent sub-divisions;

(*c*) and if no other satisfactory arrangement can be made, such mahâl shall be partitioned;

(*d*) in cases in which one portion of any such mahâl is assigned to one taluqâ and another portion to another taluqâ, each portion shall be deemed a separate mahâl, the joint responsibility of the co-sharers being limited to such portion.

102. Whenever a partition of a mahâl in respect of which rent is payable is effected under this Act, the amount of rent to be paid in respect of each portion shall be determined by the Deputy Commissioner, and the person to whom such rent is payable may present an application in writing to the Deputy Commissioner objecting to the distribution of the rental over the several parts into which the mahâl has been divided, and praying that such objection may be heard and determined; and his objection shall be heard and determined, and the Deputy Commissioner shall record his reasons for such determination.

Objection to distribution of rental.

CHAPTER VI.

MAINTENANCE OF BOUNDARIES.

103. The Deputy Commissioner and his subordinates shall have power to enter upon and survey land, and to demarcate the boundaries of mahâls, villages and fields.

Power of Deputy Commissioner to enter and survey.

104. All owners of mahâls, villages or fields, are bound to maintain and keep in repair at their own cost the boundary-marks lawfully erected thereon.

Obligations of owners as to boundary-marks.

105. Any person convicted before a Deputy Commissioner of wilfully erasing, removing or damaging any such boundary-mark, may be ordered by the convicting officer to pay such sum not exceeding fifty rupees for each mark so erased, removed or damaged, as may be necessary to defray the expense of restoring such mark, and of rewarding the informer (if any) through whom the conviction was obtained.

Payment for erasing, removing or injuring marks.

106. Whenever the person erasing, removing or damaging any such mark cannot be discovered, or if for any other reason the sum which he has been so ordered to pay cannot be recovered, the mark shall be re-erected or repaired at the charge of the owner or owners of such one or more of the conterminous field or mahâls as to the Deputy Commissioner seems fit.

Who is to be charged for re-erection and repair when offenders not discoverable.

107. The Deputy Commissioner may decide, on the basis of possession, all disputes concerning boundaries, and may at any time direct the owners of mahâls villages or fields, by written notice served upon them,

Powers of Deputy Commissioner as to boundary disputes and boundary-marks.

(*a*) to cause proper boundary-marks to be erected in such mahâls, villages or fields,

(*b*) to repair the boundary-marks lawfully erected in such mahâls, villages or fields.

108. In default of compliance with such direction within fifteen days from the date of the service of the notice, the Deputy Commissioner shall cause such boundary-marks to be erected or repaired, as the case may be, and shall charge the cost of such erections or repairs to the owners of the conterminous mahâls, villages or fields in such proportion as he thinks fit.

Power to erect or repair boundary-marks.

CHAPTER VII.

COLLECTION OF THE LAND-REVENUE.

109. In the case of every mahâl the entire mahâl shall be charged with, and all the proprietors jointly and severally shall be responsible to Government for the revenue for the time being assessed on the mahâl.

Responsibility of proprietors of mahâl for land-revenue.

The term "proprietors" shall, for the purposes of this chapter, include all persons in possession for their own benefit.

110. The Chief Commissioner may, from time to time, make rules as to the instalments in which, and the persons, places and times to whom, and at which, the revenue payable in respect of any land shall be paid.

Chief Commissioner may make rules as to payment of revenue.

111. Until the issue of such rules the said revenue shall be paid in the instalments, to the persons, and at the times and places in which, to whom, and at which, it is now paid.

Payment until issue of rules.

112. Any sum not so paid becomes thereupon an arrear of revenue, and the proprietor responsible for it becomes a defaulter.

Effect of non-payment.

No interest shall be demanded on any arrear of land-revenue.

113. If the settlement of any land has been made with a lambardár, and if there be an arrear of revenue due in respect of such land, both the lambardár and the co-sharers of the mahâl from which the arrear is due shall be deemed defaulters.

Defaulters in case of settlements with lambardárs.

114. A statement of account certified by the tahsîldar shall, for the purposes of this chapter, be conclusive evidence of the existence of the arrear, of its amount, and of the person who is the defaulter.

Evidence of arrear.

115. When an arrear of land-revenue has accrued, a writ of demand or summons to appear may issue, calling on the defaulter to pay the amount within a time therein stated.

Writ of demand.

116. At any time after an arrear of land-revenue becomes due, such officer as the Chief Commissioner from time to time empowers in this behalf, may arrest the defaulter and detain him in custody for fifteen days, unless the arrear, together with the costs of arrest, is sooner paid.

Arrest and detention of defaulter.

117. If the arrear be not paid within fifteen days, and no good reason for the non-payment is shown, the Deputy Commissioner may issue an order to the jailor of the civil jail of the district, directing him to confine the defaulter therein as a civil prisoner until the arrear is paid, or until the expiration of such period, not exceeding six months from the date of the order, as the Deputy Commissioner thinks fit; and such person shall be confined according to the terms of such order:

Imprisonment in civil jail.

Provided that no person exempted under the law for the time being in force from personal attendance in the Civil Courts, no taluqdár and no female, shall be subject to arrest or imprisonment under this and the preceding section.

118. The Deputy Commissioner may, whether the defaulter has been arrested and imprisoned or not, order the attachment and sale of so much of his moveable property as will, as nearly as may be, defray the arrear.

Attachment and sale of moveables.

Nothing herein contained shall authorize the attachment and sale of articles set aside exclusively for the use of religious endowments: or, in the case of an agriculturist, of instruments of husbandry and of cattle *bonâ fide* kept for the cultivation of his land, or in the case of an artisan, of his tools, nor of any other articles exempted by the law for the time being in force from sale in execution of decrees of Civil Courts.

119. Every attachment and sale ordered under the preceding section shall be conducted according to the law in force for the time being, for the attachment and sale of moveable property under the decree of a Civil Court.

Conduct of sale.

120. When an arrear of land-revenue has become due in respect of a share, pattî or mahâl, the Deputy Commissioner may in addition to, or instead of, the processes hereinbefore specified, cause such share, pattî or mahâl to be attached and taken under the direct management of any agent whom he appoints for that purpose.

Property may be attached and taken under direct management.

The agent so appointed shall stand, for the purpose of managing the property so attached, in the position of the person for whose default it was attached;

Powers and obligations of agent.

and shall be bound by all the liabilities of such person to any under-proprietors, lessees whose rent has been fixed by a Settlement Officer, or tenants with rights of occupancy;

and shall be entitled to manage such property and to receive all rents and profits accruing thereon to the exclusion of the person for whose default it was attached,

until the arrears of land-revenue due therefrom have been satisfied, or until the Deputy Commissioner directs him to restore the person whose interest has been attached to the management thereof.

121. All surplus profits of the property so attached after defraying thereout any instalment of land-revenue that may become due during such management, and the cost of such attachment and direct management, shall be applied to discharging the arrear of revenue on account of which it was ordered.

Application of surplus profits.

And no such management shall continue after such arrear has been discharged as aforesaid, and any surplus remaining after payment of the charges mentioned in the first clause of this section shall be handed over to the proprietor.

Termination of management.

122. If an arrear of land-revenue has become due in respect of the share of any member of a village community, such community, or any member thereof, may tender payment of such arrear, or may offer to pay such arrear by instalments.

Transfer of share of defaulter to solvent co-sharers.

If such tender be made, or if the Deputy Commissioner considers such offer satisfactory, the Deputy Commissioner may transfer the share of the defaulting member to the community or member making the tender or offer on such terms as the Deputy Commissioner thinks fit, and either for a term of years, or until such arrear is paid.

In case of conflicting tenders or offers under this section, the co-sharer who, in case the share were sold, would have a right of pre-emption under section 9 of the Oudh Laws Act, shall be preferred.

123. If such share is so transferred until the arrear is repaid, and if the arrear is not repaid within twelve years from the date of the transfer, the community or member to whom the share has been so transferred, may apply in writing to the Deputy Commissioner

When transfer of share is to become absolute.

to publish a notification that, if the arrear is not paid within one year from the date thereof, such transfer will become absolute.

The Deputy Commissioner shall publish such notification accordingly, and if the arrear is not repaid before the expiration of one year from the date of the notification, the transfer to such community or member shall become absolute.

124. The procedure prescribed in the two preceding sections shall not affect the joint liability of the co-sharers of the mahál.

Procedure not to affect joint liability of co-sharers.

125. When any arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner is of opinion that the processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of, any such process, report, through the Commissioner of the division, the matter to the Chief Commissioner, and the Chief Commissioner may thereupon order the existing settlement of such pattí or mahál to be annulled.

When settlement may be annulled.

The provisions of this section shall not be put in force for the recovery of any arrear of land-revenue which may have accrued on land,

(*a*) while attached under section 120, or

(*b*) while in charge of the Court of Wards.

Exception of certain arrears.

126. When the settlement of any pattí or mahál has been annulled under the last preceding section, the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either manage the land by himself or an agent, or let it in farm to any person willing to accept the same, for such term and on such conditions as may be approved by the Chief Commissioner:

When settlement has been annulled, the Deputy Commissioner may manage the land himself, or by agent, or let it in farm.

Provided that the term for which a pattí or mahál may be so managed or let be not longer than fifteen years from the first day of July next after the date of such annulment.

And no interest in or right to such pattí or mahál, or any part thereof, created or assigned by any person who, immediately before the annulment of the settlement, was in possession of the whole or any part of the land comprised therein, or by any person through whom he claims, shall, during the continuance of such term, be binding on the Deputy Commissioner or his agent or lessee.

Suspension of contracts.

127. When the Deputy Commissioner attaches any land under section 120, or when the settlement of any land has been annulled under section 125, he shall make public proclamation thereof on the mahál.

Proclamation of attachment or annulment of settlement.

And he may realize all arrears of rent becoming due in respect of such land by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, as if they were arrears of land-revenue.

128. No payment made after such proclamation on account of rent or other profit of the land so attached, or of which the settlement has been so annulled to any person other than the Deputy Commissioner or his agent or lessee, shall be credited to the person making such payment, or relieve him from liability to payment to the Deputy Commissioner, his agent or lessee.

Payments thereafter to defaulter not to discharge payer.

129. No payment made to the defaulter in anticipation of the usual period for the payment of rents, shall, without the special sanction of the Deputy Commissioner, be credited to the person making the same in account with the Deputy Commissioner, or with his agent or lessee.

Payments to defaulter in anticipation of due date.

130. When any land has been let in farm under section 126 any balance due by the lessee as such may be recovered from him or his surety (if any) as if it were an arrear of revenue.

Recovery of balance due by farmer.

131. Whenever the settlement of any portion of a mahál is annulled under section 125, the joint responsibility of the co-sharers of the mahál for the revenue of such portion subsequently becoming due, shall be in abeyance until a new settlement of such portion is made under section 132.

Suspension of responsibility of co-sharers for revenue of portion of mahál as to which settlement is annulled.

132. After the expiration of the period for which any land has been managed or let in farm under section 126, the Deputy Commissioner shall offer to the person entitled to be settled with under section 26 a new settlement, on such conditions as the Chief Commissioner may direct, for the remainder of the term of the settlement of the district; and if such person refuse such offer, the Deputy Commissioner may (with the previous sanction of the Chief Commissioner) either manage the land by himself or an agent, or let the same in farm, under the provisions of sections 30 to 38, both inclusive.

Offer of settlement to proprietor on expiry of period for which land is managed or farmed.

133. When an arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner of the district is of opinion that the other processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of all or any such other processes, and subject to the provisions next hereinafter contained, and with the previous sanction of the Chief Commissioner, sell by auction the pattí or mahál in respect of which such arrear is due:

Power to sell land to recover revenue-arrears.

Provided that no pattí or mahál shall be sold—

(*a*) for any arrears of land-revenue which may have become due in respect thereof while it was under the management of the Court of Wards, or held under the provisions of the Oudh Taluqdárs' Relief Act, or when the proprietor or under-proprietor thereof was, at the time the arrear accrued, a female deemed by the Chief Commissioner incompetent to manage her estate, a minor, an idiot, or a lunatic;

(*b*) for any arrears of land-revenue which may have become due while it was under attachment under section 120; or

(*c*) for any arrears of land-revenue which may have become due while it was under direct management by the Deputy Commissioner, or in farm by

any other person under sections 32, 35, 126, or 132.

134. Land sold under the last preceding section shall be sold free of all incumbrances,

Land to be sold free of incumbrances.

and all grants and contracts previously made by any person other than the purchaser in respect of such land shall become void as against the purchaser at the auction-sale.

Grants and contracts void against purchaser.

Nothing in the former part of this section applies to leases of lands at fair rents, for the erection of dwelling-houses or manufactories, or for mines, gardens, tanks, canals, places of worship or burying grounds.

Exceptions.

135. The Chief Commissioner may, notwithstanding anything contained in section 134, at any time before a sale of land for arrears of revenue has been actually made, direct it to be made subject to such of the interests in or rights to such land created by the proprietor in possession thereof, or any person through whom he claims, as the Chief Commissioner thinks fit.

Power to direct sale to be made subject to incumbrances.

When the proceeds of a sale so made are not equal to the arrears due at the time of sale, the Chief Commissioner may, at any time before the Commissioner of the Division has confirmed the sale, direct it to be cancelled and a new sale of the land to be made under section 134.

Power to cancel restricted sale and re-sell under section 134.

136. If the arrear cannot be recovered by any of the above processes, and the defaulter is in possession of any other immoveable property, the Deputy Commissioner may proceed against such other property, as if it were the land on account of which the revenue is due under the provisions of this Act:

Power to proceed against defaulter's other immoveable property.

Provided that no interest save those of the defaulter alone, shall be so proceeded against, and no incumbrances created or contracts entered into by him in good faith shall be rendered invalid by such proceeding.

137. On the receipt of the sanction of the Chief Commissioner to the sale of any land, the Deputy Commissioner of the district shall issue a proclamation, in the vernacular language of the district, of the intended sale, specifying the time and place of sale,

Procedure in effecting sale.

and (when the land to be sold is a mahál or part of a mahál paying revenue to Government) the revenue assessed upon it, together with any other particulars he may think necessary.

138. When the land is sold for arrears of revenue due in respect thereof, the proclamation shall declare that the land is to be sold free of every incumbrance except the leases mentioned in section 134, and except the interests and rights, if any, referred to in the first paragraph of section 135.

Contents of proclamation.

The particulars of such leases, interests and rights shall be given in the proclamation.

Such proclamation shall be made at the headquarters of the tahsíl in which the land is situate, and also in the village of which it is a part.

139. A written notice of the intended sale and of the time and place thereof shall be affixed in the office of the Deputy Commissioner of the district, and where the Assistant Commissioner in charge of the sub-division in which the land is situate has a separate office, then also in such office, and a copy of such notice shall be served on the defaulter.

Notification of sale.

140. Every sale under this chapter shall be made either by the Deputy Commissioner of the district in person or by an Assistant Commissioner specially appointed by him in this behalf.

Sale by whom to be made.

No such sale shall take place on a Sunday or other authorized holiday, or until after the expiration of at least thirty days from the date on which the said notice thereof has been affixed in the office of the Deputy Commissioner of the district, and proclamation of the sale has been made in the village in which the land is situate.

Time when sale may be made.

The Deputy Commissioner of the district may, from time to time, postpone the sale, reporting such postponement to the Commissioner of the division.

141. If the defaulter pay the arrear of revenue in respect of which the land is to be sold at any time before the day fixed for the sale, to the person appointed by Government under section 110, to receive payment of the revenue assessed on such land, or to the Deputy Commissioner of the district, or the Assistant Commissioner in charge of the sub-division of the district, the sale shall be stayed.

When sale may be stayed.

142. The person declared to be the purchaser shall be required to deposit immediately twenty-five per cent. on the amount of his bid, and in default of such deposit the land shall forthwith be again put up and sold.

Deposit by purchaser.

Re-sale in default of deposit.

143. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the sale of the land took place, or, if the said fifteenth day be a Sunday or other authorized holiday, then on the first office day after such fifteenth day;

Purchase-money when to be paid.

and in default of payment within such period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold.

Resale in case of default.

144. If the proceeds of the sale which is eventually made be less than the price bid by such defaulting purchaser, the difference shall be leviable from him under the rules contained in the Code of Civil Procedure for the execution of a decree for money.

Liability of purchaser for loss by re-sale.

145. No re-sale under section 143 in default of payment of the purchase-money shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale,

Notification before re-sale.

146. At any time within thirty days from the date of the sale, application in writing may be made to the Commissioner of the Division to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it.

Application to set aside sale.

147. No sale shall be set aside on such ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake complained of.

When sale may be set aside.

148. After the expiration of the said thirty days, if no such application as is mentioned in section 146, has been made, or if such application has been made and rejected, the Commissioner of the Division shall make an order confirming the sale;

and if such application be made and allowed the Commissioner shall make an order setting aside the sale.

Every order made under this section shall be final.

Order confirming or setting aside.

149. If no such application be made within the time allowed by section 146, all claims founded on the irregularity or mistake complained of shall, as against the Government, be barred.

Bar of claims against Government.

Nothing herein contained shall preclude the institution of a suit in a Civil Court for the purpose of setting aside a sale on the ground of fraud.

150. Whenever the sale of any land is set aside, the purchaser shall be entitled to receive back his purchase-money, with or without interest, at such rate not exceeding six per cent. per annum, as the Commissioner of the Division thinks fit.

Refund of purchase-money when sale set aside.

151. After a sale of land in respect of which an arrear of revenue is due has been confirmed in manner aforesaid, the Deputy Commissioner of the District shall, unless the purchase has been made subject to a right of some other person to possession, put the person declared to be the purchaser into possession of the land, and shall grant him a certificate, to the effect that he has purchased the land to which the certificate refers, and such certificate shall be deemed to be a valid transfer of such land, but need not be stamped or registered as a conveyance.

On confirmation of sale, purchaser to be put in possession.

If the land has been sold on account of an arrear of revenue due in respect thereof, the certificate shall also either state that the purchaser has purchased the land to which the certificate refers free of every incumbrance other than the leases mentioned in section 134, or shall specify the incumbrances subject to which the land has been sold.

152. The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

Bar of suit against certified purchaser.

153. When a sale of land has been confirmed under section 148, the proceeds of the sale shall be applied in the first place to defraying the expenses of sale and to the payment of any arrears due in respect of such land at the date of the confirmation of such sale and recoverable as an arrear of land-revenue,

Application of proceeds of sale.

and the surplus (if any) shall be paid to the person whose land has been sold;

or, if the land sold were held in shares, then to the co-sharers collectively, or according to the amount of their recorded interests, at the discretion of the Deputy Commissioner of the District.

154. Such surplus shall not (except under an order of a Civil Court) be payable to any creditor of the person whose land has been sold, nor shall it (except under a like order) be retained in the Government treasury.

Surplus not to be paid to creditors, nor retained by Government except under order of Court.

155. The person named in the certificate of title as purchaser of any land shall be liable for all instalments of land-revenue becoming due in respect of such land subsequently to the date of the confirmation of the sale.

Liability of purchaser for revenue.

156. Where any land sold under section 133 is a pattí of a mahál, any recorded co-sharer, not being himself in arrear with regard to the revenue due in respect of such land, may, if the lot has been knocked down to a stranger, claim to take the said land at the sum last bid:

Pre-emption by co-sharers when land sold is a pattí of a mahál.

Provided that such claim be made on the day of sale, and before the officer conducting the sale has left the office for the day, and provided that the claimant fulfil all the other conditions of the sale.

157. Whenever proceedings are taken under this chapter against any person for the recovery of any arrear of revenue, he may pay the amount claimed under protest to the officer taking such proceedings,

Payment under protest and suit for recovery.

and upon such payment the proceedings shall be stayed,

and (subject to the pecuniary limitations prescribed by law) the person against whom such proceedings were taken may sue the Government for the amount so paid in any Civil Court situate in the district where such proceedings were taken;

and in such suit, the plaintiff may, notwithstanding section 114, give evidence of the amount which he alleges to be due from him.

158. Any proprietor or under-proprietor of a mahál or portion of a mahál, that is attached, transferred, held under direct management, farmed or sold under the provisions of this Act, who may, at the date of the order of such attachment, transfer, direct management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner may determine, and the rent to be

Proprietor of mahál when to be deemed a tenant with right of occupancy.

paid by him for such land shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

159. Whenever a mahál or pattí is held in sub-settlement, or under a heritable, nontransferable lease, the rent payable under which has been fixed by the Settlement Officer, and the rent of such mahál or pattí falls into arrear, the proprietor may, instead of suing the defaulter under Act No. XIX of 1868, apply in writing to the Deputy Commissioner requesting him to realize such arrear.

Assistance to recover rent of mahál held in sub-settlement.

The Deputy Commissioner shall, on receipt of such application, satisfy himself as to the existence of such arrear, and shall then, subject to such rules as may from time to time be made in this behalf by the Chief Commissioner, proceed to recover such arrear as if it was an arrear of revenue.

160. If the term for which any settlement has been made expires before a new settlement is made, all persons with whom a settlement has been made, who continue after the expiration of such term to occupy the land comprised in the expired settlement shall, until a new settlement is made, hold the said land upon the conditions of the expired settlement.

Tenure of land under expired settlement until new settlement is made.

161. The provisions of this Act with regard to the recovery of arrears of revenue shall apply to all arrears of land-revenue and sums of money recoverable as arrears of land-revenue and due when this Act comes into force.

Provisions applied to arrears due at commencement of Act.

CHAPTER VIII.

COURTS OF WARDS.

162. Deputy Commissioners shall, subject to the control of the Commissioner of the Division and of the Chief Commissioner, have the power of a Court of Wards within their respective districts for the superintendence of the persons and property of all persons who may become entitled as proprietors or under-proprietors, or lessees whose rent has been fixed by a Settlement Officer, to any beneficial interest in a mahál or portion of a mahál assessed to the payment of land-revenue or held free of revenue, and who are either disqualified for the management of their own estates or are committed by a Civil Court to the care of the Deputy Commissioner:

Deputy Commissioners to be Courts of Wards.

Provided that the Court of Wards shall not take charge of or administer any beneficial interest in an estate, in which more persons than one have a joint undivided interest, unless all such persons are so circumstanced as to be subject to the Court of Wards.

Bar of jurisdiction in certain cases.

163. Persons shall be held to be disqualified to manage their own estates when they are

Persons when disqualified to manage their estates.

(*a*) females deemed by the Chief Commissioner incompetent to manage their estates,

(*b*) minors,

(*c*) idiots,

(*d*) lunatics,

(*e*) persons who may in the opinion of the Chief Commissioner be otherwise rendered incapable by physical defects or infirmities from managing their estates,

(*f*) persons convicted of a non-bailable offence and disqualified in the opinion of the Chief Commissioner by vice or bad character from managing their estates,

(*g*) persons declared by the Chief Commissioner on their own application to be disqualified from managing their estates.

164. The Deputy Commissioner may make an inquiry into the disqualification of any person, who, he has reason to believe, disqualified within the meaning of section 163, clauses (*b*), (*c*) or (*d*), and into the circumstances and property of any such person, and may make an order declaring him to be subject to the jurisdiction of the Court of Wards.

Inquiry into minority, lunacy, idiocy, &c.

165. The Court of Wards may assume or refrain from assuming the superintendence of the person or property of any disqualified person and may at any time release any person or property from its superintendence: Provided that such person or property has not been placed under the Court of Wards by any competent authority whose order is necessary to his or its release.

Jurisdiction of Court of Wards.

166. If in any case not specially provided for by this or any other law for the time being in force, the right of the Court of Wards to assume or retain the superintendence of the estate of a disqualified person is disputed by such person, the case shall be reported to the Chief Commissioner whose orders thereon shall be final.

Report to Chief Commissioner when right of Court of Wards is disputed by persons other than those specially provided for.

167. The jurisdiction of the Court of Wards shall extend to the care and education, and to the management of the property, of the persons subject thereto.

Extent of jurisdiction.

168. The Court of Wards may appoint managers of the property of disqualified proprietors, and if such proprietors be minors, idiots or lunatics, may appoint guardians for the care of their persons, and may remove and control such managers and guardians.

Appointment, removal and control of guardians.

169. Proprietors may appoint guardians for their heirs, if disqualified, by will executed and attested in manner required in case of Taluqdárs by Act No. I of 1869, and in case of other proprietors by the Indian Succession Act, 1865; but the Court of Wards shall be competent to remove such guardian for any sufficient reason.

Power of proprietors to appoint guardians for disqualified heirs.

170. The Court of Wards may direct where all male minors under its jurisdiction shall reside for the purpose of education or otherwise.

Powers of Courts of Wards as to male minors within its jurisdiction.

171. The manager appointed by the Court of Wards shall have power to collect the rents of the land entrusted to him, as well as all other money due to

Powers of manager.

the disqualified proprietor, and to grant receipts therefor;

and he may, subject to the control of the Court, grant or renew such leases and farms, not being for a longer period than five years, as may be necessary for the good management of the property.

172. The manager shall manage the property committed to him diligently and faithfully for the benefit of the proprietor, and shall in every respect act to the best of his judgment for the proprietor's interest as if the property were his own.

Duties of manager.

173. The Court of Wards shall have power to give such leases or farms of the whole or parts of the immoveable property under its charge, and to mortgage or sell any part of such property, and to do all such other acts, as it may judge to be most for the benefit of the property and the advantage of the disqualified proprietors.

Power of Court of Wards as to land under its charge.

174. Persons whose property is under the superintendence of the Court of Wards shall not be competent to create without the sanction of the Court any charge upon or interest in such property or any part thereof.

Disabilities of persons subject to Court of Wards.

175. No such property shall be liable to be taken in execution of a decree made in respect of any contract entered into any his property is under such superintendence.

Their property exempt from being taken in execution of certain decrees.

176. All disqualified proprietors whose property is in charge of the Court of Wards shall sue and be sued by and in the name of their guardians, where guardians have been appointed; otherwise by and in the name of the Court of Wards.

Suits by and against disqualified proprietors in charge of Court of Wards.

Provided that no such suit shall be maintained or defended by any guardian without the sanction of the Court of Wards.

177. If no such guardian has been appointed, the disqualified proprietors shall sue and be sued by and in the name of the Court of Wards.

Suits by such proprietors when no guardian appointed.

178. Every manager appointed by the Court of Wards shall—

Rules relating to managers.

(*a*) give such security as the Court of Wards thinks fit, duly to account for what he shall receive in respect of the rents and profits of the property for which he is appointed;

(*b*) pass his accounts at such periods and in such form as the Court of Wards directs;

(*c*) pay the balance due from him thereon;

(*d*) apply for the sanction of the Court of Wards to any act which may involve the property in expense not previously sanctioned by such Court;

(*e*) be entitled to such allowance as the Court of Wards thinks fit for his care and pains in the execution of his duties;

(*f*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

CHAPTER IX.

POWERS OF OFFICERS.

A.—Powers of Assistant Commissioners.

179. An Assistant Commissioner in charge of a sub-division shall as such have the following powers:—

Powers of Assistant Commissioners of the first class.

(*a*) to refer cases for inquiry or decision to his subordinates;

(*b*) to withdraw cases from his subordinates and to deal with them himself, or to refer them for disposal to any other subordinate officer competent to deal with them;

(*c*) to order changes in the proprietary register;

(*d*) to levy fees for mutations;

(*e*) to enquire into cases of reported transfers;

(*f*) to levy fines, under section 65;

(*g*) to declare the person best entitled to property and put him in possession, under section 66;

(*h*) to report on revenue-free holdings, and to assess revenue on resumed grants;

(*i*) to assess alluvial lands;

(*j*) to receive applications for and make partitions under chapter V, of this Act, subject to the confirmation of the Deputy Commissioner of the District.

(*k*) to impose fines for injuries to boundary-marks, and in certain cases apportion the charges of re-erecting and repairing boundary-marks;

(*l*) to call on owners to erect or repair boundaries, and, in default, to erect and repair and charge the cost to owners, and to decide disputes regarding boundaries;

(*m*) to attach and sell moveable property of defaulters, under section 118;

(*n*) to fix under section 158 the area of the land to be held as a tenant with right of occupancy and the rent to be paid for it by proprietors of mahâls which have been attached, transferred, held under direct management, farmed or sold, under the provisions of this Act, for land in their cultivating occupancy;

180. Assistant Commissioners of the first class, not in charge of sub-divisions of districts, shall exercise all or any of the powers conferred on Assistant Commissioners of the first class in charge of sub-divisions, in such cases or class of cases as the Deputy Commissioner of the District may, from time to time, refer to them for disposal.

Powers of Assistant Commissioners of first class not in charge of sub-divisions.

181. All Assistant Commissioners of the second class shall have power to investigate and report on such cases as the Deputy Commissioner of the District or Assistant Commissioner in charge of a sub-division of a district may, from time to time, commit to them for investigation and report.

Powers of Assistant Commissioners of second class.

B.—Powers of Settlement Officers.

182. Officers in charge of a settlement may exercise all the powers conferred by or under this Act on Settlement Officers, and by section ten on the Deputy Commissioner of the District, but none but an officer in charge of a settlement or an Assistant Settlement Officer specially empowered by the Chief Commissioner shall have power—

Powers of officers in charge of a settlement.

(*a*) to frame proposals for assessment;

(*b*) to distribute the assessment;

(*c*) to re-distribute land or revenue under section 31;

(*d*) to determine the rent payable under section 40 by under-proprietors or lessees;

(*e*) to exclude proprietors from settlement for refusal to engage;

(*f*) to adjust the rent of excluded proprietors;

(*g*) to determine under section 56 the rent payable in respect of resumed rent-free tenures;

(*h*) to resume and assess revenue-free land.

183. All other powers conferred on Settlement Officers by this Act shall be exercised by Assistant Settlement Officers, under such restrictions as the officer in charge of a settlement may from time to time impose.

Powers of Assistant Settlement Officers.

184. The Chief Commissioner may with the previous section of the Governor General in Council invest any officer in charge of a settlement with all or any of the powers of a Deputy Commissioner under this Act, and any Assistant Settlement Officer with all or any of the powers conferrible on an Assistant Commissioner under this Act within such limits, and with such restrictions, and for such period as he thinks fit.

Investing of Settlement Officers with powers of Deputy Commissioner and Assistant Commissioner.

CHAPTER X.

APPEALS.

185. Appeals shall lie under this Act as follows:—

Officers to whom appeals lie.

(*a*) to the Chief Commissioner from any order passed by a Commissioner except such orders as are made on appeal from orders passed by Deputy Commissioners in the exercise of their appellate jurisdiction;

(*b*) to the Commissioner from orders, original or appellate, passed by Deputy Commissioners or officers in charge of a settlement in any proceeding held under the provisions of this Act;

(*c*) to the Deputy Commissioner from orders passed by any Assistant Commissioner;

(*d*) to the officer in charge of a settlement from orders passed by an Assistant Settlement Officer.

186. No appeal under section 185, clauses (*c*) and (*d*), shall be brought after the expiration of thirty days from the date of the order complained of.

Limitation of appeals.

No appeal under the same section, clause (*b*), shall be brought after the expiration of six weeks from the date of the order complained of, unless otherwise specially provided.

No appeal under the same section, clause (*a*), shall be brought after the expiration of two months from the date of the order complained of.

187. In computing the period prescribed for an appeal under this chapter, the day on which the order complained of was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

Time to be excluded.

188. Any appeal under this chapter may be admitted after the period of limitation prescribed therefor, when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within such period.

Admission of appeal after period of limitation.

No appeal shall lie against an order under this section admitting an appeal.

189. The officer to whom the appeal lies may either admit or summarily reject the appeal. If he admit the appeal, he may reverse, modify or confirm the order appealed against, or he may direct such further investigation to be made or such additional evidence to be taken as he may think necessary, or he may himself take such additional evidence.

Procedure on admitting appeal.

190. In every case in which an appeal is admitted, the execution of the order appealed may, pending the result of the appeal, be suspended.

Suspension of order appealed against.

191. The Chief Commissioner and every Commissioner shall have power to call for the file of any proceeding held by any officer subordinate to him, and to pass such orders thereon as he thinks fit.

Power to call for files of subordinate officers.

CHAPTER XI.

REFERENCE TO ARBITRATION.

192. The Chief Commissioner, a Commissioner of a Division, a Deputy Commissioner, an Assistant Commissioner of the first class, an officer in charge of a settlement, or an Assistant Settlement Officer may, with the consent of the parties, by order, refer any dispute before him to arbitration; and any officer acting under the provisions of sections 103 to 108, both inclusive, may, with the consent of the parties, refer to arbitration any dispute arising before him respecting the matters mentioned in the same sections.

Power to refer disputes to arbitration.

193. In referring any such dispute to arbitration, the officer making the reference shall specify, in the order of reference, the precise matter submitted to the arbitrators, and such period as he may think reasonable for the delivery of the award;

What to be specified in order of reference.

and he may from time to time extend such period.

194. The parties to the case may each nominate either one or two arbitrators, provided that each party shall nominate the same number;

Appointment of arbitrators.

and a third or fifth arbitrator (as the case may be) shall be appointed by the parties, or, in the event of their being unable to agree, by the officer making the reference.

Power to excuse arbitrator from serving, and to call for nomination of substitute.

195. Every officer making a reference under this chapter may, on good cause shown, excuse any person from serving as an arbitrator, and may call on the party who nominated such person to nominate another in the place of the person so excused.

Nomination of new arbitrator in place of one dying or failing to act.

196. If an arbitrator die, desire to be discharged, or refuse or become incapable to act, the party who nominated him shall nominate another person in his place.

Nomination by officer when parties fail.

197. If in any of the cases provided for by section 195 or section 196 any party fail for a week to nominate in manner aforesaid, the officer making the reference shall appoint some person to act as arbitrator.

Award.

The arbitrators shall determine and award concerning the matters referred to them for arbitration; and the parties disputing, and all persons claiming through them respectively, shall abide by and perform the award of the arbitrators.

Summoning parties to give evidence.

198. If the arbitrators require the presence of the parties, or any other persons whose evidence may be necessary, they shall apply to the officer making the reference, who shall summon such parties or persons;

Obligation of persons summoned.

and all such parties or persons shall be bound to attend, either in person or by agent, as the arbitrators may require, and to state the truth as to the subject-matter of the reference, and to produce such documents and other things as may be required before the arbitrators.

Preparation and submission of award.

199. The award shall be made in writing under the hands of the arbitrators, and shall be submitted by them to the officer making the reference, who shall cause notice to be served on the parties to attend and hear the award.

In what cases award or subject of arbitration may be remitted to arbitrators.

200. The officer making the reference may remit the award or any of the matters referred to arbitration to the re-consideration of the same arbitrators,

(*a*) if the award has left undetermined some of the matters referred to arbitration, or if it determine matters not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of the award.

Grounds on which award may be set aside.

201. No award shall be liable to be set aside except on the ground of corruption or misconduct of all or any of the arbitrators.

Application to set aside.

Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

Decision according to award.

202. If the officer making the reference does not see cause to remit the award or any of the matters referred to arbitration for re-consideration in the manner aforesaid,

and if no application has been made to set aside the award,

or if he has refused such application,

he shall decide in accordance with the award of the majority of the arbitrators,

and shall fix the amount to be allowed for the expenses of the arbitration, and direct by, and to whom, and in what manner, the same shall be paid.

Bar to appeal any suit in Civil Court.

203. Such decision shall not be open to appeal, and shall be at once carried out;

and no Civil Court shall entertain any suit for the purpose of setting it aside or against the arbitrators on account of their award.

CHAPTER XII.

MISCELLANEOUS.

Place for holding Court.

204. Subject to the orders of the Chief Commissioner,

(*a*) a Commissioner may hold his Court at any place within his division that he thinks fit:

(*b*) a Deputy Commissioner, an Assistant Commissioner (whether in charge or not of a sub-division of a district), or an officer in charge of a settlement or Assistant Settlement Officer may hold his Court at any place within the limit of the district to which he is appointed; and

(*c*) a Tahsíldár may hold his Court at any place within the limits of his tahsíl.

Power to summon persons to give evidence and produce documents.

205. The Chief Commissioner and any officer mentioned in the last preceding section shall have power to summon any person whose attendance he considers necessary for the purpose of any investigation, suit or other business before him.

All persons so summoned shall be bound to attend either in person or by authorized agent as such officer may direct,

and to state the truth upon any subject respecting which they are examined or make statements,

and to produce such documents and other things as may be required.

Conduct of proceedings.

206. All proceedings held under the provisions of this Act shall be conducted according to the rules for the time being prescribed under section 208.

Matters excepted from cognizance of Civil Courts.

207. No Civil Court shall exercise jurisdiction over any of the following matters:—

(*a*) the claim of any person to be settled with, or

the validity of any engagement with Government for the payment of revenue, or

the amount of revenue, cess or rate to be assessed on any mahál, or portion of a mahál under this or any other Act for the time being in force: or

the rent to be paid to a proprietor by an under-proprietor or a lessee whose rent has been fixed by the Settlement Officer.

(*b*) any claims connected with or arising out of any process enforced on account of neglect or refusal to accept the assessment or terms of sub-settlement proposed by the Settlement Officer:

(*c*) the formation of the settlement record,

the preparation, signing, or attestation of any of the documents contained therein, or

the notification of settlement:

(*d*) the distribution on partition of the land or allotment of the revenue of a mahál or of the rent of an under-proprietary tenure, or of rent payable by lessees whose rent has been fixed by a Settlement Officer.

(*e*) the determination of the rent to be paid by any person under section 87:

(*f*) claims connected with, or arising out of, the collection of revenue or any process enforced on account of an arrear of revenue, or on account of any sum which is by this or any other Act realizable as revenue other than claims under section 157:

(*g*) claims to set aside a sale for arrear of revenue other than claims under section 149.

In all the above cases, jurisdiction shall rest with the revenue officers only.

Power to make rules for purposes of Act.

208. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make and issue rules consistent with this Act, and relating to the following matters:—

(*a*) the appointment, duties, remuneration, punishment and dismissal of—

(1) tahsíldárs.

(2) lambardárs or representatives of village communities,

(3) kánúngos or superintendents of revenue records,

(4) patwáris or village accountants;

(*b*) for regulating the assessment of land gained by alluvion or the reduction of the assessment of a mahál in consequence of diluvion;

(*c*) the procedure to be followed by any officer or other person who, under any provision of this Act, is required or empowered to take action in any matter;

(*d*) the cases in which, the officers to whom, and the conditions subject to which, orders and decisions given under the preceding sections of this Act, and not expressly provided for as regards appeal shall be appealable;

(*e*) the person by whom, and the time, and manner at or in which, anything for the doing of which provision is hereinbefore made in this Act, shall be done;

(*f*) the form and contents of reports to be furnished by officers required or empowered to take action in any matter, and the period within which such reports shall be furnished;

(*g*) the form and contents of the registers and lists kept under this Act; and

(*h*) the cases in which alone taluqdárí mahals and mahals whether under-proprietary or held by lessees whose rents have been fixed by the Settlement Officer shall be liable to partition under this Act;

(*i*) the costs of partitions under this Act and the persons by whom they are to be paid, and the mode of enforcing such payment against such persons or their shares in the property of which partition has been made;

(*j*) the issue under section 115, of writs of demand or summons to appear, and the costs recoverable from the defaulter, and the officer by whom such writs and summonses shall be issued;

(*k*) and generally to carry out the provisions of this Act.

Penalty for neglecting to appoint patwáris.

209. Where, by any rule framed under the provisions of clause (*a*) of the preceding section, the appointment of patwáris is directed to be made by the landowners of a village, or the landowners are made primarily responsible for enforcing the due submission of such returns as may be prescribed to be kept by patwáris, the neglect or refusal of such landowners to make such appointment or to enforce the submission of such returns shall be punishable with such fine not exceeding fifty rupees, as the Chief Commissioner directs.

Recovery of fines and costs.

210. All fees, fines, costs and other moneys ordered to be paid under this Act, shall be recoverable as if they were an arrear of land-revenue.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following further Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 27th July 1876:—

We, the undersigned Members of the Select Committee to which the Bill to declare and amend the laws to be administered in Oudh was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

From Secretary to Chief Commissioner, Oudh, No. 554, dated 2nd February 1871, and enclosures.
„ Government of Bengal, No. 3304, dated 14th July 1871, and enclosure.
Endorsement by Department of Revenue, Agriculture and Commerce, No. 900, dated 19th September 1872, forwarding—
Letter from Personal Assistant to Chief Commissioner, Oudh, No. 2779, dated 5th August 1872, and enclosures.
From Officiating Personal Assistant to Chief Commissioner, Oudh, No. 133, dated 14th January 1873, and enclosures.
„ Officiating Secretary to Chief Commissioner, Oudh, No. 4478, dated 19th September 1873, and enclosures.
„ Military Department, No. 437J, dated 8th January 1874, and enclosures.
„ Secretary to Chief Commissioner, Oudh, No. 1032, dated 4th March 1875, and enclosures.
„ Secretary to Chief Commissioner, Oudh, No. 3925, dated 21st August 1875, and enclosures.
„ Secretary to Chief Commissioner, Oudh, No. 2707, dated 9th January 1876, and enclosures.
„ Secretary to Financial Commissioner, Panjáb, No. 767, dated 18th July 1873, and enclosures.
„ Officiating Government Advocate, Panjáb, No. 1322, dated 16th July 1874.
„ Officiating Registrar, Chief Court, Panjáb, No. 1215, dated 15th May 1875, and enclosures.

2. We have omitted the chapter relating to minority. So far as relates to Europeans the matter is sufficiently provided for by Act No. XIII of 1874. As to Natives, there seemed some danger that the chapter in question might have interfered undesirably with their customs as to guardianship, minority, and bastardy; and as there is no evidence before us that those customs are either unjust or inexpedient, we thought it best not to touch them in the present measure. Exactly the same course was followed by the legislature when it passed the Panjáb Laws Act, and no inconvenience has been found to result.

3. We have transferred the chapter treating of the Court of Wards to the Oudh Land-Revenue Bill, with certain changes described in the report on that Bill.

4. For reasons similar to those mentioned in paragraph 2 of this report, we have omitted the chapter relating to betrothal. Here, again, we have followed the precedent of the Panjáb Laws Act.

5. We have redrawn the chapter of pre-emption, extending it to foreclosures of mortgages as well as to sales, as is done by the Panjáb Laws Act.

6. The substance of the sections on partitions has been inserted in the Oudh Land-Revenue Bill. We have therefore struck them out of the Laws Bill.

7. We have omitted the sections (46 and 47) as to the bar of certain suits for redemption. They were taken from the Oudh Courts Act: some difference of opinion exists about them; and they should not be inserted in a Bill of which the primary object is to clear up doubts as to what the law really is in Oudh. The Oudh Courts Act remains untouched in this respect.

8. We have also omitted the sections relating to insolvency. This matter will, so far as regards persons arrested or imprisoned in execution of money decrees, be dealt with by the revised Code of Civil Procedure, which will apply to Oudh as to other parts of British India; and, in any case, we think it inexpedient to give Oudh a special law on the subject.

9. We have also omitted the sections relating to intestacy. The procedure which they prescribe can, for the most part, be enforced by executive rules for the disposal of unclaimed property made under the Police Act, V of 1861. Moreover, so far as regards Europeans and East Indians, the necessary rules are already contained in the Administrator General's Act, II of 1874.

10. The retention of the system of trial by jury in civil cases in Lucknow alone, of all places in India, is obviously inexpedient. We have therefore struck out section 61.

11. We have struck out the clause of the Bill requiring Judges of Civil Courts to forward to the Deputy Commissioner certified copies of decrees affecting land.

12. As regards sales of land in execution of decrees, we have altered section 65 of the Bill so as to render unsaleable ancestral property in land without the permission of the Judicial Commissioner, and acquired property in land without the permission of the Deputy Commissioner. This maintains the modification of Act VIII of 1859, section 205, subject to which the Code of Civil Procedure was extended to Oudh in August 1861. We have also declared that in the clause under notice (section 21 of the amended Bill) the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59. This agrees with the Oudh Rent Act, section 109.

13. We have provided (section 22) for the appointment of a person to manage immoveable property under attachment.

14. We have amended (sections 23 and 24) the Oudh Rent Act sections 109 and 118.

15. We have omitted the chapters relating respectively to Escheats and Hidden Treasure. Rules as to the former subject can be made by the Executive and require no legislation. The latter subject will be dealt with by another Bill about to be introduced into the Council of the Governor General, which will apply to the whole of British India.

16. We have also omitted the chapter relating to Cantonments and Military Bázárs. So much doubt exists in the Military Department of the Government of India as to what rules should be made on this subject, that the Committee have thought it best to omit the chapter in question, and rely for the present on the rules contained in Bengal Regulation XX of 1810.

17. We have inserted, at the desire of the Chief Commissioner, a chapter (copied from Act XVI of 1873) dealing with Village and Road Police.

18. In the section relating to the creation of new districts, we have empowered the Chief Commissioner to subdivide districts and to alter the limits of subdivisions.

19. We have repealed sections 10 to 15 of the old Gambling Act, which were extended to Oudh by an executive order. We have also repealed Act XIX of 1863, as its provisions have been inserted in the Oudh Land-Revenue Bill. We have omitted from the schedule of repeals Act III of 1869, as to Rural Police, and sections 29 and 30 of the Oudh Civil Courts Act.

20. From the section (91) corresponding with sections 38 and 39 of the present draft, we have omitted the clause providing for the periodical republication of subsidiary rules.

21. From the second schedule we have omitted Regulation XXIII of 1803, as to fees to defray the expenses of Revenue-offices, and Regulation IV of 1821, as to the powers and duties of Collectors; and Acts I of 1847, as to boundary marks, XXVI of 1854, as to education of Wards, and XXXI of 1858, as to the settlement of alluvion. We have inserted Regulation XX of 1810, as to Military Bázárs, Regulation V of 1817, as to Hidden Treasure, and Regulation XI of 1822, section 38, as to the non-liability of Government for the errors of Courts of Justice.

22. The publication directed by the Rules for the conduct of legislative business has taken place. But the Bill has been so much altered that we think it should be republished, with this report, in the *Gazette of India* and the local Gazette, and that its further consideration should be postponed for two months.

A. HOBHOUSE.
R. H. DAVIES.
E. C. BAYLEY.
A. J. ARBUTHNOT.
JOHN INGLIS.
T. C. HOPE.
F. R. COCKERELL.

SIMLA;
The 22nd July 1876.

No. II.

THE OUDH LAWS BILL, 1876.

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SECOND SCHEDULE.

A Bill to declare and amend the laws to be administered in Oudh.

Preamble. Whereas it is expedient to declare and amend the laws to be administered in Oudh; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Oudh Laws Act, 1876."

Local extent. It extends only to the territories for the time being under the administration of the Chief Commissioner of Oudh;

Commencement. And it shall come into force on the passing thereof.

Repeal of enactments. **2.** On and from that day, the Regulations, Acts, Rules and Orders mentioned in the first Schedule hereto annexed shall be repealed to the extent mentioned in the third column of the said schedule.

PART II.

GENERAL LAWS TO BE ADMINISTERED IN OUDH.

Statutory law to be administered in Oudh. **3.** The law to be administered by the Courts of Oudh shall be as follows:—

(a) the laws for the time being in force regulating the assessment and collection of land-revenue;

(b) in questions regarding succession, special property of females, betrothal, marriage, divorce, dower, adoption, guardianship, minority, bastardy, family relations, wills, legacies, gifts, partitions or any religious usage or institution, the rule of decision shall be—

(1) any custom applicable to the parties concerned which is not contrary to justice, equity, or good conscience, and has not been by this or any other enactment altered or abolished and has not been declared to be void by any competent authority;

(2) the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, except in so far as such law has been, by this or any other enactment, altered or abolished, or has been modified by any such custom as is above referred to;

(c) the rules contained in the third Part of this Act;

(d) the rules published in the local *Gazette* as provided by section sixty-two or made under any other Act for the time being in force in Oudh;

(e) the Regulations and Acts specified in the second Schedule hereto annexed, subject to the provisions of section four, and to the modifications mentioned in the third column of the same schedule;

(f) subject to the modifications hereinafter mentioned, all enactments for the time being in force and expressly, or by necessary implication, applying to British India or Oudh, or some part of Oudh;

(g) in cases not provided for by the former part of this section, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience.

Validity of local custom and mercantile usages. **4.** All local customs and mercantile usages shall be regarded as valid, unless they are contrary to justice, equity, or good conscience, or have, before the passing of this Act, been declared to be void by any competent authority.

PART III.

CHAPTER I.

DOWER AMONG MUHAMMADANS.

Muhammadan dower-contracts how to be enforced. **5.** Where the amount of dower stipulated for in any contract of dower by a Muhammadan is excessive with reference to the means of the husband, the entire sum provided in the contract shall not be awarded in any suit by decree in favour of the plaintiff, or by allowing it by way of set-off, lien or otherwise to the defendant; but the amount of the dower to be allowed by the Court shall be reasonable with reference to the means of the husband and the status of the wife.

Rule applicable after husband's death. This rule shall be applicable whether the suit to enforce the contract be brought in the husband's lifetime or after his death.

CHAPTER II.

PRE-EMPTION.

Right of pre-emption. **6.** The right of pre-emption is a right of the persons hereinafter mentioned or referred to, to acquire, in the cases hereinafter specified, immoveable property in preference to all other persons.

Presumption as to its existence. **7.** Unless the existence of any custom or contract to the contrary is proved, such right shall, whether recorded in the settlement-record or not, be presumed—

(a) to exist in all village-communities, however constituted, and whether proprietary or under-proprietary, and in the case referred to in section 40 of the Oudh Land-Revenue Act, and

(b) to extend to the village site, to the houses built upon it, to all lands and shares of lands within the village-boundary, and to all transferable rights affecting such lands.

Its existence in towns to be proved. **8.** The right of pre-emption shall not be presumed to exist in any town or city, or any sub-division thereof, but may be shown to exist therein, and to be exercisable therein by such persons and under such circumstances as the local custom prescribes.

Devolution of right when property to be sold is part of a village. **9.** If the property to be sold or foreclosed is a proprietary or under-proprietary tenure, or a share of such a tenure, the right to buy or redeem such property belongs, in the absence of a custom to the contrary,

1*st*, to co-sharers in the tenure in order of their relationship to the vendor or mortgagor;

2*ndly*, if no relation of the vendor or mortgagor claim the said right to buy or redeem, to the land-owners of the pattí or other sub-division of the tenure in which the property is comprised;

3*rdly*, to any member of the village-community; and

4*thly*, if the property be an under-proprietary tenure, to the proprietor.

Notice to pre-emptors. **10.** When any person proposes to sell any property, or when he forecloses a mortgage upon any property, in respect of which any persons have a right of pre-emption, he must give notice to the persons concerned of the price at which he is willing to sell such property, or of the amount due in respect of such mortgage, as the case may be.

Such notice shall be deemed sufficiently given if it be stuck up on the chaupál or other public place of the village or city in which the property is situate.

Loss of right of pre-emption. **11.** Any person having a right of pre-emption in respect of any property proposed to be sold, shall lose such right, unless within three months from the date of such notice he or his agent pays or tenders the price aforesaid to the person so proposing to sell.

Decree to fix time for payment. **12.** Such decree shall specify a day on or before which the purchase-money shall be paid.

Effect of non-payment of purchase-money. **13.** If the purchase-money is not paid into Court before it rises on that day, the decree shall become void, and the plaintiff shall lose his right of pre-emption over the property to which it relates.

Right of pre-emptor on foreclosure. **14.** When the right of pre-emption arises in respect of the foreclosure of a mortgage, any person entitled to such right may, at any time within three months after the giving of the notice required by section ten, pay or tender to the mortgagee or his successor in title the amount specified in such notice and shall thereupon acquire a right to purchase the property.

On completion of the purchase the person exercising the right of pre-emption shall be bound to pay to the mortgagee or his successor in title the amount specified in such notice, together with interest on the principal sum secured by the mortgage, at the rate specified by the instrument of mortgage, for any time which has elapsed since the date of the notice, and any additional costs which may have been properly incurred by the mortgagee or his successor in title.

Suit to enforce right of pre-emption.

15. Any person entitled to a right of pre-emption may bring a suit to enforce such right on any of the following grounds (namely)—

(*a*) that no due notice was given as required by section ten;

(*b*) in the case of a sale, that the price stated in the notice was not fixed in good faith;

(*c*) in the case of a mortgage, that the amount claimed by the mortgagee was not really due on the footing of the mortgage and was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged.

If in the case of a sale, the Court finds that the price was not fixed in good faith, the Court shall fix such price as appears to it to be the fair market-value of the property sold.

If in the case of a mortgage, the Court finds that the amount claimed by the mortgagee was not really due on the footing of the mortgage, and that it was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged, the amount to be paid to the mortgagee shall not exceed what the Court finds to be such market-value.

CHAPTER III.

PROCEDURE OF THE COURTS.

(*a*) *Law of Limitation.*

Rule of Limitation.

16. The Judicial Commissioner's Circular No. 104 of July 1860, shall be held to have been a notification within the meaning of section twenty-four of Act No. XIV of 1859; and such Act shall be deemed to have been in force in Oudh from the fourth day of July 1862; and all orders and decrees passed under the rules contained in the said circular, or under the said Act, shall be deemed to have been passed under a law in force for the time being.

Nothing in this section affects the provisions of sections 102, 104, 105, 106, 107 and 108 of the Oudh Rent Act (XIX of 1868) with regard to the limitation of suits under that Act.

Act XXXII of 1871, s. 28, to cease in any district where first regular settlement is sanctioned.

17. The provisions of the Oudh Civil Courts' Act, 1871, section 28, shall cease to have effect in any district from the date on which the first regular settlement is sanctioned therein.

(*b*) *Modifications of the Code of Civil Procedure.*

Extension of the term 'recognized agent.'

18. Section 17 of Act VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

"The recognized agents of parties by whom such applications and appearances may be made are—

"A permanent servant, partner, relation or friend, whom the Court may admit as a fit person to represent a party, and especially persons holding powers of attorney from absent parties, parties carrying on business on behalf of bankers and traders, managing agents of landlords, nearest male relations of women, and persons *ex-officio* authorized to act for Government or for any prince or chief.

"Whenever the personal appearance of a party to a suit is required by this Act, such appearance may be made by his recognized agent, unless the Court shall otherwise direct; and anything which by this Act is required or permitted to be done by a party in person may be done by his recognized agent. Notices given to, or processes served on, a recognized agent, relative to a suit, shall be effectual for all purposes, in relation to the suit, as if the same had been given to or served on the party in person, unless the Court shall otherwise direct; and all the provisions of this Act, relative to the service of notices or processes on a party to a suit, shall be applicable to the service of notices and processes on such recognized agent."

Modification of sec. 111 of Act VIII of 1859.

19. Section 111 of the same Act shall be construed as if the following clause were added thereto (namely) "Nothing in this section shall be deemed to compel the Court to decide *ex parte* in the absence of the defendant; but if the defendant does not appear, the Court may, in its discretion, attach his property and issue a warrant to arrest and detain him till such day as it appoints for the hearing of the suit."

Rules for taking evidence.

20. Section 172 of Act No. VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

"On the day appointed for the hearing of the suit, or on some other day to which the hearing may be adjourned, the evidence of the witnesses in attendance shall be taken orally in open Court in the presence and hearing and under the personal direction and superintendence of the Judge.

"A note of the essential points of the evidence of each witness is to be taken at the time, and in the course of oral examination, by the officer who tries the case, in his own language, or in English if he is sufficiently acquainted with that language, and such note shall be filed, and shall form part of the record of the case.

"If the evidence be taken down in a different language from that in which it has been given, and the witness does not understand the language in which it is taken down, the witness may require his deposition as taken down to be interpreted to him in the language in which it was given.

"It shall be in the discretion of the Court to take down, or cause to be taken down, any particular question and answer, if there appear any special reason for so doing, or any party or his pleader requires it.

"If any question put to a witness be objected to by either of the parties or their pleaders, and the Court allow the same to be put, the question and the answer shall be taken down, and the objection and the name of the party making it shall be noticed in taking down the depositions, together with the decision of the Court upon the objection.

"The Court shall record such remarks as it may think material respecting the demeanour of the witness while under examination.

"If the Judge be prevented from making a note as above required, he shall record the reason of his inability to do so, and shall cause such note to be made in writing from his dictation in open Court, and shall sign the same, and such note shall form part of the record."

Execution of Decrees.

Execution sale of under-proprietary right.

21. So much of section 205 of the Code of Civil Procedure, as renders land liable to sale in execution of a decree, shall be subject to the following restriction:—

No ancestral property in land shall be sold in satisfaction of a decree without the permission of the Judicial Commissioner; no acquired property in land shall be so sold without the permission of the Deputy Commissioner.

Explanation.—In this section the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1856-59.

Appointment of a person for the care and management of immoveable property.

22. Whenever the Civil Court may think fit under section 245 of the Civil Procedure Code, or any other law in force for the time being, to provide for the management of immoveable property, the Court shall issue a precept to the Deputy Commissioner of the district wherein such property may be situated, directing him to hold the property in attachment, and to appoint a person for the due care and management of the property under adequate security for the faithful discharge of the trust in a sum proportionate to the extent thereof.

The precept of the Civil Court above mentioned shall state specifically the property to be included in the attachment, and the attachment shall not be withdrawn without a further precept from the Court to that effect.

Nothing in this section is to be taken as authorising a Civil Court to direct a Deputy Commissioner to attach immoveable property not in the actual possession of the judgment-debtor, or of some one on his behalf other than a creditor holding the said property as security for a debt due by the said judgment-debtor.

Section substituted for section 109, Act XIX of 1868.

23. The following section is substituted for section 109 of Act XIX of 1868 (The Oudh Rent Act):—

"The provisions of the Code of Civil Procedure, in force in Oudh, shall, so far as they are not inconsistent with the provisions herein contained, apply to all suits, appeals and proceedings under this Act."

Section substituted for section 118, Act XIX of 1868.

24. Section 118 of the Oudh Rent Act No. XIX of 1868 is repealed, and the following section is substituted for it:—

"118. No process of execution shall be issued on a decree under this Act on any application made after the lapse of three years from the date of such decree."

No process of execution to issue on a decree after the lapse of three years from date of such decree.

Right of occupancy in judgment-debtor's sir land.

25. Any proprietor or under-proprietor of a mahál or portion of a mahál, which is attached, transferred, held under direct management, farmed or sold under the provisions of the Code of Civil Procedure, who may at the date of the order for such attachment, transfer, management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner shall determine, and the rent to be paid by him for land so determined shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Power to make rules for custody and sale of attached property.

26. With the sanction of the Chief Commissioner, the Judicial Commissioner may from time to time make rules consistent with this Act and with the Code of Civil Procedure,

(*a*) for the custody and sale of moveable property attached in execution of decrees;

(*b*) for the levy of a fee or commission on the sale of attached property, and the disposal of the funds accruing from such fees;

(*c*) as to the appointment and remuneration of persons by whom property is to be attached, kept in custody, and sold; and

(*d*) as to the appointment and remuneration of persons by whom local investigation under section 180, and investigations and adjustments of accounts under section 181, of the Code of Civil Procedure, are to be made.

CHAPTER IV.

OF VILLAGE AND ROAD POLICE.

Appointment of Village Police.

Right of nomination of village policemen.

27. The nomination to the post of village policeman shall be made by the zamíndár of the village, or, where there are more zamíndárs than one, by the lambardár as their representative, and where there are more lambardárs than one, the opinion of the majority. (unless there is some special provision to the contrary in the village administration paper) shall prevail.

Obligation to nominate.

28. Every person authorized to nominate to the office of village policeman shall, within fifteen days after the occurrence of a vacancy in such

office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the district.

Discretion to appoint or reject nominee.

29. The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected at discretion by such Magistrate, or by some officer authorized by him in that behalf.

Power to Magistrate to appoint.

30. (*a*).—In default of such nomination within the said fifteen days, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Procedure in case of rejection of nominee.

(*b*).—If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made, but the nominee is again rejected, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Appointment of Road Police.

Appointment of road police.

31. Subject to the rules to be framed under section thirty-seven and for the time being in force, the Magistrate of the district may, from time to time, appoint persons to be the road police of his district.

Duties of Village and Road Police.

Duties of village and road policeman.

32. Every village policeman and every road policeman shall perform the following duties:—

(*a*).—He shall give immediate information to the officer in charge of the police-station appointed for his village or beat,

(1) of every unnatural, suspicious, or sudden death occurring in the village of which he is chaukídár, or within his beat;

(2) of each of the following offences occurring in such village or on such beat (that is to say,) murder, culpable homicide, rape, dacoity, theft, robbery, mischief by fire, house-breaking, counterfeiting coin, causing grievous hurt, riot, harbouring a proclaimed offender, exposure of a child, concealment of birth, administering stupefying drugs, kidnapping, lurking house-trespass, and

(3) of all attempts and preparations to commit, and abetments of, any of the said offences.

(*b*).—He shall keep the police informed of all disputes which are likely to lead to any riot or serious affray.

(*c*).—He shall arrest all proclaimed offenders, and all persons whom he may find in the act of committing any offence specified in paragraph (*a*), clause (2) of this section.

(*d*).—He shall observe, and from time to time report to the officer in charge of the police-station within the jurisdiction of which his village or beat may be situate, the movements of all bad characters in or on such village or beat.

(*e*).—He shall report to the officer in charge of such police-station the arrival of suspicious characters in the neighbourhood.

(*f*).—He shall supply to the best of his ability any local information which a Magistrate or any officer of police may require, and shall promptly execute all orders issued to him by competent authority.

Procedure on arrest by village or road policeman.

33. Whenever a village policeman or road policeman arrests any person, he shall take him as soon as possible to the police-station within the jurisdiction of which his village or beat is situate.

Liabilities of Village and Road Police.

Dismissal of village or road policeman.

34. The Magistrate of the district may dismiss any village policeman or road policeman for any misconduct or neglect of duty.

Acts punishable.

35. Every village policeman and every road policeman guilty of any wilful misconduct in his office, or of neglect of duty, such misconduct or neglect not being an offence within the meaning of the Indian Penal Code,

or withdrawing from the duties of his office without permission, and without having given at least two months' notice of his intention to withdraw from such duties to the persons authorized to nominate or appoint under sections twenty-seven, thirty and thirty-one (as the case may be),

or offering any unnecessary personal violence to any person in his custody,

or violating any of the rules framed under section thirty-seven and for the time being in force,

Penalty.

shall be liable, on conviction before a Magistrate, to a penalty not exceeding three months' pay or to imprisonment for a period not exceeding three months, or to both.

Fines to be credited to such fund as Government appoints.

36. All fines levied under this Act on village policemen or road policemen shall be credited to such fund as the Local Government from time to time appoints.

CHAPTER V.

SUBSIDIARY RULES.

Power to make rules.

37. The Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act as to—

(*a*) the discipline and remuneration of the village and road police and the regulation of their number, location and duties;

(*b*) the entry into cities or towns of bands of armed men;

(*c*) prohibiting bands of foreign vagrants from entering or requiring them to leave any district;

(*d*) the disposal of unclaimed property under Act No. V of 1861 (*for the regulation of Police,*) sections 25, 26, 27;

(*e*) public health and conservancy at fairs and other large public assemblies, and the maintenance of a proper watch and ward at such fairs and assemblies;

(*f*) imposing with the previous sanction of the Governor General in Council taxes for those purposes only;

(*g*) the manner in which records, civil, criminal and revenue, shall be kept; the appointment and removal of the persons entrusted with the custody of records, and all other matters connected with such custody and the destruction from time to time of such records as it may be deemed unnecessary to keep;

(*h*) the appointment, duties, punishment and dismissal of all ministerial officers other than those employed in the Civil Courts and those in respect of whom provision is made in the Oudh Revenue Act.

Publication of rules.

38. All rules made by the Chief Commissioner under section thirty-seven and all rules made by the Judicial Commissioner under section twenty-six shall be published in the local official *Gazette*, and shall thereupon have the force of law.

Rules prescribed in respect of matters for which rules may be made under this Act, to remain in force for twelve months.

39. All rules heretofore prescribed by competent authority in respect of any of the matters for which rules may be made under this Act, shall remain in force for twelve months after this Act comes into force, unless any rules on the same subject are previously issued by the Chief Commissioner or Judicial Commissioner.

Penalty for breach of rules.

40. Whoever breaks any rule made under this Act, shall, on conviction before a Magistrate, be punishable with a fine not exceeding fifty rupees, or imprisonment not exceeding a period of six months, or with both.

CHAPTER VI.

MISCELLANEOUS.

Honorary Civil Jurisdiction.

Power to invest Talukdárs with civil jurisdiction.

41. The Chief Commissioner may from time to time by notification in the official *Gazette*

(*a*) invest such persons as he thinks fit to be Honorary Assistant Commissioners with the powers of a Civil Court of the first or second grade,

(*b*) declare what shall be in each such case the local limits of the jurisdiction so conferred, and

(*c*) withdraw such jurisdiction.

Honorary Police Officers.

Honorary police officers.

42. The Chief Commissioner may from time to time confer on any person whom he thinks fit any power which may be exercised by a police officer under any Act for the time being in force, and withdraw any power so conferred.

Armed men and Foreign Vagrants.

Bands of armed men.

43. No band of armed men shall enter into any city or town, except with the consent of the Chief Commissioner or of such officer as he may empower in this behalf.

Foreign vagrants.

44. The Magistrate of the district may, if he considers that any band of foreign vagrants is likely to occasion a breach of the peace, or to commit any offence under the Indian Penal Code, prohibit such band from entering his district, or, if they are already in his district, may require them within a given time to leave it.

Procedure when they disobey Magistrate's orders.

45. If any such band fail to comply with the orders of the said Magistrate within the prescribed period, he shall report the matter to the Chief Commissioner, and the Chief Commissioner may give such directions for the supervision, control, or deportation of such band as to him seems fit.

Pasturage of Government lands.

Pasturage of Government lands.

46. No person shall make use of the pasturage or other natural product of any land being the property of the Government, except with the consent of the Chief Commissioner or of such officer as he may empower in this behalf.

Power to create new Districts.

47. The Governor General in Council may by notification in the *Gazette of India* create new Districts in any part of such territories, for any revenue, judicial or other purpose, and may alter the limits of existing Districts.

Power to form Sub-divisions of Districts.

The Chief Commissioner may from time to time divide any District into Sub-divisions, and from time to time alter the limits of such Sub-divisions.

All existing tahsíls shall be Sub-divisions of Districts until they are so altered.

THE FIRST SCHEDULE.

(*See section* 2).

Number and year.	Title.	Extent of repeal.
	All Bengal Regulations now in force in Oudh, except those specified in the second schedule, and, except when expressly provided otherwise in this Act, all rules, Laws and Regulations made for the Province of Oudh, or any part thereof, which have acquired the force of law under the Indian Councils' Act.	
	Government Notification No. 4325 of 6th August 1861.	The whole.
XXI of 1857 ...	Gambling	Sections ten to fifteen.
XIX of 1863 ...	Partition	The whole.
XXXII of 1871 ...	The Oudh Civil Courts Act	Section thirty-one.

THE SECOND SCHEDULE.

(*See section* 3).

PART I.—BENGAL REGULATIONS.

Number and year.	Subject.	Modifications.
XXXIII of 1803 ...	Embezzlement by Native Officers.	In section II, *omit* the first sentence of the second clause, and in the second sentence of the same clause, *omit* "such" and "accordingly." In section III, *for* "Dewanny Adawlut of the Zillah, the Judge of which Court shall detain him" *read* "District, where he shall be detained;" *for* "real or personal" *read* "moveable or immoveable;" *for* "city" *read* "jurisdiction;" *for* "Board of Revenue" *read* "Chief Commissioner." In section IV, *omit* the words "or in either of the cities of Patna, Dacca or Moorshedabad."
X of 1804 ...	Punishment by Courts Martial of certain State offences.	*Omit* section I. In section II, *for* "the British territories subject to the Government of the Presidency of Fort William" *read* "the territories under the administration of the Chief Commissioner of Oudh." In section IV, *omit* "or before any special Court appointed for the trial of such offences under Regulation IV, 1799, and Regulation XX, 1803."

Number and year.	Subject.	Modifications.
XI of 1806 ...	Assistance to troops and travellers passing through Districts.	*Omit* sections I, VII, IX to XX (both inclusive), and so much of the rest of the Regulation as authorises Collectors and their native officers, or Magistrates and their police officers, to give their official aid in procuring coolies for the purpose of facilitating the march of troops or the progress of travellers. *For* "Collectors of Revenue" and "Collector" *read* "Deputy Commissioner" throughout the Regulation. In sections II and III, *for* "the Company's territories" *read* "Oudh." In section II, *omit* the last sentence. In section IV, clause *Third*, *for* "Governor General in Council" *read* "Chief Commissioner." In section V, *omit* "the Company's;" and *for* "Board of Revenue" *read* "Chief Commissioner." In section VI, *for* "Magistrate" *read* "Deputy Commissioner" and *for* "on the part of the Collector" *read* "by the Deputy Commissioner." In section VIII, *for* "the Company's provinces" *read* "Oudh;" and *omit* the words and figures ("under the rules prescribed by Regulation V, 1804.)"
XVII of 1806 ...	Redemption and foreclosure of mortgages.	*Omit* sections I to VI (both inclusive), and in section VII, the first sentence as far as the word "designation" and the concluding sentence. In section VII, *for* "within one year (Bengal Fassily or Willaity according to the era current where the mortgage may take place)" *read* "within one calendar year;" *for* "Zillah or City Court of Dewanny Adawlut" *read* "Deputy Commissioner;" *for* "Dewanny Adawlut of the Zillah or City" *read* "Court of the Deputy Commissioner or other officer having jurisdiction with reference to the value of the subject matter." In section VIII, *for* "preamble and preceding sections" *read* "preceding section;" *for* "Judge of the Zillah or City" *read* "Deputy Commissioner of the District," and *for* "Judge" *read* "Deputy Commissioner."
XX of 1810 ...	Military Bázárs.	
V of 1817 ...	Hidden Treasure ...	In section V, *for* "Board of Revenue" *read* "Chief Commissioner;" *for* "Judge" *read* "Deputy Commissioner." In section VI, *for* "Zillah or City Judge" *read* "Deputy Commissioner." In section VIII, *for* "Judge of the Zillah or City Court" *read* "Deputy Commissioner," and *omit* the words "on the application of the vakeel of Government under instructions from the Board of Revenue." In section IX, *for* "Judges of the Zillah Courts" *read* "Deputy Commissioners."
III of 1818 ...	State Prisoners ...	In section IV, *omit* clause *First*. In the same section, clause *Second*, *for* "Zillah or City Magistrate" *read* "Deputy Commissioner," and *for* "Judge of Circuit" *read* "Commissioner of Division." *Omit* section VIII, and the last twenty-five words of the preamble. In section IX, *for* "to the Provincial Court of Appeal and Circuit and to the Sudder Dewanny Adawlut and Nizamut Adawlut" *read* "and to the Judicial Commissioner."
VI of 1819 ...	Ferries	*Omit* section II.

Number and year.	Subject.	Modifications.
		Omit "or Joint Magistrates," "and Joint Magistrates" and "or Joint Magistrate," wherever they occur. In section I, *for* "subject to the Presidency of Fort William in Bengal" *read* "under the administration of the Chief Commissioner of Oudh," and *for* "Government" *read* "Chief Commissioner." In section III, clause *Second, omit* "by the Collectors, under the provisions of Regulation XIX, 1816." In the same section, clause *Third, for* "Superintendents of Police" *read* "Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner," and *add* "who shall fix the rates of toll to be levied at such ferries." In section IV, clause *First, omit* "for limiting the rates of toll to be levied at each ferry." In section V, *omit* "and in that of the Collector of the District." In section VI, clause *Second, for* "Superintendents of Police" *read* "Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner." In section VII, clause *First, omit* "they shall fix the rates of toll on a very moderate scale in no case exceeding, without an indispensable necessity, the rates which prevailed previous to the enactment of Regulation XIX, 1816." In the same section, clause *Third, for* "Government" *read* "Chief Commissioner," *for* "Bengal Fussily year according to the *era* current in the province" *read* "term of his lease." In the same section, clause *Fourth, for* "Magistrate and Collector," *read* "Deputy Commissioner," and *omit* "European." In section X, *omit* "from" and including the words "in the manner" down to the end of the section, and substitute "in the manner prescribed for recovery of arrears of revenue." In section XI, *for* "Magistrates reserve to themselves" *read* "the Chief Commissioner reserves to himself." In section XII, clause *First*, line one, *for* "Magistrate" *read* "Chief Commissioner," and in line four *omit* "said." In section XIII, *omit* the *Second* clause. In section XIV, *omit* the second sentence, and *for* "Superintendents of Police" *read* "Commissioner of Division."
XI of 1822 ..	Non-liability of Government for errors of a Court of Justice.	*Omit* the whole except section thirty-eight.
VI of 1825 ...	Supply of troops on the march.	In the preamble, *omit* the last twenty words. In section IV, *for* "Board of Revenue in whose jurisdiction the district may be situate" and "the Board" *read* "Commissioner." In section V, *omit* "on the stamped paper prescribed for other appeals to the Revenue Boards," and *for* "proper Board" and "the Board" *read* "Commissioner."
XI of 1825 ...	**Alluvion and Diluvion ...**	*Omit* section I. In section III, *omit* "either" and "or the sea."

Number and year.	Subject.	Modifications.
		In section IV, clause *First, omit* "whether" and "or of the sea," and *for* "the provisions of Regulation II, 1819, or of any other Regulation," *read* "any law in force for the time being;" clause *Third, omit* "or in the sea" and "or sea;" clause *Fifth, omit* "or the sea." In section V, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners."
XX of 1825 ...	**Military Courts of Requests**	*Omit* sections I, III, and IV and section II, clause *Sixth*. In section II, clause *First, omit* from the beginning down to and including "provided that;" and *for* "His Majesty or of the Hon'ble East India Company" *read* "Her Majesty;" and *for* "not within the territories subject to the Presidency of Fort William or at any place within such territories which may be situated above one hundred and twenty miles from the aforesaid Presidency" *read* "within Oudh;" and *for* "a person attached to such body of troops in any of the capacities specified in sections XLV and LX of Statute IV, Geo. IV, cap. LXXXI," *read* "otherwise subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force;" and *omit* "as directed in such cases in the Regulations abovementioned;" and *for* "Act of Parliament" *read* "the Mutiny Act for the time being in force." In the same section, clause *Third, for* "Act of Parliament" *read* "Mutiny Act;" and *for* "Magistrate of the Zillah or City" *read* "Deputy Commissioner." In the same section, clause *Fourth, for* "Zillah and City Magistrates" *read* "Deputy Commissioners;" and *omit* "of the nature described in section II of Statute IV, Geo. IV, cap. LXXXI," and "under the provisions of the said Act" and "under the provisions of the Regulations hitherto in force."

PART II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Modifications.
XIII of 1857 ...	**Opium ... ...**	In preamble, *after* "the Presidency of Fort William in Bengal" *read* "and the territories under the administration of the Chief Commissioner of Oudh." In section II, *after* "Presidency of Fort William in Bengal," *read* "and the administration of the Chief Commissioner of Oudh." In section III, *omit* "being covenanted servants of the Company."
XL of 1858 ...	**Minors ... ...**	In the title, *for* "the Presidency of Fort William in Bengal" *read* "Oudh." In section II, *for* "estates paying revenue to Government" *read* "mahâls assessed to revenue or held revenue-free."

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, AUGUST 5, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 27th July 1876 :—

We, the undersigned Members of the Select Committee to which the Bill to consolidate and define the law relating to Land-Revenue in Oudh was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Endorsement, Department of Revenue, Agriculture and Commerce, No. 900 $\frac{L. R.}{8}$, dated 19th September 1872, forwarding—

Letter from Personal Assistant to Chief Commissioner, Oudh, No. 2779, dated 5th August 1872, and enclosures.

From Officiating Personal Assistant to Chief Commissioner, Oudh, No. 82, dated 10th January 1873, and enclosures.

From Officiating Secretary to Chief Commissioner, Oudh, No. 5208, dated 10th November 1875, and enclosures.

„ ditto ditto ditto, No. 5686, dated 14th December 1875, and enclosures.

„ ditto ditto ditto, No. 1850, dated 20th April 1876, and enclosures.

„ ditto ditto ditto, No. 1962, dated 28th April 1876, and enclosures.

Note by Hon'ble J. F. D. Inglis, dated 20th June 1876.

„ by Chief Commissioner, Oudh, dated 5th June 1876, and enclosures.

Office Memorandum from Department of Revenue, Agriculture and Commerce, No. 503, dated 11th July 1876, and enclosure.

Preliminary.

2. We have omitted as unnecessary the definitions of 'Chief Commissioner' and 'Estate,' and replaced them by definitions of 'incumbrance,' 'agricultural year,' 'revenue officer' and 'revenue-free.'

Revenue Officers.

3. In Chapter II relating to Revenue-officers, we have made the following changes: For sections 2, 3 and 4 of the Bill as introduced, we have substituted a section (4) declaring that, subject to rules prescribed by the Governor General in Council, the Chief Commissioner shall appoint Commissioners, Deputy Commissioners and Assistant Commissioners. We have authorized the Chief Commissioner to place any Assistant Commissioner of the first class in charge of one or more subdivisions, and to delegate this power to the Deputy Commissioner of the district. We have also empowered the Chief Commissioner, subject to rules prescribed by the Governor General in Council, to invest

any Assistant Commissioner in charge of a subdivision with the powers of a Deputy Commissioner. We think that Deputy Commissioners of the district and Assistant Commissioners in charge of subdivisions should be empowered to transfer cases to, and withdraw cases from, their subordinates, and we have introduced a section (10) for this purpose. We have provided (section 11) for the administration of a district in case of a temporary vacancy in the office of the Deputy Commissioner. We have, lastly, copied from Act XIX of 1873 the useful provision, that when an officer invested with powers in one district is transferred to an equal or higher office in another district, he shall be held to have the same powers in the latter district.

Settlement.

4. Section 14 of the Bill as introduced specified the documents of which the settlement record is to consist. We think it preferable merely to provide that the Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what those documents shall be.

5. We have declared (section 18) that every settlement shall be deemed to be in progress until its closing is duly notified, and that all districts in which settlements are now in progress shall be deemed to be under settlement for the purpose of that section.

6. We have transferred from the Oudh Civil Courts Act (XXXII of 1871) a section (20) empowering the Chief Commissioner to invest Settlement Officers with the powers of Civil Courts in suits relating to revenue-paying land.

7. We have declared (section 26) that in case of a taluqdárí mahál the settlement shall be made with the taluqdár.

8. We have provided (section 31) for the enforcement of the custom of periodical redistribution of land and adjustment of revenue.

9. We have expanded the provisions contained in the Bill as introduced, as to the exclusion of a taluqdár or proprietor refusing to accept settlement. We have provided (section 32) that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council; and we have raised the amount of the allowance to excluded proprietors.

10. We have directed (section 40) the Settlement Officer to determine the rent to be paid to the proprietor by under-proprietors and by holders of heritable, non-transferable leases, (other than tenants with right of occupancy,) whose rent has not been fixed by contract; and we have declared that whenever rent payable by such under-proprietors or lessees has been determined by a Settlement Officer, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

11. We have declared that all land shall be deemed liable to be charged with payment of revenue, and that no length of occupancy shall discharge such liability.

12. We have provided (section 46) for the alteration of assessment during the currency of a settlement, and (section 47) for the assessment of land added by alluvion. We have provided in the case of such land for the increase of a fixed rent in proportion to the increase of revenue effected by the assessment. Where the revenue assessed on a mahál has been reduced, remitted or suspended, we have declared (section 49) that the under-proprietor shall be entitled to a corresponding reduction, remission or suspension.

13. We have declared, in conformity with Regulation XIX of 1793 and other Regulations of the Bengal Code, that rent-free grants made by proprietors or the persons through whom they claim shall be liable to resumption except when such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner; but we have required proprietors wishing to resume such grants to apply to the Civil Court for a declaration of the right to resume, and we have exempted, wholly or partially, from the operation of these provisions, (*a*) land which the grantor has expressly agreed not to resume, (*b*) land held rent-free under a judicial decision, and (*c*) land held rent-free and acquired before the passing of the proposed Act, where the right to resume has been barred by the law of limitation. We have also provided (section 56) for fixing the rent of land declared liable to resumption.

Registration and the Revenue record.

14. We have provided (section 57), with more particularity than was thought necessary, for the lists and registers of rights in land to be prepared and maintained by the Deputy Commissioner on the basis of the settlement record. And we have declared that all entries in such lists or registers shall be made with reference to actual possession, and that all persons not in possession, but claiming the right to be so, shall be referred to the Civil Court.

15. We have required (section 62) all persons obtaining possession of land as proprietors, under-proprietors, lessees whose rents have been fixed by a Settlement Officer, or mortgagees, to give notice to the Tahsíldár or the Deputy Commissioner. And where the Deputy Commissioner cannot satisfy himself as to which party is in possession of any such land, we have required him to ascertain the fact by summary enquiry.

Partition and Union of Maháls.

16. We have inserted a chapter (V) dealing with the partition and union of mahálś, which is founded on Act XIX of 1863—the law on this subject now in force in Oudh; but we have endeavoured to simplify the provisions of that Act. We have given an appeal within one year from the decision of the Deputy Commissioner confirming a partition. We have added definitions of 'perfect partition' and 'imperfect partition'. We have allowed any co-sharer to claim an imperfect partition, provided that the consent of recorded co-sharers holding in the aggregate more than a moiety of the property has been first obtained. We have provided for the partition of taluqdárí and under-proprietary mahálś and of mahálś held by lessees whose rent has been fixed by a Settlement Officer, subject to rules made by the Chief Commissioner as to when such partitions shall or shall not be permitted. In the case of the partition of a taluqdárí mahál, we have provided (section 101) for the assignment or partitioning of the inferior mahálś and for duly limiting the joint responsibility of the co-sharers.

17. When the partition of a mahál in respect of which rent is payable is effected, we have directed the Deputy Commissioner to fix the amount payable in respect of each portion, and we have empowered the person entitled to such rent to obtain a decision as to his objections (if any) to the distribution of the rental.

Maintenance of Boundaries.

18. We have inserted a chapter (VI) on the maintenance of boundaries, the provisions of which correspond with those of Act I of 1847 and of sections 140—144 of Act XIX of 1873.

Collection of Land-Revenue.

19. In the chapter (VII) relating to the collection of land-revenue, we have made no substantial change, except that we have declared (section 117) that no person exempted from personal attendance in the Civil Court, no taluqdár and no female shall be subject to arrest or imprisonment, and we have provided that the Deputy Commissioner may realize as arrears of revenue all arrears of rent, due by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, in respect of land attached, or of which the settlement has been annulled.

20. We have inserted a section (135=section 28 of Act I of 1845) empowering the Chief Commissioner to direct a sale of land for arrears of revenue to be made subject to incumbrances.

21. We have provided (section 140) that such sales must be made either by the Deputy Commissioner or by an Assistant Commissioner specially appointed by him.

22. We have by section 159 entitled the proprietor of a mahál or pattí held in sub-settlement, or under a heritable, non-transferable lease, the rent payable under which has been fixed by a Settlement Officer, to apply to the Deputy Commissioner to realize the arrears of such rent as arrears of revenue.

Court of Wards.

23. We have transferred from the Oudh Laws Bill the chapter relating to the Court of Wards. In so doing we have extended the section relating to disqualified persons so as to apply to females deemed by the Chief Commissioner incompetent to manage their estates, to persons physically incapable of managing them, to persons convicted of non-bailable offences and disqualified by vice or bad character from managing their estates, and lastly, to persons declared by the Chief Commissioner on their own application to be disqualified. We have also declared (section 174) that persons whose property is under the superintendence of the Court of Wards, shall be incompetent, without the sanction of the Court, to create charges upon such property. We have provided for suits by and against disqualified proprietors, and we have inserted rules relating to managers equivalent to those contained in Act XIX of 1873, section 206. Lastly, we have, in section 177, amended Act XL of 1858 so as to render it applicable to all mahálś, whether assessed to revenue or held revenue-free.

Powers of Officers.

24. Chapter IX is new. It deals with the powers of Assistant Commissioners, Settlement Officers and Assistant Settlement Officers, and is to some extent founded on sections 234 and 235 of Act XIX of 1873.

Appeals. Arbitration.

25. Chapter X deals with appeals, and Chapter XI with references to arbitration. Both are new. The latter is to a large extent taken from Act XIX of 1873.

Patwáríś.

26. In section 208 it is provided that the Chief Commissioner may make rules respecting the appointment of Patwáríś. This is not intended to preclude the free discussion of the claim of the taluqdárs to make such appointments, which is still under the consideration of the local authorities.

27. The publication directed by the Rules for the conduct of legislative business has taken place; but the Bill has been so altered that we think it should be re-published, with this report, in the *Gazette of India*, and also in the local Gazette, and that its further consideration should be stayed for two months.

JOHN INGLIS.
R. H. DAVIES.
A. HOBHOUSE.
E. C. BAYLEY.
T. C. HOPE.
F. R. COCKERELL.

SIMLA:
The 22nd July 1876.

No. II.

THE OUDH LAND REVENUE BILL, 1876.

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A Bill to consolidate and define the law relating to Land Revenue in Oudh.

Whereas it is expedient to consolidate and define the law relating to land-revenue in Oudh; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Oudh Land Revenue Act, 1876":

Local extent. It extends only to the territories now under the administration of the Chief Commissioner of Oudh;

Commencement. And it shall come into force on the passing thereof.

But all rules now in force and relating to any of the matters hereinafter dealt with shall, so far as they are consistent with this Act, continue in force until they are superseded by rules made in exercise of the powers hereinafter conferred.

Interpretation-clause. **2.** In this Act, unless there be something repugnant in the subject or context—

"Incumbrance." (1) "incumbrance" means a charge upon or claim against land arising out of contract between private persons:

"Agricultural year." (2) "agricultural year" means a year commencing on the first day of July and ending on the thirtieth day of June:

"Revenue officer." (3) "revenue officer" means any officer empowered to dispose of any matter under this Act:

"Revenue-free." "Free of revenue." (4) "revenue-free" or "free of revenue" applies to land whereof the revenue has been wholly or in part released, compounded for, redeemed or assigned.

CHAPTER II.

REVENUE OFFICERS.

Chief Controlling Revenue Authority in revenue matters. **3.** The Chief Controlling Revenue Authority in all matters connected with land-revenue in Oudh shall be the Chief Commissioner.

Commissioners of Division. **4.** Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner shall—

(*a*) appoint in each Division a Commissioner, who shall, subject to the control of the Chief Commissioner, exercise authority over all the Revenue Officers in his Division:

Deputy Commissioner of the District. (*b*) appoint in each district an officer who shall be the Deputy Commissioner of the District:

Assistant Commissioner. (*c*) appoint to each district as many other persons as he thinks fit to be Assistant Commissioners of the first or of the second class.

Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner may suspend or remove any officer appointed under this section.

Subordination of Assistant Commissioners and other Revenue Officers.

5. All such Assistant Commissioners, and all other persons employed in maintaining revenue-records or otherwise in or about the business of the land-revenue, shall be subordinate to the Deputy Commissioner of the District.

Assistant Commissioner in charge of Sub-division of District.

6. The Chief Commissioner may place any Assistant Commissioner of the first class in charge of one or more Sub-divisions of a District, and may at any time remove him therefrom.

Such Assistant Commissioner shall be called an Assistant Commissioner in charge of a Sub-division of a District, and shall exercise the powers and discharge the duties conferred and imposed upon him by this Act or by any other law for the time being in force, subject to the control of the Deputy Commissioner of the District.

The Chief Commissioner may, from time to time, delegate his powers under this section to the Deputy Commissioner of the District, and may revoke such delegation.

Power to invest certain Assistant Commissioners with powers of Deputy Commissioner.

7. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer on any Assistant Commissioner in charge of a Sub-division of a District all or any of the powers of a Deputy Commissioner; and all powers so conferred shall be exercised subject to the control of the Deputy Commissioner of the District.

Subordination of Revenue Officers.

8. Every officer of a Sub-division of a District employed in maintaining revenue-records or otherwise in or about the business of the land-revenue shall be subordinate to the Assistant Commissioner (if any) in charge of such Sub-division, subject to the general control of the Deputy Commissioner of the District.

Conferring of powers.

9. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer upon any person all or any of the powers of an Assistant Commissioner of the first or of the second class, and may, in conferring those or any other powers under this Act, empower persons by name, or classes of officials generally by their official titles,

Power to vary and cancel orders conferring powers.

and may vary or cancel any order conferring powers under this Act.

Transfer of cases to subordinates.

10. The Deputy Commissioner of the District, or any Assistant Commissioner in charge of a Sub-division of a District, may make over any case, or class of cases, arising under the provisions of this Act or otherwise, for enquiry or decision, from his own file to any of his subordinates competent to deal with such case or class,

or may withdraw any such case, or class of cases

Power to withdraw cases from subordinates.

from any Revenue Officer subordinate to him, and may deal with such case or class himself, or refer the same for disposal to any other such Revenue Officer competent to deal therewith.

Deputy Commissioner of the District in case of temporary vacancy.

11. If the Deputy Commissioner of the District dies, or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the District in revenue matters shall be held to be the Deputy Commissioner of the District under this Act until the Chief Commissioner appoints a successor to the Deputy Commissioner so dying or disabled, and such successor takes charge of his appointment.

Powers of officers transferred to another district.

12. Whenever any person holding an office in the service of Government, who has been invested with any powers under this Act in any District, is transferred to an equal or higher office of the same nature within another District, he shall, unless the Chief Commissioner otherwise directs, be held to be invested with the same powers in the District to which he is so transferred.

Appointment of Tahsíldárs.

13. Tahsíldárs shall be appointed by the Chief Commissioner, subject to such rules as to qualification or otherwise as the Chief Commissioner may from time to time make under section 208.

CHAPTER III.

SETTLEMENT.

Notification as to settlement.

14. Whenever the Chief Commissioner thinks that any District or other local area liable to be brought under settlement should be so brought, he shall, with the previous sanction of the Governor General in Council, publish a notification to that effect.

Notification as to settlement record.

And if he thinks that a settlement record should be prepared for any District or other local area, he shall, with the like sanction, publish a notification to that effect.

Chief Commissioner to issue rules as to mode of assessment.

15. The Chief Commissioner shall, from time to time, with the previous sanction of the Governor General in Council, frame and issue rules regarding the mode in which the revenue demand in respect of any local area is to be assessed; and may from time to time make rules prescribing the manner in which Settlement Officers shall report for sanction the rates and method of assessment and the amounts they propose to assess.

Settlement record.

16. The Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what documents shall form the settlement-record, and frame and issue rules regarding (*a*) the mode in which such record is to be prepared, (*b*) the facts to be therein entered, and (*c*) the manner in which the entries shall be attested.

The Chief Commissioner may from time to time, with the same sanction, alter such rules.

Presumption as to entries in settlement record.

17. Every entry in such settlement record duly made and attested shall, until the contrary is proved, be presumed to be a correct record of the fact entered.

Settlement to be deemed in progress until closing notified.

18. Every local area shall be held to be under settlement from the date of any notification published under section 14, and relating thereto, until the issue of another notification declaring settlement operations to be closed therein.

Settlements now in progress brought under operation of Act.

Every local area under settlement at the time of the passing of this Act shall be held to be under settlement within the meaning of this section without the issue of either of the notifications prescribed by section 14.

Appointment and powers of Settlement Officers.

19. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, appoint an officer to be in charge of the settlement of any local area and as many Assistant Settlement Officers as the Chief Commissioner thinks fit; and such officers shall exercise the powers conferred on them respectively under this Act so long as such area is under settlement.

Power to invest Settlement Officers with powers of Civil Courts in certain cases.

20. In any local area in which a settlement of the land-revenue is in progress, the Chief Commissioner, with the previous sanction of the Governor General in Council, may by order confer on any officer making or controlling such settlement the powers of a Civil Court of any specified grade for the purpose of trying suits and appeals, or any specified class of suits and appeals, relating to property in land assessed or assessable to revenue, in such District, and may revoke any such order; and so long as such order remains in force the jurisdiction of the Civil Courts of the same grade shall be excluded in respect of such suits and appeals.

Power to transfer cases from Settlement Officers to Civil Courts.

21. Notwithstanding the existence of any such order, the Chief Commissioner may from time to time direct that any cases pending before the Settlement Officers invested with the powers mentioned in section nineteen, shall be transferred to the ordinary Civil Courts of the District if the state of business in his opinion requires such transfer.

Trial of suit relating to land and to other property.

22. If a suit relating as well to such land as other property be instituted before any officer so invested, he shall make a reference regarding the disposal of such suit to the Commissioner of the Division in which the District wherein the suit was instituted is included, who shall determine by what Court the suit shall be tried.

Powers of Settlement Officers as to erection of boundary-marks and decision of disputes.

23. When any local area is under settlement, the Settlement Officer shall have power to call upon all proprietors, by proclamation to be stuck up in some conspicuous place in each village, to erect within fifteen days such boundary-marks as he may think necessary to define the limits of their villages, mahals or fields; and in default of their compliance within the time specified in the notice, he may cause such boundary-marks to be erected, and he shall recover the cost of such erection from the proprietors as if it were an arrear of land-revenue.

In case of dispute concerning any boundary-marks, the Settlement Officer shall decide such dispute on the basis of possession, or may refer it to arbitration, for decision on the merits as provided for in sections 192 to 203, both inclusive.

Power of Settlement and Survey Officers to do necessary acts.

24. All Settlement Officers, and all officers in charge of a survey made in connection with the revenue, and their assistants, servants, agents and workmen, may do all acts necessary for any purpose connected with the settlement or survey, as the case may be.

Power to require attendance of persons concerned, and production of documents.

25. The Settlement Officer may order all persons whose presence is, in his opinion, necessary for any of the purpose of this chapter, to attend at any specified time and place, and to produce any written document in their possession or power; and all such persons shall be legally bound to obey such order.

With whom settlement to be made.

26. The settlement shall be made in the case of a taluqdárí mahál with the taluqdár, and in the case of other mahals with the proprietor of the mahál;

or if there are two classes of proprietors, superior and inferior, with either of such classes as the Chief Commissioner directs,

or if the taluqdár or proprietor has transferred possession of his mahál to a mortgagee or conditional vendee, then with such mortgagee or vendee.

Settlement of estate in possession of lunatic or minor.

If, at the time of settlement, a mahál, or any share thereof, be in the possession of a lunatic, minor or other person incapable of making a contract, the settlement shall be made on his behalf with his guardian or with the manager of his property.

Power to make joint settlement with several proprietors or their elected representatives.

27. When several persons are in possession of a mahál, not being a taluqdárí mahál, the Settlement Officer shall have power to make a joint settlement with all such persons, or with their representatives.

Framing and reporting general proposals of assessment.

28. The Settlement Officer shall, in accordance with the rules made under section fifteen, frame general proposals of assessment for any local area or any portion thereof regarding which a notification has been published under the first clause of section fourteen, and shall report such proposals through the Commissioner of the Division to the Chief Commissioner.

Detailed assessment and declaration thereof to persons concerned.

29. After the receipt of the orders of the Chief Commissioner thereon, and subject to such orders, the Settlement Officer shall ascertain the amount of the assessment proper for each mahál in such area, and shall declare the same to the person with whom the settlement of such mahál is to be made.

If any mahál in any such area comprise two or more villages, or portions of villages, the Settlement Officer shall declare the assessment due on each of such villages or portions of villages, together with the aggregate amount of the assessment proper in his opinion for the whole mahál.

Such declaration shall be made on a date to be notified by proclamation at the tahsil in which such mahál is situate.

30. If the persons with whom the settlement of such mahál is to be made agree to the assessment so proposed, they and those (if any) whom they represent in interest shall become liable from the date of such agreement, or from such subsequent date as the Chief Commissioner directs, to pay such assessment in respect of such mahál.

Effect of agreement to assessment proposed.

and in a mahál in which the land, or part of the land is held in severalty, the Settlement Officer shall distribute such assessment on the lands so held.

Distribution of assessment.

31. In any mahál where, by the established custom, the land or the amount of revenue payable by each co-sharer is subject to periodical re-distribution or re-adjustment, the Settlement Officer may, on application of one or more of the co-sharers, enforce such re-distribution or re-adjustment according to such custom.

Enforcement of custom as to re-distribution of land and adjustment of revenue of shares.

32. If the person to be settled with be a taluqdár and such taluqdár refuse to accept the assessment offered by the Settlement Officer in respect of his entire taluqá, or in respect of any portion thereof, or if, within thirty days from the date of the declaration by the Settlement Officer under section 29, such taluqdár fail to accept such assessment, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner.

Exclusion of taluqdár declining or failing to accept settlement.

The Chief Commissioner, after hearing and considering the reasons which the taluqdár may have to urge against the assessment, may direct that the taluqdár so refusing or failing be excluded from the settlement of his entire taluqá, or of any portion thereof, for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner shall fix; and the Settlement Officer or Deputy Commissioner shall either farm the taluqá or any portion thereof or hold it under direct management during such term, or any part thereof: provided that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council.

33. If a taluqdár be excluded from the settlement of any portion of his taluqá, and if such portion be held in sub-settlement by an under-proprietor, the farm of such portion shall be offered to such under-proprietor on such terms as the Chief Commissioner may in each case direct.

Offer of farm to under-proprietor.

34. If such under-proprietor accept the assessment so offered, the taluqdár so excluded shall be entitled to an allowance out of the profits of such portion to be fixed by the Chief Commissioner not exceeding the share of the gross assets, if any, to which he would have been entitled had he accepted the assessment.

Allowance to excluded taluqdár.

In other cases, the taluqdár so excluded shall (subject to the orders of the Chief Commissioner) be entitled to an allowance out of the profits of such portion of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

35. In a mahál other than a taluqdárí mahál, if the person to be settled with refuse to accept the assessment offered by the Settlement Officer, or fail to accept such assessment within thirty days from the date of the declaration by the Settlement Officer under section 29, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner,

Exclusion of person declining or failing to accept settlement in a mahál.

and the Chief Commissioner may direct that the person so refusing or failing be excluded from the settlement for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner thinks fit,

and the Settlement Officer or the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either farm the mahál or hold it under direct management during such term or any part thereof.

In such case the person so excluded shall be entitled (subject to the orders of the Chief Commissioner) to an allowance out of the profits of the mahál, of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

Allowance to person excluded.

36. If in a mahál held on a pattídárí or imperfect pattídárí tenure any of the co-sharers refuse or fail within thirty days from the date of the declaration by the Settlement Officer under section 29 to accept the proposed assessment, the shares of such co-sharers shall be dealt with under the provisions of section 35, and they shall receive an allowance, as provided in that section, in proportion to their respective shares in the mahál.

Procedure in case of some of several proprietors refusing assessment.

If the Settlement Officer farms any share in such mahál, the farm of such share shall be offered in the first instance to those co-sharers who have accepted the proposed terms.

Farm of shares of proprietors refusing.

37. Any proprietor excluded from settlement under sections 35 and 36 shall be entitled to hold as a tenant with a right of occupancy so much of the land in the mahál actually cultivated by him as the Settlement Officer may determine, and the rent to be paid by such proprietor for such land during such exclusion shall be fixed by the Settlement Officer at the rate which would have been paid by a tenant-at-will for the said land less four annas in the rupee.

Adjustment of rent of the sir land of proprietors of mahál farmed under section 35 or 36.

38. The aggregate amount of any allowance assigned under section 35 or section 36 to any proprietor of a mahál who has been excluded from settlement, and of the difference between the rent fixed under section 37, and the rent which he would be liable to pay if he were a tenant-at-will,

Amount of allowance assigned under section 35 or 36 to excluded proprietor, and of difference between rent fixed under section 37, and rent payable by him if he were a tenant-at-will.

shall not be less than five or more than fifteen per cent. on the amount proposed by the Settlement Officer to be assessed on such mahál.

39. On the expiration of the term fixed under section 32 or section 35, the settlement of such mahál portion, or share comprised therein shall be offered by the Deputy Commissioner to the person then entitled to be settled with in respect of such mahál portion or share, at such assessment for the remainder of the term of settlement of the District as the Chief Commissioner may direct.

Offer of settlement to excluded proprietor on expiry of term of exclusion.

And if such person refuse to accept the offer, the Deputy Commissioner shall report such refusal through the Commissioner of the Division to the Chief Commissioner, and such person may be excluded from settlement for such period not exceeding the term of the settlement of the District, as the Chief Commissioner may direct, and the provisions of sections 32 to 38 (both inclusive) shall, so far as may be applicable, apply to his case.

Procedure on refusal.

40. The Settlement Officer shall, in accordance with the provisions of the Oudh Sub-settlement Act, 1866, so far as they are applicable, determine the rent to be paid to the proprietor by all under-proprietors in a mahál and by all holders of heritable, non-transferable leases, whose rent has not been fixed by contract.

Determination of rent payable to proprietor.

When the rent is so determined the co-sharers may at their option agree with the Settlement Officer that the rent shall be paid either by them collectively or by one of them on behalf of himself and the others. Whenever, whether before or after the passing of this Act, rent payable by such under-proprietors or lessees has been determined by a Settlement Officer, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

Nothing in this section applies to rent payable by a tenant with a right of occupancy.

41. All land shall be deemed liable to be charged with the payment of revenue to Government, unless some competent authority has declared it exempt from such payment. And no length of occupancy of any land, nor any grant of land made by the proprietor, shall release such land from such liability.

Saving of liability for Government revenue.

42. The Settlement Officer shall enquire into the case of all lands released, conditionally or for a term, from the payment of revenue, and shall assess such lands if it appear to him that the conditions have been transgressed or the term has expired.

Inquiry into cases of land released from payment of revenue.

43. Every settlement shall be made subject to confirmation by the Governor General in Council.

Confirmation of settlement.

44. The Governor General in Council shall, at some time before confirming the settlement, fix the period for which the settlement is to be made. Such period shall be fixed with reference to the agricultural year.

Period for which settlement is to be made.

45. The assessment of any mahál may be revised at any time before it is confirmed by the Governor General in Council, and in such case the revised assessment shall be proposed to the proprietors of such mahál, and the provisions of sections 23 to 40 (both inclusive) shall apply.

Revision of assessment before confirmation.

Alteration of assessment during the currency of a Settlement.

46. The Deputy Commissioner shall enquire annually into the cases of all land released from the payment of revenue conditionally, or for a term, or for the life of the grantee.

Annual enquiry as to revenue-free grants.

If the condition be broken, he shall report the case through the Commissioner of the Division to the Chief Commissioner for orders,

and if the term has expired, or (where the grant is for the life of the grantee) if the grantee has died, the Deputy Commissioner shall assess the land comprised therein, and shall report his proceedings through the Commissioner of the Division to the Chief Commissioner for sanction.

47. All land added by alluvion to a mahál is liable to assessment. Such land may be assessed and settled under rules to be framed under section 208.

Assessment of land added by alluvion.

48. Where such land is held by an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such rent shall be increased proportionately to the increase of revenue effected by such assessment.

Proportionate increase of rent payable by under-proprietor.

49. Where for any cause the revenue assessed on a mahál has, by order of the Chief Commissioner, been reduced or been wholly or in part remitted or suspended, and the land on account of which the revenue has been so reduced, remitted or suspended is in the possession of an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such under-proprietor or lessee shall be entitled (where the revenue has been reduced or remitted) to a proportionate reduction or remission of the rent payable by him in respect of such land, or (where the revenue has been suspended) to a suspension of the payment of such rent for the time during which the revenue has been so suspended.

Proportionate reduction or remission of rent payable by under-proprietor or lessee.

50. Assessments under sections 46 and 47 shall be made by the Deputy Commissioner in the same manner and with the same powers as if he were an officer in charge of a settlement.

Deputy Commissioner to have powers of officer in charge of settlement.

51. At any time during the currency of a settlement, the Chief Commissioner may, with the previous sanction of the Governor General in Council, invest any officer with all or any of the powers of an officer in charge of a settlement under this Act within such limits, and with such restrictions, and for such period as he thinks fit;

Power to invest officer with Settlement Officer's powers.

but not so as to enable him to enhance the total amount of revenue payable on account of any

mahál except in respect of land added thereto or becoming liable to payment of revenue since the confirmation of the settlement.

Resumption of rent-free grants.

Liability of rent-free grants to resumption.

52. All grants (whether in writing or otherwise) by proprietors or the persons whom they represent of land to be held exempt from the payment of rent are hereby declared to be liable to resumption, unless such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner.

Grants under certain instruments.

53. Provided that grants of land held under a written instrument (whether executed before or after the passing of this Act) by which the grantor expressly agrees that the grant shall not be resumed, shall be held valid against him (but not as against his representatives after his death) during the continuance of the settlement of the District in which the land is situate which was current at the date of the grant.

Application for declaration of such liability.

54. Proprietors wishing to resume grants made by themselves or the persons whom they represent shall apply by petition to the principal Court of original civil jurisdiction of the District in which the land is situate for a declaration of the liability of the grant to resumption.

The Court shall cause notice of such application to be served on the grantee, and shall fix a day for hearing his objections (if any) to the declaration; and thereupon, after considering such objections (if any), may either dismiss the application with or without costs to be paid by the applicant, or declare that the grant is liable, in whole or in part, to resumption.

Exemptions from sections 52, 53 and 54.

55. Nothing in section 52, section 53, or section 54 applies to either of the following cases:—

(*a*) where land is held rent-free under a judicial decision;

(*b*) where previously to the passing of this Act, land held rent-free has been acquired for a valuable consideration and the right to resume it has been barred by the law of limitation.

Rent of land declared liable to resumption.

56. The amount of rent payable in respect of land which has been declared by a Civil Court liable to resumption shall, when the district in which the land is situate is under settlement, be determined by the Settlement Officer and in every other case by the Deputy Commissioner of the District.

CHAPTER IV.

REGISTRATION, INCLUDING THE PREPARATION AND MAINTENANCE OF REVENUE RECORDS.

Lists and registers to be prepared by Deputy Commissioner.

57. The Deputy Commissioner of the District shall, on the basis of the settlement record, and in accordance with such rules as the Chief Commissioner from time to time prescribes in this behalf, prepare the following lists and registers:—

The pargana register.

(*a*) A list of all the villages in each pargana or tahsíl of his District;

The málguzárí register.

(*b*) A list of all the revenue-paying maháls in each pargana or tahsíl, shewing the revenue assessed on each mahál, and the name of the person responsible for its payment whether as sole proprietor or as lambardár;

The khewat.

(*c*) A register of all the co-sharers in each mahál with the nature and extent of the interest of each co-sharer;

Register of sub-settled maháls with khewat.

(*d*) A register of all maháls in which the rent of any under-proprietor or lessee has been fixed by the Settlement Officer, the names of all the co-sharers in such maháls, together with the nature and extent of the interest of such co-sharers.

Register of under-proprietary and other tenures.

(*e*) For each mahál a list—

(1) of all under-proprietors and lessees whose rent has been so fixed, and of all tenants with a right of occupancy, with the nature and extent of the interest of each such person, and the rent (if any) which he is liable to pay therefor,

(2) of all other persons (if any) holding land free of rent, or revenue free.

Register of revenue-free tenures.

(*f*) A register—

(1) of all land in his District held revenue free, with the names of the holders, and the conditions of the grant under which they hold,

(2) of all land declared by competent authority to be waqf or nazul, or the property of the State.

The málikána register.

(*g*) A register of all maháls on which a málikána allowance has been sanctioned by competent authority, with the names of the persons entitled to such allowance, the amount of such allowance, and the conditions under which it was given.

Register of jungle-grants.

(*h*) A register of all jungle-grants, the names of the grantees, and the conditions of the grants.

Correction of errors in settlement record.

58. In the preparation of the said lists and registers, the Deputy Commissioner shall correct any errors in the settlement records which the parties interested admit to have been made therein; and any dispute arising regarding any entry in such record shall be investigated and decided on the basis of actual possession; and all persons not in possession, but claiming the right to be so, shall be referred to a Court of competent jurisdiction, except where the claim is founded on the decision of such Court, and in such case the entry shall be in accordance with such decision.

Deputy Commissioner to keep the lists and registers.

59. The Deputy Commissioner shall keep and maintain the said lists and registers,

and he shall from time to time cause to be registered all events and transactions affecting any of the rights or interests recorded in the said registers, to such extent as the Chief Commissioner may from time to time prescribe.

Forms of lists and registers.

60. The Chief Commissioner shall prescribe the forms in which the lists and registers mentioned in section 57 are to be prepared,

and the manner in which, the persons by whom, and the occasions on which, the alterations referred to in section 58 and section 59 are to be recorded.

Power to prescribe fees for mutations.

61. The Chief Commissioner may prescribe proper fees for alteration in the lists and registers formed under the said rules: Provided that no fee for a single alteration shall exceed one hundred rupees.

Such fee shall be levied from the person in whose favour the mutation is made, and shall be expended in such manner as the Chief Commissioner thinks fit.

Levy of fees.

Fees how spent.

Notice of transfer of possession.

62. All persons obtaining the possession of land or the profits thereof, whether by succession, purchase or other form of transfer, as proprietors or under-proprietors, or as lessees whose rents have been fixed by a Settlement Officer, or as mortgagees, shall give notice of the same immediately after it has taken place to the tahsíldár of the tahsíl in which the mahál to which such land belongs is situated, or to the Deputy Commissioner of the District.

If the notification be made to the tahsíldár, that officer shall report such notice to the Deputy Commissioner.

Enquiry as to truth of transfer.

63. The Deputy Commissioner on receiving such notice or report shall make such enquiry as the Chief Commissioner may from time to time prescribe to ascertain the fact of the alleged transfer of the property, and if the transfer appears to have taken place, he shall, subject to the rules framed by the Chief Commissioner under section 208, record the same in the appropriate register:

Provided that no such entry shall be held to affect the rights of any other person who may claim and establish in any Court of competent jurisdiction any interest in the land to which the entry has reference.

Notification in case of minority or other disqualification.

64. If the person so succeeding is a minor or otherwise under disability, the guardian or other person who has charge of his property shall give the notice required by section 62.

Fine for neglect to notify.

65. Any person neglecting to give the notice prescribed in section 62 within three months from the date of the occurrence of the fact to be notified, shall be liable, at the discretion of the Deputy Commissioner, to a fine not exceeding five times the amount of the fee which would otherwise have been payable under section 61.

Power to put one party in possession in certain cases of dispute.

66. If in the course of enquiry made under section 63, a dispute regarding the possession of the property arises, and the Deputy Commissioner is unable to satisfy himself as to which party is in possession, he shall ascertain by summary enquiry who is the person *primâ facie* entitled to the property and shall put such person in possession, and make the necessary entry in the record accordingly, subject to any order that may be subsequently passed by the Civil Court.

Registry of transfers of interests in land other than those referred to in section 62.

67. When any person obtains possession of land or of the profits thereof, for any interest other than those referred to in section 62, the transfer of such possession shall be recorded by the Kánúngo and patwárí in such manner as the Chief Commissioner from time to time directs;

Enquiry in disputed cases.

and all disputed cases shall be reported to the Deputy Commissioner or Assistant Commissioner, who shall make such enquiry as may be necessary to ascertain the fact of the alleged transfer, and cause the record to be amended accordingly.

Inspection of registers.

68. All registers prepared under the preceding sections of this chapter shall be deemed to be public documents and the property of Government, and shall be open to public inspection at such hours and on such conditions as to fees or otherwise as the Chief Commissioner may from time to time prescribe.

CHAPTER V.

PARTITION AND UNION OF MAHALS.

Partitions.

69. Partition is either perfect or imperfect.

'Perfect partition.'

'Perfect partition' means the division of a mahál into two or more maháls, severally responsible for the revenue assessed on each.

'Imperfect partition.'

'Imperfect partition' means the division of any mahál, or of any portion of a mahál, into two or more portions jointly responsible for the revenue assessed on the whole mahál.

Persons entitled to perfect partition.

70. Any recorded co-sharer in a mahál and any person in whose favour a decree has been passed by any Civil Court, awarding to him the proprietary right in a portion of a mahál, whether such portion consists of a fractional share in the whole or a part of the mahál, or of specific lands, is entitled to claim perfect partition of his share.

Any two or more recorded co-sharers may claim that their shares be divided from the other shares by a perfect partition, and be held by them as a single mahál.

If any recorded co-sharer be under disability, the person in possession of his property shall, for the purpose of this section, be deemed to be a recorded co-sharer.

Application for perfect partition.

71. Applications for perfect partition are to be made in writing to the Deputy Commissioner of the district in which the mahál is situated;

and shall be accompanied by a certified copy of the record, showing the share held by the applicant in the mahál:

Provision as to estates situated in more than one district.

Provided that, if the mahál be situated in two or more districts, the application may be made in any one of those districts, and the partition shall be made by such one of the Deputy Commissioners of those districts as the Chief Commissioner any direct.

72. The Deputy Commissioner, on receiving an application for partition shall, if the application be in order and not open to objection on the face of it, publish a notification of the same at his office, and at some conspicuous place in the mahál to which the application relates,

Notification of application.

and shall serve a notice on all such of the recorded co-sharers in the mahál as have not joined in the application, requiring any co-sharer in possession who may object to the partition to appear before him to state his objection, either in person or by a duly authorized agent, on a day to be specified in the notice, not less that thirty, or more than sixty, days from the date on which such notice was issued.

Notice to co-sharers not joining.

73. Where, from any cause, notice cannot be personally served on any co-sharer, the notification so published shall be deemed sufficient notice.

Notification when alone sufficient.

74. If, on or before the day so specified, any objection is made to the partition by any co-sharer in possession, and the Deputy Commissioner, on a consideration of such objection, is of opinion that there is any good and sufficient reason why the partition should be absolutely disallowed, he may refuse the application, recording the grounds of his refusal.

Power to refuse partition when objection admitted.

75. If the objection raises any question of title, or of proprietary right, which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner may either decline to grant the application until the question in dispute has been determined by a competent Court, or he may proceed to enquire into the merits of the objection.

Procedure if question of title be raised.

In the latter case the Deputy Commissioner after making the necessary inquiry and taking such evidence as may be adduced, shall record a proceeding declaring the nature and extent of the interests of the party or parties applying for the partition, and any other party or parties who may be affected thereby.

The procedure to be observed by the Deputy Commissioner in trying such cases shall be that laid down in the Code of Civil Procedure for the trial of original suits, and he may, with the consent of the parties, refer any question arising in such case to arbitration, and the provisions of chapter VI (relative to arbitrators) of the same Code shall apply to such references.

Procedure in such cases.

Reference to arbitration.

76. All orders and decisions passed by the Deputy Commissioner under the last preceding section, for declaring the rights of parties, shall be held to be decisions of a Court of civil judicature of first instance, and shall be open to appeal under the provisions of the Oudh Civil Courts Act.

Deputy Commissioner's decision equivalent to decision of Civil Court.

Appeal thereupon.

Upon such appeal being made, the appellate Court may issue a precept to the Deputy Commissioner, desiring him to stay the partition, pending the decision of the appeal.

Appellate Court may stay partition.

77. When it has been decided to make a partition under this chapter, the Deputy Commissioner shall either give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he shall make the partition himself or cause it to be made by any Assistant Commissioner subordinate to him, and when made by an Assistant Commissioner, it shall be reported to the Deputy Commissioner for his confirmation.

Option to make partition themselves or to appoint arbitrators.

78. If arbitrators are appointed, the provisions of sections 192 to 203, both inclusive, shall apply.

Partition by arbitrators.

In making a partition, arbitrators shall not be bound by the provisions of sections 81 to 84 both inclusive; but they shall deliver a full and complete paper of partition, specifying the separate mahâls into which they propose that the mahál shall be divided; the names of the parties to whom the several mahâls are proposed to be allotted, and the amount of land revenue which in the opinion of the arbitrators should be assessed on each of such mahâls.

79. In making partitions, the Deputy Commissioner, and any person appointed by him, shall have the same powers to enter on the land under partition, for marking out the boundaries, surveying the mahál, and other purposes, as are conferred on Settlement Officers under this Act.

Power to enter on land for purposes of partition.

80. When a Deputy Commissioner has decided that a partition shall be made, he may, with the sanction of the Commissioner, hold the mahál under direct management, pending the completion of the partition.

Power to hold mahál under direct management, pending partition.

The provisions of the law in force for the time being, for the management of mahâls held under direct management for arrears of revenue shall be applicable to mahâls, the management of which is assumed under this section.

The collections of the mahál shall be applied to the payment of the Government revenue, and, after defraying the expenses of management and any other expenses with which the mahál is chargeable, the residue shall be divided amongst the recorded co-sharers in proportion to their respective shares at such periods as the Deputy Commissioner may see fit.

81. Where there are no lands held in common, the lands held in severalty by the applicant for partition shall be declared a separate mahâl, and shall be separately assessed to the Government revenue.

Partition of lands held only in severalty.

82. Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of such lands in accordance with village custom, if any such exist.

Partition of lands some of which are held in common.

If no such custom exist, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the common lands.

83. The portion of the common lands falling by such partition to the share of the applicant shall be added to the land held by him in severalty, and the mahâls thus formed shall be assessed and declared separate mahâls.

Formation of separate mahâls from shares allotted in partition.

84. In making partitions under this Act, the Deputy Commissioner shall give effect to any transfer of lands held in severalty and forming part of the mahál, which has been agreed to by the parties, previous to the declaration of the partition.

Transfers to be effectuated in making partition.

85. Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the mahál.

Partition where all lands are held in common.

86. In all cases each mahál shall be made as compact as possible: Provided that, except with the sanction of the Chief Commissioner, no partition be disallowed solely on the ground of incompactness.

Estate to be compact.

87. If in making the partition it be necessary to include in the mahál assigned to one sharer, the land occupied by a dwelling-house or other building in the possession of another co-sharer, such other co-sharer shall be allowed to retain it, with the buildings thereon (if any) on condition of his paying a reasonable ground-rent therefor to the sharer into whose portion it may fall.

Rule when dwelling-house of one sharer is included in mahál assigned to another.

The limits of such land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

88. Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

Rules as to tanks, wells, water-courses and embankments.

Where, from the extent, situation or construction of such works, it is found necessary that they should continue the joint property of the proprietors of two or more of the mahâls into which the mahál may be divided, the Deputy Commissioner shall determine the extent to which the proprietors of each mahál may make use of the said works, and the proportion of the charges for repairs of such works to be borne by such proprietors respectively, and the manner in which the profits, if any, derived form such works, shall be divided.

89. Places of worship and burial-grounds, held in common previous to the partition of a mahál, shall continue to be so held, unless the persons who so held them otherwise agree among themselves.

Rules as to places of worship and burial-grounds.

In such cases they shall state in writing the agreement into which they have entered, and such writing shall be filed with the record.

90. In all cases whether partition has been made by arbitrators or otherwise, the amount of revenue to be paid in respect of each portion of a mahál partitioned under this chapter shall be determined by the Deputy Commissioner, provided that the aggregate revenue payable in respect of the new mahâls shall not exceed the revenue assessed on the mahál immediately before partition;

Determination of revenue payable by each division of a mahál.

and the proprietor of each new mahál shall be held liable for the portion of the revenue assessed on his mahál, whether a new engagement be taken from him or not.

Liability of proprietors.

91. If at any stage of any proceedings under this chapter there appears to be any reason for stopping the partition, the Deputy Commissioner may of his own motion, or on the report of the Assistant Commissioner making the partition, stay the partition and order the proceedings to be quashed.

Power to stay partition.

92. A partition, whether made by the Deputy Commissioner himself or otherwise, shall not be deemed to be complete unless the Deputy Commissioner has made an order confirming it.

Order confirming partition.

On making such order, he shall publish a notification of the fact at his office and at some conspicuous place in each of the new mahâls,

Notification of order.

and the partition shall take effect on and from the first day of July next after the date of such notification.

Partition when to take effect.

93. An appeal against the decision of the Deputy Commissioner confirming a partition, shall lie to the Commissioner of the division within one year from the date on which such partition takes effect.

Appeal to Commissioner from orders of Deputy Commissioner.

94. Where the land-revenue is fraudulently or erroneously distributed at the time of the partition, the Chief Commissioner may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the land-revenue upon the several mahâls into which the mahál has been divided, on an estimate of the assets of each mahál at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

Power to order new allotment of revenue on proof of fraud or error in first distribution.

95. Imperfect partition shall be carried out according to the provisions of sections 70 to 93 (both inclusive) so far as they are applicable: Provided that no application for imperfect partition shall be entertained unless the consent of recorded co-sharers holding in the aggregate more than one moiety of the property of which partition is sought be first obtained.

Making of imperfect partitions.

96. No Civil Court shall entertain any suit or application for perfect or imperfect partition.

Civil Courts barred from entertaining applications for partitions.

97. All imperfect partitions and all partitions perfect or imperfect of under-proprietary mahâls hitherto made, shall be deemed to have been made under the provisions of this Act.

Previous imperfect partitions and partitions of under-proprietary mahâls.

98. If two or more revenue-paying mahâls have originally formed portions of the same village, the proprietor shall be entitled to have such mahâls united and to hold them as a single mahâl.

Union of mahâls originally part of same village.

99. Every application for the union of such mahâls shall be made in writing to the Deputy Commissioner of the district in which the mahâls are situate.

Application for such union.

If the Deputy Commissioner see no objection, he shall comply with the application, and cause the necessary entries to be made in the register of his office, reporting the case to the Commissioner of the division.

Application how dealt with.

100. The provisions of this chapter, so far as they are applicable, may be applied by order of the Deputy Commissioner to the partition or union of mahâls held free of revenue.

Partition or union of revenue-free mahâls.

101. The partition of taluqdârî and under-proprietary mahâls and of mahâls held by lessees whose rent has been fixed by the Settlement Officer, shall be carried out accordingly to the provisions of sections 70 to 94 (both inclusive), so far as they are applicable.

Partition of taluqdârî and under-proprietary mahâls.

(*a*) In the partition of taluqdârî mahâls, all mahâls, whether under-proprietary or held by lessees whose rent has been fixed by the Settlement Officer shall, if practicable, be assigned to one or other of the new taluqâs to be formed by the partition;

Assignment of inferior mahâls.

(*b*) if any such mahâl cannot be assigned in whole, the assignment shall be made by thoks, pattîs or other existent sub-divisions;

(*c*) and if no other satisfactory arrangement can be made, such mahâl shall be partitioned;

(*d*) in cases in which one portion of any such mahâl is assigned to one taluqâ and another portion to another taluqâ, each portion shall be deemed a separate mahâl, the joint responsibility of the co-sharers being limited to such portion.

102. Whenever a partition of a mahâl in respect of which rent is payable is effected under this Act, the amount of rent to be paid in respect of each portion shall be determined by the Deputy Commissioner, and the person to whom such rent is payable may present an application in writing to the Deputy Commissioner objecting to the distribution of the rental over the several parts into which the mahâl has been divided, and praying that such objection may be heard and determined; and his objection shall be heard and determined, and the Deputy Commissioner shall record his reasons for such determination.

Objection to distribution of rental.

CHAPTER VI.

MAINTENANCE OF BOUNDARIES.

103. The Deputy Commissioner and his subordinates shall have power to enter upon and survey land, and to demarcate the boundaries of mahâls, villages and fields.

Power of Deputy Commissioner to enter and survey.

104. All owners of mahâls, villages or fields, are bound to maintain and keep in repair at their own cost the boundary-marks lawfully erected thereon.

Obligations of owners as to boundary-marks.

105. Any person convicted before a Deputy Commissioner of wilfully erasing, removing or damaging any such boundary-mark, may be ordered by the convicting officer to pay such sum not exceeding fifty rupees for each mark so erased, removed or damaged, as may be necessary to defray the expense of restoring such mark, and of rewarding the informer (if any) through whom the conviction was obtained.

Payment for erasing, removing or injuring marks.

106. Whenever the person erasing, removing or damaging any such mark cannot be discovered, or if for any other reason the sum which he has been so ordered to pay cannot be recovered, the mark shall be re-erected or repaired at the charge of the owner or owners of such one or more of the conterminous field or mahâls as to the Deputy Commissioner seems fit.

Who is to be charged for re-erection and repair when offenders not discoverable.

107. The Deputy Commissioner may decide, on the basis of possession, all disputes concerning boundaries, and may at any time direct the owners of mahâls villages or fields, by written notice served upon them,

Powers of Deputy Commissioner as to boundary disputes and boundary-marks.

(*a*) to cause proper boundary-marks to be erected in such mahâls, villages or fields,

(*b*) to repair the boundary-marks lawfully erected in such mahâls, villages or fields.

108. In default of compliance with such direction within fifteen days from the date of the service of the notice, the Deputy Commissioner shall cause such boundary-marks to be erected or repaired, as the case may be, and shall charge the cost of such erections or repairs to the owners of the conterminous mahâls, villages or fields in such proportion as he thinks fit.

Power to erect or repair boundary-marks.

CHAPTER VII.

COLLECTION OF THE LAND-REVENUE.

109. In the case of every mahâl the entire mahâl shall be charged with, and all the proprietors jointly and severally shall be responsible to Government for the revenue for the time being assessed on the mahâl.

Responsibility of proprietors of mahâl for land-revenue.

The term "proprietors" shall, for the purposes of this chapter, include all persons in possession for their own benefit.

110. The Chief Commissioner may, from time to time, make rules as to the instalments in which, and the persons, places and times to whom, and at which, the revenue payable in respect of any land shall be paid.

Chief Commissioner may make rules as to payment of revenue.

111. Until the issue of such rules the said revenue shall be paid in the instalments, to the persons, and at the times and places in which, to whom, and at which, it is now paid.

Payment until issue of rules.

112. Any sum not so paid becomes thereupon an arrear of revenue, and the proprietor responsible for it becomes a defaulter.

Effect of non-payment.

No interest shall be demanded on any arrear of land-revenue.

113. If the settlement of any land has been made with a lambardár, and if there be an arrear of revenue due in respect of such land, both the lambardár and the co-sharers of the mahâl from which the arrear is due shall be deemed defaulters.

Defaulters in case of settlements with lambardárs.

114. A statement of account certified by the tahsîldar shall, for the purposes of this chapter, be conclusive evidence of the existence of the arrear, of its amount, and of the person who is the defaulter.

Evidence of arrear.

115. When an arrear of land-revenue has accrued, a writ of demand or summons to appear may issue, calling on the defaulter to pay the amount within a time therein stated.

Writ of demand.

116. At any time after an arrear of land-revenue becomes due, such officer as the Chief Commissioner from time to time empowers in this behalf, may arrest the defaulter and detain him in custody for fifteen days, unless the arrear, together with the costs of arrest, is sooner paid.

Arrest and detention of defaulter.

117. If the arrear be not paid within fifteen days, and no good reason for the non-payment is shown, the Deputy Commissioner may issue an order to the jailor of the civil jail of the district, directing him to confine the defaulter therein as a civil prisoner until the arrear is paid, or until the expiration of such period, not exceeding six months from the date of the order, as the Deputy Commissioner thinks fit; and such person shall be confined according to the terms of such order:

Imprisonment in civil jail.

Provided that no person exempted under the law for the time being in force from personal attendance in the Civil Courts, no taluqdár and no female, shall be subject to arrest or imprisonment under this and the preceding section.

118. The Deputy Commissioner may, whether the defaulter has been arrested and imprisoned or not, order the attachment and sale of so much of his moveable property as will, as nearly as may be, defray the arrear.

Attachment and sale of moveables.

Nothing herein contained shall authorize the attachment and sale of articles set aside exclusively for the use of religious endowments: or, in the case of an agriculturist, of instruments of husbandry and of cattle *bonâ fide* kept for the cultivation of his land, or in the case of an artisan, of his tools, nor of any other articles exempted by the law for the time being in force from sale in execution of decrees of Civil Courts.

119. Every attachment and sale ordered under the preceding section shall be conducted according to the law in force for the time being, for the attachment and sale of moveable property under the decree of a Civil Court.

Conduct of sale.

120. When an arrear of land-revenue has become due in respect of a share, pattî or mahâl, the Deputy Commissioner may in addition to, or instead of, the processes hereinbefore specified, cause such share, pattî or mahâl to be attached and taken under the direct management of any agent whom he appoints for that purpose.

Property may be attached and taken under direct management.

The agent so appointed shall stand, for the purpose of managing the property so attached, in the position of the person for whose default it was attached;

Powers and obligations of agent.

and shall be bound by all the liabilities of such person to any under-proprietors, lessees whose rent has been fixed by a Settlement Officer, or tenants with rights of occupancy;

and shall be entitled to manage such property and to receive all rents and profits accruing thereon to the exclusion of the person for whose default it was attached,

until the arrears of land-revenue due therefrom have been satisfied, or until the Deputy Commissioner directs him to restore the person whose interest has been attached to the management thereof.

121. All surplus profits of the property so attached after defraying thereout any instalment of land-revenue that may become due during such management, and the cost of such attachment and direct management, shall be applied to discharging the arrear of revenue on account of which it was ordered.

Application of surplus profits.

And no such management shall continue after such arrear has been discharged as aforesaid, and any surplus remaining after payment of the charges mentioned in the first clause of this section shall be handed over to the proprietor.

Termination of management.

122. If an arrear of land-revenue has become due in respect of the share of any member of a village community, such community, or any member thereof, may tender payment of such arrear, or may offer to pay such arrear by instalments.

Transfer of share of defaulter to solvent co-sharers.

If such tender be made, or if the Deputy Commissioner considers such offer satisfactory, the Deputy Commissioner may transfer the share of the defaulting member to the community or member making the tender or offer on such terms as the Deputy Commissioner thinks fit, and either for a term of years, or until such arrear is paid.

In case of conflicting tenders or offers under this section, the co-sharer who, in case the share were sold, would have a right of pre-emption under section 9 of the Qudh Laws Act, shall be preferred.

123. If such share is so transferred until the arrear is repaid, and if the arrear is not repaid within twelve years from the date of the transfer, the community or member to whom the share has been so transferred, may apply in writing to the Deputy Commissioner

When transfer of share is to become absolute.

to publish a notification that, if the arrear is not paid within one year from the date thereof, such transfer will become absolute.

The Deputy Commissioner shall publish such notification accordingly, and if the arrear is not repaid before the expiration of one year from the date of the notification, the transfer to such community or member shall become absolute.

124. The procedure prescribed in the two preceding sections shall not affect the joint liability of the co-sharers of the mahál.

Procedure not to affect joint liability of co-sharers.

125. When any arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner is of opinion that the processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of, any such process, report, through the Commissioner of the division, the matter to the Chief Commissioner, and the Chief Commissioner may thereupon order the existing settlement of such pattí or mahál to be annulled.

When settlement may be annulled.

The provisions of this section shall not be put in force for the recovery of any arrear of land-revenue which may have accrued on land,

Exception of certain arrears.

(*a*) while attached under section 120, or

(*b*) while in charge of the Court of Wards.

126. When the settlement of any pattí or mahál has been annulled under the last preceding section, the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either manage the land by himself or an agent, or let it in farm to any person willing to accept the same, for such term and on such conditions as may be approved by the Chief Commissioner:

When settlement has been annulled, the Deputy Commissioner may manage the land himself, or by agent, or let it in farm.

Provided that the term for which a pattí or mahál may be so managed or let be not longer than fifteen years from the first day of July next after the date of such annulment.

And no interest in or right to such pattí or mahál, or any part thereof, created or assigned by any person who, immediately before the annulment of the settlement, was in possession of the whole or any part of the land comprised therein, or by any person through whom he claims, shall, during the continuance of such term, be binding on the Deputy Commissioner or his agent or lessee.

Suspension of contracts.

127. When the Deputy Commissioner attaches any land under section 120, or when the settlement of any land has been annulled under section 125, he shall make public proclamation thereof on the mahál.

Proclamation of attachment or annulment of settlement.

And he may realize all arrears of rent becoming due in respect of such land by under-proprietors or Officer, as if they were arrears of land-revenue.

128. No payment made after such proclamation on account of rent or other profit of the land so attached, or of which the settlement has been so annulled to any person other than the Deputy Commissioner or his agent or lessee, shall be credited to the person making such payment, or relieve him from liability to payment to the Deputy Commissioner, his agent or lessee.

Payments thereafter to defaulter not to discharge payer.

129. No payment made to the defaulter in anticipation of the usual period for the payment of rents, shall, without the special sanction of the Deputy Commissioner, be credited to the person making the same in account with the Deputy Commissioner, or with his agent or lessee.

Payments to defaulter in anticipation of due date.

130. When any land has been let in farm under section 126 any balance due by the lessee as such may be recovered from him or his surety (if any) as if it were an arrear of revenue.

Recovery of balance due by farmer.

131. Whenever the settlement of any portion of a mahál is annulled under section 125, the joint responsibility of the co-sharers of the mahál for the revenue of such portion subsequently becoming due, shall be in abeyance until a new settlement of such portion is made under section 132.

Suspension of responsibility of co-sharers for revenue of portion of mahál as to which settlement is annulled.

132. After the expiration of the period for which any land has been managed or let in farm under section 126, the Deputy Commissioner shall offer to the person entitled to be settled with under section 26 a new settlement, on such conditions as the Chief Commissioner may direct, for the remainder of the term of the settlement of the district; and if such person refuse such offer, the Deputy Commissioner may (with the previous sanction of the Chief Commissioner) either manage the land by himself or an agent, or let the same in farm, under the provisions of sections 30 to 38, both inclusive.

Offer of settlement to proprietor on expiry of period for which land is managed or farmed.

133. When an arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner of the district is of opinion that the other processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of all or any such other processes, and subject to the provisions next hereinafter contained, and with the previous sanction of the Chief Commissioner, sell by auction the pattí or mahál in respect of which such arrear is due:

Power to sell land to recover revenue-arrears.

Provided that no pattí or mahál shall be sold—

(*a*) for any arrears of land-revenue which may have become due in respect thereof while it was under the management of the Court of Wards, or held under the provisions of the Oudh Taluqdárs' Relief Act, or when the proprietor or under-proprietor thereof was, at the time the arrear accrued, a female deemed by the Chief Commissioner incompetent to manage her estate, a minor, an idiot, or a lunatic;

(*b*) for any arrears of land-revenue which may have become due while it was under attachment under section 120; or

(*c*) for any arrears of land-revenue which may have become due while it was under direct management by the Deputy Commissioner, or in farm by

any other person under sections 32, 35, 126, or 132.

134. Land sold under the last preceding section shall be sold free of all incumbrances,

Land to be sold free of incumbrances.

and all grants and contracts previously made by any person other than the purchaser in respect of such land shall become void as against the purchaser at the auction-sale.

Grants and contracts void against purchaser.

Nothing in the former part of this section applies to leases of lands at fair rents, for the erection of dwelling-houses or manufactories, or for mines, gardens, tanks, canals, places of worship or burying grounds.

Exceptions.

135. The Chief Commissioner may, notwithstanding anything contained in section 134, at any time before a sale of land for arrears of revenue has been actually made, direct it to be made subject to such of the interests in or rights to such land created by the proprietor in possession thereof, or any person through whom he claims, as the Chief Commissioner thinks fit.

Power to direct sale to be made subject to incumbrances.

When the proceeds of a sale so made are not equal to the arrears due at the time of sale, the Chief Commissioner may, at any time before the Commissioner of the Division has confirmed the sale, direct it to be cancelled and a new sale of the land to be made under section 134.

Power to cancel restricted sale and re-sell under section 134.

136. If the arrear cannot be recovered by any of the above processes, and the defaulter is in possession of any other immoveable property, the Deputy Commissioner may proceed against such other property, as if it were the land on account of which the revenue is due under the provisions of this Act:

Power to proceed against defaulter's other immoveable property.

Provided that no interest save those of the defaulter alone, shall be so proceeded against, and no incumbrances created or contracts entered into by him in good faith shall be rendered invalid by such proceeding.

137. On the receipt of the sanction of the Chief Commissioner to the sale of any land, the Deputy Commissioner of the district shall issue a proclamation, in the vernacular language of the district, of the intended sale, specifying the time and place of sale,

Procedure in effecting sale.

and (when the land to be sold is a mahál or part of a mahál paying revenue to Government) the revenue assessed upon it, together with any other particulars he may think necessary.

138. When the land is sold for arrears of revenue due in respect thereof, the proclamation shall declare that the land is to be sold free of every incumbrance except the leases mentioned in section 134, and except the interests and rights, if any, referred to in the first paragraph of section 135.

Contents of proclamation.

The particulars of such leases, interests and rights shall be given in the proclamation.

Such proclamation shall be made at the headquarters of the tahsíl in which the land is situate, and also in the village of which it is a part.

139. A written notice of the intended sale and of the time and place thereof shall be affixed in the office of the Deputy Commissioner of the district, and where the Assistant Commissioner in charge of the sub-division in which the land is situate has a separate office, then also in such office, and a copy of such notice shall be served on the defaulter.

Notification of sale.

140. Every sale under this chapter shall be made either by the Deputy Commissioner of the district in person or by an Assistant Commissioner specially appointed by him in this behalf.

Sale by whom to be made.

No such sale shall take place on a Sunday or other authorized holiday, or until after the expiration of at least thirty days from the date on which the said notice thereof has been affixed in the office of the Deputy Commissioner of the district, and proclamation of the sale has been made in the village in which the land is situate.

Time when sale may be made.

The Deputy Commissioner of the district may, from time to time, postpone the sale, reporting such postponement to the Commissioner of the division.

141. If the defaulter pay the arrear of revenue in respect of which the land is to be sold at any time before the day fixed for the sale, to the person appointed by Government under section 110, to receive payment of the revenue assessed on such land, or to the Deputy Commissioner of the district, or the Assistant Commmissioner in charge of the sub-division of the district, the sale shall be stayed.

When sale may be stayed.

142. The person declared to be the purchaser shall be required to deposit immediately twenty-five per cent. on the amount of his bid, and in default of such deposit the land shall forthwith be again put up and sold.

Deposit by purchaser.

Re-sale in default of deposit.

143. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the sale of the land took place, or, if the said fifteenth day be a Sunday or other authorized holiday, then on the first office day after such fifteenth day;

Purchase-money when to be paid.

and in default of payment within such period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold.

Resale in case of default.

144. If the proceeds of the sale which is eventually made be less than the price bid by such defaulting purchaser, the difference shall be leviable from him under the rules contained in the Code of Civil Procedure for the execution of a decree for money.

Liability of purchaser for loss by re-sale.

145. No re-sale under section 143 in default of payment of the purchase-money shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale.

Notification before re-sale.

146. At any time within thirty days from the date of the sale, application in writing may be made to the Commissioner of the Division to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it.

Application to set aside sale.

147. No sale shall be set aside on such ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake complained of.

When sale may be set aside.

148. After the expiration of the said thirty days, if no such application as is mentioned in section 146, has been made, or if such application has been made and rejected, the Commissioner of the Division shall make an order confirming the sale;

Order confirming or setting aside.

and if such application be made and allowed the Commissioner shall make an order setting aside the sale.

Every order made under this section shall be final.

149. If no such application be made within the time allowed by section 146, all claims founded on the irregularity or mistake complained of shall, as against the Government, be barred.

Bar of claims against Government.

Nothing herein contained shall preclude the institution of a suit in a Civil Court for the purpose of setting aside a sale on the ground of fraud.

150. Whenever the sale of any land is set aside, the purchaser shall be entitled to receive back his purchase-money, with or without interest, at such rate not exceeding six per cent. per annum, as the Commissioner of the Division thinks fit.

Refund of purchase-money when sale set aside.

151. After a sale of land in respect of which an arrear of revenue is due has been confirmed in manner aforesaid, the Deputy Commissioner of the District shall, unless the purchase has been made subject to a right of some other person to possession, put the person declared to be the purchaser into possession of the land, and shall grant him a certificate, to the effect that he has purchased the land to which the certificate refers, and such certificate shall be deemed to be a valid transfer of such land, but need not be stamped or registered as a conveyance.

On confirmation of sale, purchaser to be put in possession.

If the land has been sold on account of an arrear of revenue due in respect thereof, the certificate shall also either state that the purchaser has purchased the land to which the certificate refers free of every incumbrance other than the leases mentioned in section 134, or shall specify the incumbrances subject to which the land has been sold.

152. The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

Bar of suit against certified purchaser.

153. When a sale of land has been confirmed under section 148, the proceeds of the sale shall be applied in the first place to defraying the expenses of sale and to the payment of any arrears due in respect of such land at the date of the confirmation of such sale and recoverable as an arrear of land-revenue,

Application of proceeds of sale.

and the surplus (if any) shall be paid to the person whose land has been sold;

or, if the land sold were held in shares, then to the co-sharers collectively, or according to the amount of their recorded interests, at the discretion of the Deputy Commissioner of the District.

154. Such surplus shall not (except under an order of a Civil Court) be payable to any creditor of the person whose land has been sold, nor shall it (except under a like order) be retained in the Government treasury.

Surplus not to be paid to creditors, nor retained by Government except under order of Court.

155. The person named in the certificate of title as purchaser of any land shall be liable for all instalments of land-revenue becoming due in respect of such land subsequently to the date of the confirmation of the sale.

Liability of purchaser for revenue.

156. Where any land sold under section 133 is a pattí of a mahál, any recorded co-sharer, not being himself in arrear with regard to the revenue due in respect of such land, may, if the lot has been knocked down to a stranger, claim to take the said land at the sum last bid:

Pre-emption by co-sharers when land sold is a pattí of a mahál.

Provided that such claim be made on the day of sale, and before the officer conducting the sale has left the office for the day, and provided that the claimant fulfil all the other condtions of the sale.

157. Whenever proceedings are taken under this chapter against any person for the recovery of any arrear of revenue, he may pay the amount claimed under protest to the officer taking such proceedings,

Payment under protest and suit for recovery.

and upon such payment the proceedings shall be stayed,

and (subject to the pecuniary limitations prescribed by law) the person against whom such proceedings were taken may sue the Government for the amount so paid in any Civil Court situate in the district where such proceedings were taken;

and in such suit, the plaintiff may, notwithstanding section 114, give evidence of the amount which he alleges to be due from him.

158. Any proprietor or under-proprietor of a mahál or portion of a mahál, that is attached, transferred, held under direct management, farmed or sold under the provisions of this Act, who may, at the date of the order of such attachment, transfer, direct management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner may determine, and the rent to be

Proprietor of mahál when to be deemed a tenant with right of occupancy.

paid by him for such land shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

159. Whenever a mahál or pattí is held in sub-settlement, or under a heritable, nontransferable lease, the rent payable under which has been fixed by the Settlement Officer, and the rent of such mahál or pattí falls into arrear, the proprietor may, instead of suing the defaulter under Act No. XIX of 1868, apply in writing to the Deputy Commissioner requesting him to realize such arrear.

Assistance to recover rent of mahál held in sub-settlement.

The Deputy Commissioner shall, on receipt of such application, satisfy himself as to the existence of such arrear, and shall then, subject to such rules as may from time to time be made in this behalf by the Chief Commissioner, proceed to recover such arrear as if it was an arrear of revenue.

160. If the term for which any settlement has been made expires before a new settlement is made, all persons with whom a settlement has been made, who continue after the expiration of such term to occupy the land comprised in the expired settlement shall, until a new settlement is made, hold the said land upon the conditions of the expired settlement.

Tenure of land under expired settlement until new settlement is made.

161. The provisions of this Act with regard to the recovery of arrears of revenue shall apply to all arrears of land-revenue and sums of money recoverable as arrears of land-revenue and due when this Act comes into force.

Provisions applied to arrears due at commencement of Act.

CHAPTER VIII.

COURTS OF WARDS.

162. Deputy Commissioners shall, subject to the control of the Commissioner of the Division and of the Chief Commissioner, have the power of a Court of Wards within their respective districts for the superintendence of the persons and property of all persons who may become entitled as proprietors or under-proprietors, or lessees whose rent has been fixed by a Settlement Officer, to any beneficial interest in a mahál or portion of a mahál assessed to the payment of land-revenue or held free of revenue, and who are either disqualified for the management of their own estates or are committed by a Civil Court to the care of the Deputy Commissioner:

Deputy Commissioners to be Courts of Wards.

Provided that the Court of Wards shall not take charge of or administer any beneficial interest in an estate, in which more persons than one have a joint undivided interest, unless all such persons are so circumstanced as to be subject to the Court of Wards.

Bar of jurisdiction in certain cases.

163. Persons shall be held to be disqualified to manage their own estates when they are

Persons when disqualified to manage their estates.

(*a*) females deemed by the Chief Commissioner incompetent to manage their estates,

(*b*) minors,

(*c*) idiots,

(*d*) lunatics,

(*e*) persons who may in the opinion of the Chief Commissioner be otherwise rendered incapable by physical defects or infirmities from managing their estates,

(*f*) persons convicted of a non-bailable offence and disqualified in the opinion of the Chief Commissioner by vice or bad character from managing their estates,

(*g*) persons declared by the Chief Commissioner on their own application to be disqualified from managing their estates.

164. The Deputy Commissioner may make an inquiry into the disqualification of any person, who, he has reason to believe, disqualified within the meaning of section 163, clauses (*b*), (*c*) or (*d*), and into the circumstances and property of any such person, and may make an order declaring him to be subject to the jurisdiction of the Court of Wards.

Inquiry into minority, lunacy, idiocy, &c.

165. The Court of Wards may assume or refrain from assuming the superintendence of the person or property of any disqualified person and may at any time release any person or property from its superintendence: Provided that such person or property has not been placed under the Court of Wards by any competent authority whose order is necessary to his or its release.

Jurisdiction of Court of Wards.

166. If in any case not specially provided for by this or any other law for the time being in force, the right of the Court of Wards to assume or retain the superintendence of the estate of a disqualified person is disputed by such person, the case shall be reported to the Chief Commissioner whose orders thereon shall be final.

Report to Chief Commissioner when right of Court of Wards is disputed by persons other than those specially provided for.

167. The jurisdiction of the Court of Wards shall extend to the care and education, and to the management of the property, of the persons subject thereto.

Extent of jurisdiction.

168. The Court of Wards may appoint managers of the property of disqualified proprietors, and if such proprietors be minors, idiots or lunatics, may appoint guardians for the care of their persons, and may remove and control such managers and guardians.

Appointment, removal and control of guardians.

169. Proprietors may appoint guardians for their heirs, if disqualified, by will executed and attested in manner required in case of Taluqdárs by Act No. I of 1869, and in case of other proprietors by the Indian Succession Act, 1865; but the Court of Wards shall be competent to remove such guardian for any sufficient reason.

Power of proprietors to appoint guardians for disqualified heirs.

170. The Court of Wards may direct where all male minors under its jurisdiction shall reside for the purpose of education or otherwise.

Powers of Courts of Wards as to male minors within its jurisdiction.

171. The manager appointed by the Court of Wards shall have power to collect the rents of the land entrusted to him, as well as all other money due to

Powers of manager.

the disqualified proprietor, and to grant receipts therefor;

and he may, subject to the control of the Court, grant or renew such leases and farms, not being for a longer period than five years, as may be necessary for the good management of the property.

172. The manager shall manage the property committed to him diligently and faithfully for the benefit of the proprietor, and shall in every respect act to the best of his judgment for the proprietor's interest as if the property were his own.

Duties of manager.

173. The Court of Wards shall have power to give such leases or farms of the whole or parts of the immoveable property under its charge, and to mortgage or sell any part of such property, and to do all such other acts, as it may judge to be most for the benefit of the property and the advantage of the disqualified proprietors.

Power of Court of Wards as to land under its charge.

174. Persons whose property is under the superintendence of the Court of Wards shall not be competent to create without the sanction of the Court any charge upon or interest in such property or any part thereof.

Disabilities of persons subject to Court of Wards.

175. No such property shall be liable to be taken in execution of a decree made in respect of any contract entered into any his property is under such such person while superintendence.

Their property exempt from being taken in execution of certain decrees.

176. All disqualified proprietors whose property is in charge of the Court of Wards shall sue and be sued by and in the name of their guardians, where guardians have been appointed; otherwise by and in the name of the Court of Wards.

Suits by and against disqualified proprietors in charge of Court of Wards.

Provided that no such suit shall be maintained or defended by any guardian without the sanction of the Court of Wards.

177. If no such guardian has been appointed, the disqualified proprietors shall sue and be sued by and in the name of the Court of Wards.

Suits by such proprietors when no guardian appointed.

178. Every manager appointed by the Court of Wards shall—

Rules relating to managers.

(*a*) give such security as the Court of Wards thinks fit, duly to account for what he shall receive in respect of the rents and profits of the property for which he is appointed;

(*b*) pass his accounts at such periods and in such form as the Court of Wards directs;

(*c*) pay the balance due from him thereon;

(*d*) apply for the sanction of the Court of Wards to any act which may involve the property in expense not previously sanctioned by such Court;

(*e*) be entitled to such allowance as the Court of Wards thinks fit for his care and pains in the execution of his duties;

(*f*) be responsible for any loss occasioned to the property by his wilful default or gross negligence,

CHAPTER IX.

POWERS OF OFFICERS.

A.—Powers of Assistant Commissioners.

179. An Assistant Commissioner in charge of a sub-division shall as such have the following powers:—

Powers of Assistant Commissioners of the first class.

(*a*) to refer cases for inquiry or decision to his subordinates;

(*b*) to withdraw cases from his subordinates and to deal with them himself, or to refer them for disposal to any other subordinate officer competent to deal with them;

(*c*) to order changes in the proprietary register;

(*d*) to levy fees for mutations;

(*e*) to enquire into cases of reported transfers;

(*f*) to levy fines, under section 65;

(*g*) to declare the person best entitled to property and put him in possession, under section 66;

(*h*) to report on revenue-free holdings, and to assess revenue on resumed grants;

(*i*) to assess alluvial lands;

(*j*) to receive applications for and make partitions under chapter V, of this Act, subject to the confirmation of the Deputy Commissioner of the District.

(*k*) to impose fines for injuries to boundary-marks, and in certain cases apportion the charges of re-erecting and repairing boundary-marks;

(*l*) to call on owners to erect or repair boundaries, and, in default, to erect and repair and charge the cost to owners, and to decide disputes regarding boundaries;

(*m*) to attach and sell moveable property of defaulters, under section 118;

(*n*) to fix under section 158 the area of the land to be held as a tenant with right of occupancy and the rent to be paid for it by proprietors of mahâls which have been attached, transferred, held under direct management, farmed or sold, under the provisions of this Act, for land in their cultivating occupancy;

180. Assistant Commissioners of the first class, not in charge of sub-divisions of districts, shall exercise all or any of the powers conferred on Assistant Commissioners of the first class in charge of sub-divisions, in such cases or class of cases as the Deputy Commissioner of the District may, from time to time, refer to them for disposal.

Powers of Assistant Commissioners of first class not in charge of sub-divisions.

181. All Assistant Commissioners of the second class shall have power to investigate and report on such cases as the Deputy Commissioner of the District or Assistant Commissioner in charge of a sub-division of a district may, from time to time, commit to them for investigation and report.

Powers of Assistant Commissioners of second class.

B.—Powers of Settlement Officers.

182. Officers in charge of a settlement may exercise all the powers conferred by or under this Act on Settlement Officers, and by section ten on the Deputy Commissioner of the District, but none but an officer in charge of a settlement or an Assistant Settlement Officer specially empowered by the Chief Commissioner shall have power—

Powers of officers in charge of a settlement.

(*a*) to frame proposals for assessment;

(*b*) to distribute the assessment;

(*c*) to re-distribute land or revenue under section 31;

(*d*) to determine the rent payable under section 40 by under-proprietors or lessees;

(*e*) to exclude proprietors from settlement for refusal to engage;

(*f*) to adjust the rent of excluded proprietors;

(*g*) to determine under section 56 the rent payable in respect of resumed rent-free tenures;

(*h*) to resume and assess revenue-free land.

183. All other powers conferred on Settlement Officers by this Act shall be exercised by Assistant Settlement Officers, under such restrictions as the officer in charge of a settlement may from time to time impose.

Powers of Assistant Settlement Officers.

184. The Chief Commissioner may with the previous section of the Governor General in Council invest any officer in charge of a settlement with all or any of the powers of a Deputy Commissioner under this Act, and any Assistant Settlement Officer with all or any of the powers conferrible on an Assistant Commissioner under this Act within such limits, and with such restrictions, and for such period as he thinks fit.

Investing of Settlement Officers with powers of Deputy Commissioner and Assistant Commissioner.

CHAPTER X.

APPEALS.

185. Appeals shall lie under this Act as follows:—

Officers to whom appeals lie.

(*a*) to the Chief Commissioner from any order passed by a Commissioner except such orders as are made on appeal from orders passed by Deputy Commissioners in the exercise of their appellate jurisdiction;

(*b*) to the Commissioner from orders, original or appellate, passed by Deputy Commissioners or officers in charge of a settlement in any proceeding held under the provisions of this Act;

(*c*) to the Deputy Commissioner from orders passed by any Assistant Commissioner;

(*d*) to the officer in charge of a settlement from orders passed by an Assistant Settlement Officer.

186. No appeal under section 185, clauses (*c*) and (*d*), shall be brought after the expiration of thirty days from the date of the order complained of.

Limitation of appeals.

No appeal under the same section, clause (*b*), shall be brought after the expiration of six weeks from the date of the order complained of, unless otherwise specially provided.

No appeal under the same section, clause (*a*), shall be brought after the expiration of two months from the date of the order complained of.

187. In computing the period prescribed for an appeal under this chapter, the day on which the order complained of was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

Time to be excluded.

188. Any appeal under this chapter may be admitted after the period of limitation prescribed therefor, when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within such period.

Admission of appeal after period of limitation.

No appeal shall lie against an order under this section admitting an appeal.

189. The officer to whom the appeal lies may either admit or summarily reject the appeal. If he admit the appeal, he may reverse, modify or confirm the order appealed against, or he may direct such further investigation to be made or such additional evidence to be taken as he may think necessary, or he may himself take such additional evidence.

Procedure on admitting appeal.

190. In every case in which an appeal is admitted, the execution of the order appealed may, pending the result of the appeal, be suspended.

Suspension of order appealed against.

191. The Chief Commissioner and every Commissioner shall have power to call for the file of any proceeding held by any officer subordinate to him, and to pass such orders thereon as he thinks fit.

Power to call for files of subordinate officers.

CHAPTER XI.

REFERENCE TO ARBITRATION.

192. The Chief Commissioner, a Commissioner of a Division, a Deputy Commissioner, an Assistant Commissioner of the first class, an officer in charge of a settlement, or an Assistant Settlement Officer may, with the consent of the parties, by order, refer any dispute before him to arbitration; and any officer acting under the provisions of sections 103 to 108, both inclusive, may, with the consent of the parties, refer to arbitration any dispute arising before him respecting the matters mentioned in the same sections.

Power to refer disputes to arbitration.

193. In referring any such dispute to arbitration, the officer making the reference shall specify, in the order of reference, the precise matter submitted to the arbitrators, and such period as he may think reasonable for the delivery of the award;

What to be specified in order of reference.

and he may from time to time extend such period.

194. The parties to the case may each nominate either one or two arbitrators, provided that each party shall nominate the same number;

Appointment of arbitrators.

and a third or fifth arbitrator (as the case may be) shall be appointed by the parties, or, in the event of their being unable to agree, by the officer making the reference.

Power to excuse arbitrator from serving, and to call for nomination of substitute.

195. Every officer making a reference under this chapter may, on good cause shown, excuse any person from serving as an arbitrator, and may call on the party who nominated such person to nominate another in the place of the person so excused.

Nomination of new arbitrator in place of one dying or failing to act.

196. If an arbitrator die, desire to be discharged, or refuse or become incapable to act, the party who nominated him shall nominate another person in his place.

Nomination by officer when parties fail.

197. If in any of the cases provided for by section 195 or section 196 any party fail for a week to nominate in manner aforesaid, the officer making the reference shall appoint some person to act as arbitrator.

Award.

The arbitrators shall determine and award concerning the matters referred to them for arbitration; and the parties disputing, and all persons claiming through them respectively, shall abide by and perform the award of the arbitrators.

Summoning parties to give evidence.

198. If the arbitrators require the presence of the parties, or any other persons whose evidence may be necessary, they shall apply to the officer making the reference, who shall summon such parties or persons;

Obligation of persons summoned.

and all such parties or persons shall be bound to attend, either in person or by agent, as the arbitrators may require, and to state the truth as to the subject-matter of the reference, and to produce such documents and other things as may be required before the arbitrators.

Preparation and submission of award.

199. The award shall be made in writing under the hands of the arbitrators, and shall be submitted by them to the officer making the reference, who shall cause notice to be served on the parties to attend and hear the award.

In what cases award or subject of arbitration may be remitted to arbitrators.

200. The officer making the reference may remit the award or any of the matters referred to arbitration to the re-consideration of the same arbitrators,

(*a*) if the award has left undetermined some of the matters referred to arbitration, or if it determine matters not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of the award.

Grounds on which award may be set aside.

201. No award shall be liable to be set aside except on the ground of corruption or misconduct of all or any of the arbitrators.

Application to set aside.

Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

Decision according to award.

202. If the officer making the reference does not see cause to remit the award or any of the matters referred to arbitration for re-consideration in the manner aforesaid,

and if no application has been made to set aside the award,

or if he has refused such application,

he shall decide in accordance with the award of the majority of the arbitrators,

and shall fix the amount to be allowed for the expenses of the arbitration, and direct by, and to whom, and in what manner, the same shall be paid.

Bar to appeal any suit in Civil Court.

203. Such decision shall not be open to appeal, and shall be at once carried out;

and no Civil Court shall entertain any suit for the purpose of setting it aside or against the arbitrators on account of their award.

CHAPTER XII.

MISCELLANEOUS.

Place for holding Court.

204. Subject to the orders of the Chief Commissioner,

(*a*) a Commissioner may hold his Court at any place within his division that he thinks fit:

(*b*) a Deputy Commissioner, an Assistant Commissioner (whether in charge or not of a sub-division of a district), or an officer in charge of a settlement or Assistant Settlement Officer may hold his Court at any place within the limit of the district to which he is appointed; and

(*c*) a Tahsíldár may hold his Court at any place within the limits of his tahsíl.

Power to summon persons to give evidence and produce documents.

205. The Chief Commissioner and any officer mentioned in the last preceding section shall have power to summon any person whose attendance he considers necessary for the purpose of any investigation, suit or other business before him.

All persons so summoned shall be bound to attend either in person or by authorized agent as such officer may direct,

and to state the truth upon any subject respecting which they are examined or make statements,

and to produce such documents and other things as may be required.

Conduct of proceedings.

206. All proceedings held under the provisions of this Act shall be conducted according to the rules for the time being prescribed under section 208.

Matters excepted from cognizance of Civil Courts.

207. No Civil Court shall exercise jurisdiction over any of the following matters:—

(*a*) the claim of any person to be settled with, or

the validity of any engagement with Government for the payment of revenue, or

the amount of revenue, cess or rate to be assessed on any mahál, or portion of a mahal under this or any other Act for the time being in force: or

the rent to be paid to a proprietor by an under-proprietor or a lessee whose rent has been fixed by the Settlement Officer.

(*b*) any claims connected with or arising out of any process enforced on account of neglect or refusal to accept the assessment or terms of sub-settlement proposed by the Settlement Officer:

(*c*) the formation of the settlement record,

the preparation, signing, or attestation of any of the documents contained therein, or

the notification of settlement:

(*d*) the distribution on partition of the land or allotment of the revenue of a mahál or of the rent of an under-proprietary tenure, or of rent payable by lessees whose rent has been fixed by a Settlement Officer.

(*e*) the determination of the rent to be paid by any person under section 87:

(*f*) claims connected with, or arising out of, the collection of revenue or any process enforced on account of an arrear of revenue, or on account of any sum which is by this or any other Act realizable as revenue other than claims under section 157:

(*g*) claims to set aside a sale for arrear of revenue other than claims under section 149.

In all the above cases, jurisdiction shall rest with the revenue officers only.

Power to make rules for purposes of Act.

208. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make and issue rules consistent with this Act, and relating to the following matters:—

(*a*) the appointment, duties, remuneration, punishment and dismissal of—

(1) tahsíldárs.

(2) lambardárs or representatives of village communities,

(3) kánúngos or superintendents of revenue records,

(4) patwárís or village accountants;

(*b*) for regulating the assessment of land gained by alluvion or the reduction of the assessment of a mahál in consequence of diluvion;

(*c*) the procedure to be followed by any officer or other person who, under any provision of this Act, is required or empowered to take action in any matter;

(*d*) the cases in which, the officers to whom, and the conditions subject to which, orders and decisions given under the preceding sections of this Act, and not expressly provided for as regards appeal shall be appealable;

(*e*) the person by whom, and the time, and manner at or in which, anything for the doing of which provision is hereinbefore made in this Act, shall be done;

(*f*) the form and contents of reports to be furnished by officers required or empowered to take action in any matter, and the period within which such reports shall be furnished;

(*g*) the form and contents of the registers and lists kept under this Act; and

(*h*) the cases in which alone taluqdárí mahals and mahals whether under-proprietary or held by lessees whose rents have been fixed by the Settlement Officer shall be liable to partition under this Act;

(*i*) the costs of partitions under this Act and the persons by whom they are to be paid, and the mode of enforcing such payment against such persons or their shares in the property of which partition has been made;

(*j*) the issue under section 115, of writs of demand or summons to appear, and the costs recoverable from the defaulter, and the officer by whom such writs and summonses shall be issued;

(*k*) and generally to carry out the provisions of this Act.

Penalty for neglecting to appoint patwárís.

209. Where, by any rule framed under the provisions of clause (*a*) of the preceding section, the appointment of patwárís is directed to be made by the landowners of a village, or the landowners are made primarily responsible for enforcing the due submission of such returns as may be prescribed to be kept by patwárís, the neglect or refusal of such landowners to make such appointment or to enforce the submission of such returns shall be punishable with such fine not exceeding fifty rupees, as the Chief Commissioner directs.

Recovery of fines and costs.

210. All fees, fines, costs and other moneys ordered to be paid under this Act, shall be recoverable as if they were an arrear of land-revenue.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following further Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 27th July 1876:—

We, the undersigned Members of the Select Committee to which the Bill to declare and amend the laws to be administered in Oudh was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

From Secretary to Chief Commissioner, Oudh, No. 554, dated 2nd February 1871, and enclosures.
„ Government of Bengal, No. 3304, dated 14th July 1871, and enclosure.
Endorsement by Department of Revenue, Agriculture and Commerce, No. 900, dated 19th September 1872, forwarding—
Letter from Personal Assistant to Chief Commissioner, Oudh, No. 2779, dated 5th August 1872, and enclosures.
From Officiating Personal Assistant to Chief Commissioner, Oudh, No. 133, dated 14th January 1873, and enclosures.
„ Officiating Secretary to Chief Commissioner, Oudh, No. 4478, dated 19th September 1873, and enclosures.
„ Military Department, No. 437J, dated 8th January 1874, and enclosures.
„ Secretary to Chief Commissioner, Oudh, No. 1032, dated 4th March 1875, and enclosures.
„ Secretary to Chief Commissioner, Oudh, No. 3925, dated 21st August 1875, and enclosures.
„ Secretary to Chief Commissioner, Oudh, No. 2707, dated 9th January 1876, and enclosures.
„ Secretary to Financial Commissioner, Panjáb, No. 767, dated 18th July 1873, and enclosures.
„ Officiating Government Advocate, Panjáb, No. 1322, dated 16th July 1874.
„ Officiating Registrar, Chief Court, Panjáb, No. 1215, dated 15th May 1875, and enclosures.

2. We have omitted the chapter relating to minority. So far as relates to Europeans the matter is sufficiently provided for by Act No. XIII of 1874. As to Natives, there seemed some danger that the chapter in question might have interfered undesirably with their customs as to guardianship, minority, and bastardy; and as there is no evidence before us that those customs are either unjust or inexpedient, we thought it best not to touch them in the present measure. Exactly the same course was followed by the legislature when it passed the Panjáb Laws Act, and no inconvenience has been found to result.

3. We have transferred the chapter treating of the Court of Wards to the Oudh Land-Revenue Bill, with certain changes described in the report on that Bill.

4. For reasons similar to those mentioned in paragraph 2 of this report, we have omitted the chapter relating to betrothal. Here, again, we have followed the precedent of the Panjáb Laws Act.

5. We have redrawn the chapter of pre-emption, extending it to foreclosures of mortgages as well as to sales, as is done by the Panjáb Laws Act.

6. The substance of the sections on partitions has been inserted in the Oudh Land-Revenue Bill. We have therefore struck them out of the Laws Bill.

7. We have omitted the sections (46 and 47) as to the bar of certain suits for redemption. They were taken from the Oudh Courts Act: some difference of opinion exists about them; and they should not be inserted in a Bill of which the primary object is to clear up doubts as to what the law really is in Oudh. The Oudh Courts Act remains untouched in this respect.

8. We have also omitted the sections relating to insolvency. This matter will, so far as regards persons arrested or imprisoned in execution of money decrees, be dealt with by the revised Code of Civil Procedure, which will apply to Oudh as to other parts of British India; and, in any case, we think it inexpedient to give Oudh a special law on the subject.

9. We have also omitted the sections relating to intestacy. The procedure which they prescribe can, for the most part, be enforced by executive rules for the disposal of unclaimed property made under the Police Act, V of 1861. Moreover, so far as regards Europeans and East Indians, the necessary rules are already contained in the Administrator General's Act, II of 1874.

10. The retention of the system of trial by jury in civil cases in Lucknow alone, of all places in India, is obviously inexpedient. We have therefore struck out section 61.

11. We have struck out the clause of the Bill requiring Judges of Civil Courts to forward to the Deputy Commissioner certified copies of decrees affecting land.

12. As regards sales of land in execution of decrees, we have altered section 65 of the Bill so as to render unsaleable ancestral property in land without the permission of the Judicial Commissioner, and acquired property in land without the permission of the Deputy Commissioner. This maintains the modification of Act VIII of 1859, section 205, subject to which the Code of Civil Procedure was extended to Oudh in August 1861. We have also declared that in the clause under notice (section 21 of the amended Bill) the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59. This agrees with the Oudh Rent Act, section 109.

13. We have provided (section 22) for the appointment of a person to manage immoveable property under attachment.

14. We have amended (sections 23 and 24) the Oudh Rent Act sections 109 and 118.

15. We have omitted the chapters relating respectively to Escheats and Hidden Treasure. Rules as to the former subject can be made by the Executive and require no legislation. The latter subject will be dealt with by another Bill about to be introduced into the Council of the Governor General, which will apply to the whole of British India.

16. We have also omitted the chapter relating to Cantonments and Military Bázárs. So much doubt exists in the Military Department of the Government of India as to what rules should be made on this subject, that the Committee have thought it best to omit the chapter in question, and rely for the present on the rules contained in Bengal Regulation XX of 1810.

17. We have inserted, at the desire of the Chief Commissioner, a chapter (copied from Act XVI of 1873) dealing with Village and Road Police.

18. In the section relating to the creation of new districts, we have empowered the Chief Commissioner to subdivide districts and to alter the limits of subdivisions.

19. We have repealed sections 10 to 15 of the old Gambling Act, which were extended to Oudh by an executive order. We have also repealed Act XIX of 1863, as its provisions have been inserted in the Oudh Land-Revenue Bill. We have omitted from the schedule of repeals Act III of 1869, as to Rural Police, and sections 29 and 30 of the Oudh Civil Courts Act.

20. From the section (91) corresponding with sections 38 and 39 of the present draft, we have omitted the clause providing for the periodical republication of subsidiary rules.

21. From the second schedule we have omitted Regulation XXIII of 1803, as to fees to defray the expenses of Revenue-offices, and Regulation IV of 1821, as to the powers and duties of Collectors; and Acts I of 1847, as to boundary marks, XXVI of 1854, as to education of Wards, and XXXI of 1858, as to the settlement of alluvion. We have inserted Regulation XX of 1810, as to Military Bázárs, Regulation V of 1817, as to Hidden Treasure, and Regulation XI of 1822, section 38, as to the non-liability of Government for the errors of Courts of Justice.

22. The publication directed by the Rules for the conduct of legislative business has taken place. But the Bill has been so much altered that we think it should be republished, with this report, in the *Gazette of India* and the local Gazette, and that its further consideration should be postponed for two months.

A. HOBHOUSE.
R. H. DAVIES.
E. C. BAYLEY.
A. J. ARBUTHNOT.
JOHN INGLIS.
T. C. HOPE.
F. R. COCKERELL.

SIMLA;
The 22nd July 1876.

No. II.

THE OUDH LAWS BILL, 1876.

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FIRST SCHEDULE.

SECOND SCHEDULE.

A Bill to declare and amend the laws to be administered in Oudh.

Whereas it is expedient to declare and amend the laws to be administered in Oudh; It is hereby enacted as follows:—

Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Oudh Laws Act, 1876."

Short title.

It extends only to the territories for the time being under the administration of the Chief Commissioner of Oudh;

Local extent.

And it shall come into force on the passing thereof.

Commencement.

2. On and from that day, the Regulations, Acts, Rules and Orders mentioned in the first Schedule hereto annexed shall be repealed to the extent mentioned in the third column of the said schedule.

Repeal of enactments.

PART II.

GENERAL LAWS TO BE ADMINISTERED IN OUDH.

3. The law to be administered by the Courts of Oudh shall be as follows:—

Statutory law to be administered in Oudh.

(a) the laws for the time being in force regulating the assessment and collection of land-revenue;

(b) in questions regarding succession, special property of females, betrothal, marriage, divorce, dower, adoption, guardianship, minority, bastardy, family relations, wills, legacies, gifts, partitions or any religious usage or institution, the rule of decision shall be—

(1) any custom applicable to the parties concerned which is not contrary to justice, equity, or good conscience, and has not been by this or any other enactment altered or abolished and has not been declared to be void by any competent authority;

(2) the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, except in so far as such law has been, by this or any other enactment, altered or abolished, or has been modified by any such custom as is above referred to;

(c) the rules contained in the third Part of this Act;

(d) the rules published in the local *Gazette* as provided by section sixty-two or made under any other Act for the time being in force in Oudh;

(e) the Regulations and Acts specified in the second Schedule hereto annexed, subject to the provisions of section four, and to the modifications mentioned in the third column of the same schedule;

(f) subject to the modifications hereinafter mentioned, all enactments for the time being in force and expressly, or by necessary implication, applying to British India or Oudh, or some part of Oudh;

(g) in cases not provided for by the former part of this section, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience.

4. All local customs and mercantile usages shall be regarded as valid, unless they are contrary to justice, equity, or good conscience, or have, before the passing of this Act, been declared to be void by any competent authority.

Validity of local custom and mercantile usages.

PART III.

CHAPTER I.

DOWER AMONG MUHAMMADANS.

5. Where the amount of dower stipulated for in any contract of dower by a Muhammadan is excessive with reference to the means of the husband, the entire sum provided in the contract shall not be awarded in any suit by decree in favour of the plaintiff, or by allowing it by way of set-off, lien or otherwise to the defendant; but the amount of the dower to be allowed by the Court shall be reasonable with reference to the means of the husband and the status of the wife.

Muhammadan dower-contracts how to be enforced.

This rule shall be applicable whether the suit to enforce the contract be brought in the husband's lifetime or after his death.

Rule applicable after husband's death.

CHAPTER II.

PRE-EMPTION.

6. The right of pre-emption is a right of the persons hereinafter mentioned or referred to, to acquire, in the cases hereinafter specified, immoveable property in preference to all other persons.

Right of pre-emption.

7. Unless the existence of any custom or contract to the contrary is proved, such right shall, whether recorded in the settlement-record or not, be presumed—

Presumption as to its existence.

(a) to exist in all village-communities, however constituted, and whether proprietary or under-proprietary, and in the case referred to in section 40 of the Oudh Land-Revenue Act, and

(b) to extend to the village site, to the houses built upon it, to all lands and shares of lands within the village-boundary, and to all transferable rights affecting such lands.

8. The right of pre-emption shall not be presumed to exist in any town or city, or any sub-division thereof, but may be shown to exist therein, and to be exercisable therein by such persons and under such circumstances as the local custom prescribes.

Its existence in towns to be proved.

9. If the property to be sold or foreclosed is a proprietary or under-proprietary tenure, or a share of such a tenure, the right to buy or redeem such property belongs, in the absence of a custom to the contrary,

Devolution of right when property to be sold is part of a village.

1*st*, to co-sharers in the tenure in order of their relationship to the vendor or mortgagor;

2*ndly*, if no relation of the vendor or mortgagor claim the said right to buy or redeem, to the land-owners of the pattí or other sub-division of the tenure in which the property is comprised;

3*rdly*, to any member of the village-community; and

4*thly*, if the property be an under-proprietary tenure, to the proprietor.

10. When any person proposes to sell any property, or when he forecloses a mortgage upon any property, in respect of which any persons have a right of pre-emption, he must give notice to the persons concerned of the price at which he is willing to sell such property, or of the amount due in respect of such mortgage, as the case may be.

Notice to pre-emptors.

Such notice shall be deemed sufficiently given if it be stuck up on the chaupál or other public place of the village or city in which the property is situate.

11. Any person having a right of pre-emption in respect of any property proposed to be sold, shall lose such right, unless within three months from the date of such notice he or his agent pays or tenders the price aforesaid to the person so proposing to sell.

Loss of right of pre-emption.

12. Such decree shall specify a day on or before which the purchase-money shall be paid.

Decree to fix time for payment.

13. If the purchase-money is not paid into Court before it rises on that day, the decree shall become void, and the plaintiff shall lose his right of pre-emption over the property to which it relates.

Effect of non-payment of purchase-money.

14. When the right of pre-emption arises in respect of the foreclosure of a mortgage, any person entitled to such right may, at any time within three months after the giving of the notice required by section ten, pay or tender to the mortgagee or his successor in title the amount specified in such notice and shall thereupon acquire a right to purchase the property.

Right of pre-emptor on foreclosure.

On completion of the purchase the person exercising the right of pre-emption shall be bound to pay to the mortgagee or his successor in title the amount specified in such notice, together with interest on the principal sum secured by the mortgage, at the rate specified by the instrument of mortgage, for any time which has elapsed since the date of the notice, and any additional costs which may have been properly incurred by the mortgagee or his successor in title.

Suit to enforce right of pre-emption.

15. Any person entitled to a right of pre-emption may bring a suit to enforce such right on any of the following grounds (namely)—

(*a*) that no due notice was given as required by section ten;

(*b*) in the case of a sale, that the price stated in the notice was not fixed in good faith;

(*c*) in the case of a mortgage, that the amount claimed by the mortgagee was not really due on the footing of the mortgage and was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged.

If in the case of a sale, the Court finds that the price was not fixed in good faith, the Court shall fix such price as appears to it to be the fair market-value of the property sold.

If in the case of a mortgage, the Court finds that the amount claimed by the mortgagee was not really due on the footing of the mortgage, and that it was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged, the amount to be paid to the mortgagee shall not exceed what the Court finds to be such market-value.

CHAPTER III.

PROCEDURE OF THE COURTS.

(a) Law of Limitation.

Rule of Limitation.

16. The Judicial Commissioner's Circular No. 104 of July 1860, shall be held to have been a notification within the meaning of section twenty-four of Act No. XIV of 1859; and such Act shall be deemed to have been in force in Oudh from the fourth day of July 1862; and all orders and decrees passed under the rules contained in the said circular, or under the said Act, shall be deemed to have been passed under a law in force for the time being.

Nothing in this section affects the provisions of sections 102, 104, 105, 106, 107 and 108 of the Oudh Rent Act (XIX of 1868) with regard to the limitation of suits under that Act.

Act XXXII of 1871, s. 28, to cease in any district where first regular settlement is sanctioned.

17. The provisions of the Oudh Civil Courts' Act, 1871, section 28, shall cease to have effect in any district from the date on which the first regular settlement is sanctioned therein.

(b) Modifications of the Code of Civil Procedure.

Extension of the term 'recognized agent.'

18. Section 17 of Act VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor :—

"The recognized agents of parties by whom such applications and appearances may be made are—

"A permanent servant, partner, relation or friend, whom the Court may admit as a fit person to represent a party, and especially persons holding powers of attorney from absent parties, parties carrying on business on behalf of bankers and traders, managing agents of landlords, nearest male relations of women, and persons *ex-officio* authorized to act for Government or for any prince or chief.

"Whenever the personal appearance of a party to a suit is required by this Act, such appearance may be made by his recognized agent, unless the Court shall otherwise direct; and anything which by this Act is required or permitted to be done by a party in person may be done by his recognized agent. Notices given to, or processes served on, a recognized agent, relative to a suit, shall be effectual for all purposes, in relation to the suit, as if the same had been given to or served on the party in person, unless the Court shall otherwise direct; and all the provisions of this Act, relative to the service of notices or processes on a party to a suit, shall be applicable to the service of notices and processes on such recognized agent."

Modification of sec. 111 of Act VIII of 1859.

19. Section 111 of the same Act shall be construed as if the following clause were added thereto (namely) "Nothing in this section shall be deemed to compel the Court to decide *ex parte* in the absence of the defendant; but if the defendant does not appear, the Court may, in its discretion, attach his property and issue a warrant to arrest and detain him till such day as it appoints for the hearing of the suit."

Rules for taking evidence.

20. Section 172 of Act No. VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor :—

"On the day appointed for the hearing of the suit, or on some other day to which the hearing may be adjourned, the evidence of the witnesses in attendance shall be taken orally in open Court in the presence and hearing and under the personal direction and superintendence of the Judge.

"A note of the essential points of the evidence of each witness is to be taken at the time, and in the course of oral examination, by the officer who tries the case, in his own language, or in English if he is sufficiently acquainted with that language, and such note shall be filed, and shall form part of the record of the case.

"If the evidence be taken down in a different language from that in which it has been given, and the witness does not understand the language in which it is taken down, the witness may require his deposition as taken down to be interpreted to him in the language in which it was given.

"It shall be in the discretion of the Court to take down, or cause to be taken down, any particular question and answer, if there appear any special reason for so doing, or any party or his pleader requires it.

"If any question put to a witness be objected to by either of the parties or their pleaders, and the Court allow the same to be put, the question and the answer shall be taken down, and the objection and the name of the party making it shall be noticed in taking down the depositions, together with the decision of the Court upon the objection.

"The Court shall record such remarks as it may think material respecting the demeanour of the witness while under examination.

"If the Judge be prevented from making a note as above required, he shall record the reason of his inability to do so, and shall cause such note to be made in writing from his dictation in open Court, and shall sign the same, and such note shall form part of the record."

Execution of Decrees.

Execution sale of under-proprietary right.

21. So much of section 205 of the Code of Civil Procedure, as renders land liable to sale in execution of a decree, shall be subject to the following restriction :—

No ancestral property in land shall be sold in satisfaction of a decree without the permission of the Judicial Commissioner; no acquired property in land shall be so sold without the permission of the Deputy Commissioner.

Explanation.—In this section the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59.

Appointment of a person for the care and management of immoveable property.

22. Whenever the Civil Court may think fit under section 243 of the Civil Procedure Code, or any other law in force for the time being, to provide for the management of immoveable property, the Court shall issue a precept to the Deputy Commissioner of the district wherein such property may be situated, directing him to hold the property in attachment, and to appoint a person for the due care and management of the property under adequate security for the faithful discharge of the trust in a sum proportionate to the extent thereof.

The precept of the Civil Court above mentioned shall state specifically the property to be included in the attachment, and the attachment shall not be withdrawn without a further precept from the Court to that effect.

Nothing in this section is to be taken as authorising a Civil Court to direct a Deputy Commissioner to attach immoveable property not in the actual possession of the judgment-debtor, or of some one on his behalf other than a creditor holding the said property as security for a debt due by the said judgment-debtor.

Section substituted for section 109, Act XIX of 1868.

23. The following section is substituted for section 109 of Act XIX of 1868 (The Oudh Rent Act) :—

"The provisions of the Code of Civil Procedure, for the time being in force in Oudh, shall, so far as they are not inconsistent with the provisions herein contained, apply to all suits, appeals and proceedings under this Act."

Section substituted for section 118, Act XIX of 1868.

24. Section 118 of the Oudh Rent Act No. XIX of 1868 is repealed, and the following section is substituted for it :—

No process of execution to issue on a decree after the lapse of three years from date of such decree.

"118. No process of execution shall be issued on a decree under this Act on any application made after the lapse of three years from the date of such decree."

Right of occupancy in judgment-debtor's sir land.

25. Any proprietor or under-proprietor of a mahál or portion of a mahál, which is attached, transferred, held under direct management, farmed or sold under the provisions of the Code of Civil Procedure, who may at the date of the order for such attachment, transfer, management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner shall determine, and the rent to be paid by him for land so determined shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Power to make rules for custody and sale of attached property.

26. With the sanction of the Chief Commissioner, the Judicial Commissioner may from time to time make rules consistent with this Act and with the Code of Civil Procedure,

(*a*) for the custody and sale of moveable property attached in execution of decrees;

(*b*) for the levy of a fee or commission on the sale of attached property, and the disposal of the funds accruing from such fees;

(*c*) as to the appointment and remuneration of persons by whom property is to be attached, kept in custody, and sold; and

(*d*) as to the appointment and remuneration of persons by whom local investigation under section 180, and investigations and adjustments of accounts under section 181, of the Code of Civil Procedure, are to be made.

CHAPTER IV.

OF VILLAGE AND ROAD POLICE.

Appointment of Village Police.

Right of nomination of village policemen.

27. The nomination to the post of village policeman shall be made by the zamíndár of the village, or, where there are more zamíndárs than one, by the lambardár as their representative, and where there are more lambardárs than one, the opinion of the majority (unless there is some special provision to the contrary in the village administration paper) shall prevail.

Obligation to nominate.

28. Every person authorized to nominate to the office of village policeman shall, within fifteen days after the occurrence of a vacancy in such

office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the district.

Discretion to appoint or reject nominee.

29. The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected at discretion by such Magistrate, or by some officer authorized by him in that behalf.

Power to Magistrate to appoint.

30. (*a*).—In default of such nomination within the said fifteen days, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Procedure in case of rejection of nominee.

(*b*).—If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made, but the nominee is again rejected, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Appointment of Road Police.

Appointment of road police.

31. Subject to the rules to be framed under section thirty-seven and for the time being in force, the Magistrate of the district may, from time to time, appoint persons to be the road police of his district.

Duties of Village and Road Police.

Duties of village and road policemen.

32. Every village policeman and every road policeman shall perform the following duties:—

(*a*).—He shall give immediate information to the officer in charge of the police-station appointed for his village or beat,

(1) of every unnatural, suspicious, or sudden death occurring in the village of which he is chaukídár, or within his beat;

(2) of each of the following offences occurring in such village or on such beat (that is to say,) murder, culpable homicide, rape, dacoity, theft, robbery, mischief by fire, house-breaking, counterfeiting coin, causing grievous hurt, riot, harbouring a proclaimed offender, exposure of a child, concealment of birth, administering stupefying drugs, kidnapping, lurking house-trespass, and

(3) of all attempts and preparations to commit, and abetments of, any of the said offences.

(*b*).—He shall keep the police informed of all disputes which are likely to lead to any riot or serious affray.

(*c*).—He shall arrest all proclaimed offenders, and all persons whom he may find in the act of committing any offence specified in paragraph (*a*), clause (2) of this section.

(*d*).—He shall observe, and from time to time report to the officer in charge of the police-station within the jurisdiction of which his village or beat may be situate, the movements of all bad characters in or on such village or beat.

(*e*).—He shall report to the officer in charge of such police-station the arrival of suspicious characters in the neighbourhood.

(*f*).—He shall supply to the best of his ability any local information which a Magistrate or any officer of police may require, and shall promptly execute all orders issued to him by competent authority.

Procedure on arrest by village or road policeman.

33. Whenever a village policeman or road policeman arrests any person, he shall take him as soon as possible to the police-station within the jurisdiction of which his village or beat is situate.

Liabilities of Village and Road Police.

Dismissal of village or road policeman.

34. The Magistrate of the district may dismiss any village policeman or road policeman for any misconduct or neglect of duty.

Acts punishable.

35. Every village policeman and every road policeman guilty of any wilful misconduct in his office, or of neglect of duty, such misconduct or neglect not being an offence within the meaning of the Indian Penal Code,

or withdrawing from the duties of his office without permission, and without having given at least two months' notice of his intention to withdraw from such duties to the persons authorized to nominate or appoint under sections twenty-seven, thirty and thirty-one (as the case may be),

or offering any unnecessary personal violence to any person in his custody,

or violating any of the rules framed under section thirty-seven and for the time being in force,

Penalty.

shall be liable, on conviction before a Magistrate, to a penalty not exceeding three months' pay or to imprisonment for a period not exceeding three months, or to both.

Fines to be credited to such fund as Government appoints.

36. All fines levied under this Act on village policemen or road policemen shall be credited to such fund as the Local Government from time to time appoints.

CHAPTER V.

SUBSIDIARY RULES.

Power to make rules.

37. The Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act as to—

(*a*) the discipline and remuneration of the village and road police and the regulation of their number, location and duties;

(*b*) the entry into cities or towns of bands of armed men;

(*c*) prohibiting bands of foreign vagrants from entering or requiring them to leave any district;

(*d*) the disposal of unclaimed property under Act No. V of 1861 (*for the regulation of Police,*) sections 25, 26, 27;

(*e*) public health and conservancy at fairs and other large public assemblies, and the maintenance of a proper watch and ward at such fairs and assemblies;

(*f*) imposing with the previous sanction of the Governor General in Council taxes for those purposes only;

(*g*) the manner in which records, civil, criminal and revenue, shall be kept; the appointment and removal of the persons entrusted with the custody of records, and all other matters connected with such custody and the destruction from time to time of such records as it may be deemed unnecessary to keep;

(*h*) the appointment, duties, punishment and dismissal of all ministerial officers other than those employed in the Civil Courts and those in respect of whom provision is made in the Oudh Revenue Act.

Publication of rules.

38. All rules made by the Chief Commissioner under section thirty-seven and all rules made by the Judicial Commissioner under section twenty-six shall be published in the local official *Gazette*, and shall thereupon have the force of law.

Rules prescribed in respect of matters for which rules may be made under this Act, to remain in force for twelve months.

39. All rules heretofore prescribed by competent authority in respect of any of the matters for which rules may be made under this Act, shall remain in force for twelve months after this Act comes into force, unless any rules on the same subject are previously issued by the Chief Commissioner or Judicial Commissioner.

Penalty for breach of rules.

40. Whoever breaks any rule made under this Act, shall, on conviction before a Magistrate, be punishable with a fine not exceeding fifty rupees, or imprisonment not exceeding a period of six months, or with both.

CHAPTER VI.

MISCELLANEOUS.

Honorary Civil Jurisdiction.

Power to invest Taluqdárs with civil jurisdiction.

41. The Chief Commissioner may from time to time by notification in the official *Gazette*

(*a*) invest such persons as he thinks fit to be Honorary Assistant Commissioners with the powers of a Civil Court of the first or second grade,

(*b*) declare what shall be in each such case the local limits of the jurisdiction so conferred, and

(*c*) withdraw such jurisdiction.

Honorary Police Officers.

Honorary police officers.

42. The Chief Commissioner may from time to time confer on any person whom he thinks fit any power which may be exercised by a police officer under any Act for the time being in force, and withdraw any power so conferred.

Armed men and Foreign Vagrants.

Bands of armed men.

43. No band of armed men shall enter into any city or town, except with the consent of the Chief Commissioner or of such officer as he may empower in this behalf.

Foreign vagrants.

44. The Magistrate of the district may, if he considers that any band of foreign vagrants is likely to occasion a breach of the peace, or to commit any offence under the Indian Penal Code, prohibit such band from entering his district, or, if they are already in his district, may require them within a given time to leave it.

Procedure when they disobey Magistrate's orders.

45. If any such band fail to comply with the orders of the said Magistrate within the prescribed period, he shall report the matter to the Chief Commissioner, and the Chief Commissioner may give such directions for the supervision, control, or deportation of such band as to him seems fit.

Pasturage of Government lands.

Pasturage of Government lands.

46. No person shall make use of the pasturage or other natural product of any land being the property of the Government, except with the consent of the Chief Commissioner or of such officer as he may empower in this behalf.

Power to create new Districts.

47. The Governor General in Council may by notification in the *Gazette of India* create new Districts in any part of such territories, for any revenue, judicial or other purpose, and may alter the limits of existing Districts.

Power to form Sub-divisions of Districts.

The Chief Commissioner may from time to time divide any District into Sub-divisions, and from time to time alter the limits of such Sub-divisions.

All existing tahsíls shall be Sub-divisions of Districts until they are so altered.

THE FIRST SCHEDULE.

(*See section* 2).

Number and year.	Title.	Extent of repeal.
	All Bengal Regulations now in force in Oudh, except those specified in the second schedule, and, except when expressly provided otherwise in this Act, all rules, Laws and Regulations made for the Province of Oudh, or any part thereof, which have acquired the force of law under the Indian Councils' Act.	
	Government Notification No. 4325 of 6th August 1861.	The whole.
XXI of 1857 ...	Gambling	Sections ten to fifteen.
XIX of 1863 ...	Partition	The whole.
XXXII of 1871 ...	The Oudh Civil Courts Act	Section thirty-one.

THE SECOND SCHEDULE.

(*See section* 3).

PART I.—BENGAL REGULATIONS.

Number and year.	Subject.	Modifications.
XXXIII of 1803 ...	Embezzlement by Native Officers.	In section II, *omit* the first sentence of the second clause, and in the second sentence of the same clause, *omit* "such" and "accordingly." In section III, *for* "Dewanny Adawlut of the Zillah, the Judge of which Court shall detain him" *read* "District, where he shall be detained;" *for* "real or personal" *read* "moveable or immoveable;" *for* "city" *read* "jurisdiction;" *for* "Board of Revenue" *read* "Chief Commissioner." In section IV, *omit* the words "or in either of the cities of Patna, Dacca or Moorshedabad."
X of 1804 ...	Punishment by Courts Martial of certain State offences.	*Omit* section I. In section II, *for* "the British territories subject to the Government of the Presidency of Fort William" *read* "the territories under the administration of the Chief Commissioner of Oudh." In section IV, *omit* "or before any special Court appointed for the trial of such offences under Regulation IV, 1799, and Regulation XX, 1803."

Number and year.	Subject.	Modifications.
XI of 1806 ...	Assistance to troops and travellers passing through Districts.	*Omit* sections I, VII, IX to XX (both inclusive), and so much of the rest of the Regulation as authorises Collectors and their native officers, or Magistrates and their police officers, to give their official aid in procuring coolies for the purpose of facilitating the march of troops or the progress of travellers. *For* "Collectors of Revenue" and "Collector" *read* "Deputy Commissioner" throughout the Regulation. In sections II and III, *for* "the Company's territories" *read* "Oudh." In section II, *omit* the last sentence. In section IV, clause *Third*, *for* "Governor General in Council" *read* "Chief Commissioner." In section V, *omit* "the Company's;" and *for* "Board of Revenue" *read* "Chief Commissioner." In section VI, *for* "Magistrate" *read* "Deputy Commissioner" and *for* "on the part of the Collector" *read* "by the Deputy Commissioner." In section VIII, *for* "the Company's provinces" *read* "Oudh;" and *omit* the words and figures ("under the rules prescribed by Regulation V, 1804.)"
XVII of 1806 ...	Redemption and foreclosure of mortgages.	*Omit* sections I to VI (both inclusive), and in section VII, the first sentence as far as the word "designation" and the concluding sentence. In section VII, *for* "within one year (Bengal Fassily or Willaity according to the era current where the mortgage may take place)" *read* "within one calendar year;" *for* "Zillah or City Court of Dewanny Adawlut" *read* "Deputy Commissioner;" *for* "Dewanny Adawlut of the Zillah or City" *read* "Court of the Deputy Commissioner or other officer having jurisdiction with reference to the value of the subject matter." In section VIII, *for* "preamble and preceding sections" *read* "preceding section;" *for* "Judge of the Zillah or City" *read* "Deputy Commissioner of the District," and *for* "Judge" *read* "Deputy Commissioner."
XX of 1810 ...	Military Bázárs.	
V of 1817 ...	Hidden Treasure ...	In section V, *for* "Board of Revenue" *read* "Chief Commissioner;" *for* "Judge" *read* "Deputy Commissioner." In section VI, *for* "Zillah or City Judge" *read* "Deputy Commissioner." In section VIII, *for* "Judge of the Zillah or City Court" *read* "Deputy Commissioner," and *omit* the words "on the application of the vakeel of Government under instructions from the Board of Revenue." In section IX, *for* "Judges of the Zillah Courts" *read* "Deputy Commissioners."
III of 1818 ...	State Prisoners ...	In section IV, *omit* clause *First*. In the same section, clause *Second*, *for* "Zillah or City Magistrate" *read* "Deputy Commissioner," and *for* "Judge of Circuit" *read* "Commissioner of Division." *Omit* section VIII, and the last twenty-five words of the preamble. In section IX, *for* "to the Provincial Court of Appeal and Circuit and to the Sudder Dewanny Adawlut and Nizamut Adawlut" *read* "and to the Judicial Commissioner."
VI of 1819 ...	Ferries	*Omit* section II.

Number and year.	Subject.	Modifications.
		Omit "or Joint Magistrates," "and Joint Magistrates" and "or Joint Magistrate," wherever they occur. In section I, *for* "subject to the Presidency of Fort William in Bengal" *read* "under the administration of the Chief Commissioner of Oudh," and *for* "Government" *read* "Chief Commissioner." In section III, clause *Second*, *omit* "by the Collectors, under the provisions of Regulation XIX, 1816." In the same section, clause *Third*, *for* "Superintendents of Police" *read* "Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner," and *add* "who shall fix the rates of toll to be levied at such ferries." In section IV, clause *First*, *omit* "for limiting the rates of toll to be levied at each ferry." In section V, *omit* "and in that of the Collector of the District." In section VI, clause *Second*, *for* "Superintendents of Police" *read* "Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner." In section VII, clause *First*, *omit* "they shall fix the rates of toll on a very moderate scale in no case exceeding, without an indispensable necessity, the rates which prevailed previous to the enactment of Regulation XIX, 1816." In the same section, clause *Third*, *for* "Government" *read* "Chief Commissioner," *for* "Bengal Fussily year according to the *era* current in the province" *read* "term of his lease." In the same section, clause *Fourth*, *for* "Magistrate and Collector," *read* "Deputy Commissioner," and *omit* "European." In section X, *omit* "from" and including the words "in the manner" down to the end of the section, and substitute "in the manner prescribed for recovery of arrears of revenue." In section XI, *for* "Magistrates reserve to themselves" *read* "the Chief Commissioner reserves to himself." In section XII, clause *First*, line one, *for* "Magistrate" *read* "Chief Commissioner," and in line four *omit* "said." In section XIII, *omit* the *Second* clause. In section XIV, *omit* the second sentence, and *for* "Superintendents of Police" *read* "Commissioner of Division."
XI of 1822. ...	Non-liability of Government for errors of a Court of Justice.	*Omit* the whole except section thirty-eight.
VI of 1825 ...	Supply of troops on the march.	In the preamble, *omit* the last twenty words. In section IV, *for* "Board of Revenue in whose jurisdiction the district may be situate" and "the Board" *read* "Commissioner." In section V, *omit* "on the stamped paper prescribed for other appeals to the Revenue Boards," and *for* "proper Board" and "the Board" *read* "Commissioner."
XI of 1825 ...	Alluvion and Diluvion ...	*Omit* section I. In section III, *omit* "either" and "or the sea."

Number and year.	Subject.	Modifications.
		In section IV, clause *First*, *omit* "whether" and "or of the sea," and *for* "the provisions of Regulation II, 1819, or of any other Regulation," *read* "any law in force for the time being;" clause *Third*, *omit* "or in the sea" and "or sea;" clause *Fifth*, *omit* "or the sea." In section V, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners."
XX of 1825 ...	Military Courts of Requests	*Omit* sections I, III, and IV and section II, clause *Sixth*. In section II, clause *First*, *omit* from the beginning down to and including "provided that;" and *for* "His Majesty or of the Hon'ble East India Company" *read* "Her Majesty;" and *for* "not within the territories subject to the Presidency of Fort William or at any place within such territories which may be situated above one hundred and twenty miles from the aforesaid Presidency" *read* "within Oudh;" and *for* "a person attached to such body of troops in any of the capacities specified in sections XLV and LX of Statute IV, Geo. IV, cap. LXXXI," *read* "otherwise subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force;" and *omit* "as directed in such cases in the Regulations abovementioned;" and *for* "Act of Parliament" *read* "the Mutiny Act for the time being in force." In the same section, clause *Third*, *for* "Act of Parliament" *read* "Mutiny Act;" and *for* "Magistrate of the Zillah or City" *read* "Deputy Commissioner." In the same section, clause *Fourth*, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners;" and *omit* "of the nature described in section II of Statute IV, Geo. IV, cap. LXXXI," and "under the provisions of the said Act" and "under the provisions of the Regulations hitherto in force."

PART II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Modifications.
XIII of 1857 ...	Opium	In preamble, *after* "the Presidency of Fort William in Bengal" *read* "and the territories under the administration of the Chief Commissioner of Oudh." In section II, *after* "Presidency of Fort William in Bengal," *read* "and the administration of the Chief Commissioner of Oudh." In section III, *omit* "being covenanted servants of the Company."
XL of 1858 ...	Minors	In the title, *for* "the Presidency of Fort William in Bengal" *read* "Oudh." In section II, *for* "estates paying revenue to Government" *read* "mahâls assessed to revenue or held revenue-free."

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, AUGUST 12, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 27th July 1876 :—

We, the undersigned Members of the Select Committee to which the Bill to consolidate and define the law relating to Land-Revenue in Oudh was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Endorsement, Department of Revenue, Agriculture and Commerce, No. 900 $\frac{L. R.}{S}$, dated 19th September 1872, forwarding—

Letter from Personal Assistant to Chief Commissioner, Oudh, No. 2779, dated 5th August 1872, and enclosures.

From Officiating Personal Assistant to Chief Commissioner, Oudh, No. 82, dated 10th January 1873, and enclosures.

From Officiating Secretary to Chief Commissioner, Oudh, No. 5208, dated 10th November 1875, and enclosures.

„ ditto ditto ditto, No. 5686, dated 14th December 1875, and enclosures.

„ ditto ditto ditto, No. 1850, dated 20th April 1876, and enclosures.

„ ditto ditto ditto, No. 1962, dated 28th April 1876, and enclosures.

Note by Hon'ble J. F. D. Inglis, dated 20th June 1876.

„ by Chief Commissioner, Oudh, dated 5th June 1876, and enclosures.

Office Memorandum from Department of Revenue, Agriculture and Commerce, No. 503, dated 11th July 1876, and enclosure.

Preliminary.

2. We have omitted as unnecessary the definitions of 'Chief Commissioner' and 'Estate,' and replaced them by definitions of 'incumbrance,' 'agricultural year,' 'revenue officer' and 'revenue-free.'

Revenue Officers.

3. In Chapter II relating to Revenue-officers, we have made the following changes: For sections 2, 3 and 4 of the Bill as introduced, we have substituted a section (6) declaring that, subject to rules prescribed by the Governor General in Council, the Chief Commissioner shall appoint Commissioners, Deputy Commissioners and Assistant Commissioners. We have authorized the Chief Commissioner to place any Assistant Commissioner of the first class in charge of one or more subdivisions, and to delegate this power to the Deputy Commissioner of the district. We have also empowered the Chief Commissioner, subject to rules prescribed by the Governor General in Council, to invest

any Assistant Commissioner in charge of a subdivision with the powers of a Deputy Commissioner. We think that Deputy Commissioners of the district and Assistant Commissioners in charge of subdivisions should be empowered to transfer cases to, and withdraw cases from, their subordinates, and we have introduced a section (10) for this purpose. We have provided (section 11) for the administration of a district in case of a temporary vacancy in the office of the Deputy Commissioner. We have, lastly, copied from Act XIX of 1873 the useful provision, that when an officer invested with powers in one district is transferred to an equal or higher office in another district, he shall be held to have the same powers in the latter district.

Settlement.

4. Section 14 of the Bill as introduced specified the documents of which the settlement record is to consist. We think it preferable merely to provide that the Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what those documents shall be.

5. We have declared (section 18) that every settlement shall be deemed to be in progress until its closing is duly notified, and that all districts in which settlements are now in progress shall be deemed to be under settlement for the purpose of that section.

6. We have transferred from the Oudh Civil Courts Act (XXXII of 1871) a section (20) empowering the Chief Commissioner to invest Settlement Officers with the powers of Civil Courts in suits relating to revenue-paying land.

7. We have declared (section 26) that in case of a taluqdárí mahál the settlement shall be made with the taluqdár.

8. We have provided (section 31) for the enforcement of the custom of periodical redistribution of land and adjustment of revenue.

9. We have expanded the provisions contained in the Bill as introduced, as to the exclusion of a taluqdár or proprietor refusing to accept settlement. We have provided (section 32) that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council; and we have raised the amount of the allowance to excluded proprietors.

10. We have directed (section 40) the Settlement Officer to determine the rent to be paid to the proprietor by under-proprietors and by holders of heritable, non-transferable leases, (other than tenants with right of occupancy,) whose rent has not been fixed by contract; and we have declared that whenever rent payable by such under-proprietors or lessees has been determined by a Settlement Officer, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

11. We have declared that all land shall be deemed liable to be charged with payment of revenue, and that no length of occupancy shall discharge such liability.

12. We have provided (section 46) for the alteration of assessment during the currency of a settlement, and (section 47) for the assessment of land added by alluvion. We have provided in the case of such land for the increase of a fixed rent in proportion to the increase of revenue effected by the assessment. Where the revenue assessed on a mahál has been reduced, remitted or suspended, we have declared (section 49) that the under-proprietor shall be entitled to a corresponding reduction, remission or suspension.

13. We have declared, in conformity with Regulation XLIV of 1793 and other Regulations of the Bengal Code, that rent-free grants made by proprietors or the persons through whom they claim shall be liable to resumption except when such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner; but we have required proprietors wishing to resume such grants to apply to the Civil Court for a declaration of the right to resume, and we have exempted, wholly or partially, from the operation of these provisions, (*a*) land which the grantor has expressly agreed not to resume, (*b*) land held rent-free under a judicial decision, and (*c*) land held rent-free and acquired before the passing of the proposed Act, where the right to resume has been barred by the law of limitation. We have also provided (section 56) for fixing the rent of land declared liable to resumption.

Registration and the Revenue record.

14. We have provided (section 57), with more particularity than was thought necessary, for the lists and registers of rights in land to be prepared and maintained by the Deputy Commissioner on the basis of the settlement record. And we have declared that all entries in such lists or registers shall be made with reference to actual possession, and that all persons not in possession, but claiming the right to be so, shall be referred to the Civil Court.

15. We have required (section 62) all persons obtaining possession of land as proprietors, under-proprietors, lessees whose rents have been fixed by a Settlement Officer, or mortgagees, to give notice to the Tahsíldár or the Deputy Commissioner. And where the Deputy Commissioner cannot satisfy himself as to which party is in possession of any such land, we have required him to ascertain the fact by summary enquiry.

Partition and Union of Mahál.

16. We have inserted a chapter (V) dealing with the partition and union of mahál, which is founded on Act XIX of 1863—the law on this subject now in force in Oudh; but we have endeavoured to simplify the provisions of that Act. We have given an appeal within one year from the decision of the Deputy Commissioner confirming a partition. We have added definitions of 'perfect partition' and 'imperfect partition'. We have allowed any co-sharer to claim an imperfect partition, provided that the consent of recorded co-sharers holding in the aggregate more than a moiety of the property has been first obtained. We have provided for the partition of taluqdárí and under-proprietary mahál and of mahál held by lessees whose rent has been fixed by a Settlement Officer, subject to rules made by the Chief Commissioner as to when such partitions shall or shall not be permitted. In the case of the partition of a taluqdárí mahál, we have provided (section 101) for the assignment or partitioning of the inferior mahál and for duly limiting the joint responsibility of the co-sharers.

17. When the partition of a mahál in respect of which rent is payable is effected, we have directed the Deputy Commissioner to fix the amount payable in respect of each portion, and we have empowered the person entitled to such rent to obtain a decision as to his objections (if any) to the distribution of the rental.

Maintenance of Boundaries.

18. We have inserted a chapter (VI) on the maintenance of boundaries, the provisions of which correspond with those of Act I of 1847 and of sections 140—144 of Act XIX of 1873.

Collection of Land-Revenue.

19. In the chapter (VII) relating to the collection of land-revenue, we have made no substantial change, except that we have declared (section 117) that no person exempted from personal attendance in the Civil Court, no taluqdár and no female shall be subject to arrest or imprisonment, and we have provided that the Deputy Commissioner may realize as arrears of revenue all arrears of rent, due by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, in respect of land attached, or of which the settlement has been annulled.

20. We have inserted a section (135=section 28 of Act I of 1845) empowering the Chief Commissioner to direct a sale of land for arrears of revenue to be made subject to incumbrances.

21. We have provided (section 140) that such sales must be made either by the Deputy Commissioner or by an Assistant Commissioner specially appointed by him.

22. We have by section 159 entitled the proprietor of a mahál or pattí held in sub-settlement, or under a heritable, non-transferable lease, the rent payable under which has been fixed by a Settlement Officer, to apply to the Deputy Commissioner to realize the arrears of such rent as arrears of revenue.

Court of Wards.

23. We have transferred from the Oudh Laws Bill the chapter relating to the Court of Wards. In so doing we have extended the section relating to disqualified persons so as to apply to females deemed by the Chief Commissioner incompetent to manage their estates, to persons physically incapable of managing them, to persons convicted of non-bailable offences and disqualified by vice or bad character from managing their estates, and lastly, to persons declared by the Chief Commissioner on their own application to be disqualified. We have also declared (section 174) that persons whose property is under the superintendence of the Court of Wards, shall be incompetent, without the sanction of the Court, to create charges upon such property. We have provided for suits by and against disqualified proprietors, and we have inserted rules relating to managers equivalent to those contained in Act XIX of 1873, section 206. Lastly, we have, in section 177, amended Act XL of 1858 so as to render it applicable to all mahál, whether assessed to revenue or held revenue-free.

Powers of Officers.

24. Chapter IX is new. It deals with the powers of Assistant Commissioners, Settlement Officers and Assistant Settlement Officers, and is to some extent founded on sections 234 and 235 of Act XIX of 1873.

Appeals. Arbitration.

25. Chapter X deals with appeals, and Chapter XI with references to arbitration. Both are new. The latter is to a large extent taken from Act XIX of 1873.

Patwáris.

26. In section 208 it is provided that the Chief Commissioner may make rules respecting the appointment of Patwáris. This is not intended to preclude the free discussion of the claim of the taluqdárs to make such appointments, which is still under the consideration of the local authorities.

27. The publication directed by the Rules for the conduct of legislative business has taken place; but the Bill has been so altered that we think it should be re-published, with this report, in the *Gazette of India*, and also in the local Gazette, and that its further consideration should be stayed for two months.

JOHN INGLIS.
R. H. DAVIES.
A. HOBHOUSE.
E. C. BAYLEY.
T. C. HOPE.
F. R. COCKERELL.

SIMLA:
The 22nd July 1876.

No. II.

THE OUDH LAND REVENUE BILL, 1876.

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A Bill to consolidate and define the law relating to Land Revenue in Oudh.

Whereas it is expedient to consolidate and define the law relating to land-revenue in Oudh; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Oudh Land Revenue Act, 1876":

Local extent.

It extends only to the territories now under the administration of the Chief Commissioner of Oudh;

Commencement.

And it shall come into force on the passing thereof.

But all rules now in force and relating to any of the matters hereinafter dealt with shall, so far as they are consistent with this Act, continue in force until they are superseded by rules made in exercise of the powers hereinafter conferred.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context—

"Incumbrance."

(1) "incumbrance" means a charge upon or claim against land arising out of contract between private persons:

"Agricultural year."

(2) "agricultural year" means a year commencing on the first day of July and ending on the thirtieth day of June:

"Revenue officer."

(3) "revenue officer" means any officer empowered to dispose of any matter under this Act:

"Revenue-free." "Free of revenue."

(4) "revenue-free" or "free of revenue" applies to land whereof the revenue has been wholly or in part released, compounded for, redeemed or assigned.

CHAPTER II.

REVENUE OFFICERS.

Chief Controlling Revenue Authority in revenue matters.

3. The Chief Controlling Revenue Authority in all matters connected with land-revenue in Oudh shall be the Chief Commissioner.

Commissioners of Division.

4. Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner shall—

(*a*) appoint in each Division a Commissioner, who shall, subject to the control of the Chief Commissioner, exercise authority over all Revenue Officers in his Division:

Deputy Commissioner of the District.

(*b*) appoint in each district an officer who shall be the Deputy Commissioner of the District:

Assistant Commissioner.

(*c*) appoint to each district as many other persons as he thinks fit, to be Assistant Commissioners of the first or of the second class,

Subject to such rules as the Governor General in Council may from time to time prescribe in this behalf, the Chief Commissioner may suspend or remove any officer appointed under this section.

5. All such Assistant Commissioners, and all other persons employed in maintaining revenue-records or otherwise in or about the business of the land-revenue, shall be subordinate to the Deputy Commissioner of the District.

Subordination of Assistant Commissioners and other Revenue Officers.

6. The Chief Commissioner may place any Assistant Commissioner of the first class in charge of one or more Sub-divisions of a District, and may at any time remove him therefrom.

Assistant Commissioner in charge of Sub-division of District.

Such Assistant Commissioner shall be called an Assistant Commissioner in charge of a Sub-division of a District, and shall exercise the powers and discharge the duties conferred and imposed upon him by this Act or by any other law for the time being in force, subject to the control of the Deputy Commissioner of the District.

The Chief Commissioner may, from time to time, delegate his powers under this section to the Deputy Commissioner of the District, and may revoke such delegation.

7. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer on any Assistant Commissioner in charge of a Sub-division of a District all or any of the powers of a Deputy Commissioner; and all powers so conferred shall be exercised subject to the control of the Deputy Commissioner of the District.

Power to invest certain Assistant Commissioners with powers of Deputy Commissioner.

8. Every officer of a Sub-division of a District employed in maintaining revenue-records or otherwise in or about the business of the land-revenue shall be subordinate to the Assistant Commissioner (if any) in charge of such Sub-division, subject to the general control of the Deputy Commissioner of the District.

Subordination of Revenue Officers.

9. Subject to such rules as the Governor General in Council from time to time prescribes in this behalf, the Chief Commissioner may confer upon any person all or any of the powers of an Assistant Commissioner of the first or of the second class, and may, in conferring those or any other powers under this Act, empower persons by name, or classes of officials generally by their official titles, and may vary or cancel any order conferring powers under this Act.

Conferring of powers.

Power to vary and cancel orders conferring powers.

10. The Deputy Commissioner of the District, or any Assistant Commissioner in charge of a Sub-division of a District, may make over any case, or class of cases, arising under the provisions of this Act or otherwise, for enquiry or decision, from his own file to any of his subordinates competent to deal with such case or class,

Transfer of cases to subordinates.

or may withdraw any such case, or class of cases from any Revenue Officer subordinate to him, and may deal with such case or class himself, or refer the same for disposal to any other such Revenue Officer competent to deal therewith.

Power to withdraw cases from subordinates.

11. If the Deputy Commissioner of the District dies, or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the District in revenue matters shall be held to be the Deputy Commissioner of the District under this Act until the Chief Commissioner appoints a successor to the Deputy Commissioner so dying or disabled, and such successor takes charge of his appointment.

Deputy Commissioner of the District in case of temporary vacancy.

12. Whenever any person holding an office in the service of Government, who has been invested with any powers under this Act in any District, is transferred to an equal or higher office of the same nature within another District, he shall, unless the Chief Commissioner otherwise directs, be held to be invested with the same powers in the District to which he is so transferred.

Powers of officers transferred to another district.

13. Tahsíldárs shall be appointed by the Chief Commissioner, subject to such rules as to qualification or otherwise as the Chief Commissioner may from time to time make under section 208.

Appointment of Tahsíldárs.

CHAPTER III.

SETTLEMENT.

14. Whenever the Chief Commissioner thinks that any District or other local area liable to be brought under settlement should be so brought, he shall, with the previous sanction of the Governor General in Council, publish a notification to that effect.

Notification as to settlement.

And if he thinks that a settlement record should be prepared for any District or other local area, he shall, with the like sanction, publish a notification to that effect.

Notification as to settlement record.

15. The Chief Commissioner shall, from time to time, with the previous sanction of the Governor General in Council, frame and issue rules regarding the mode in which the revenue demand in respect of any local area is to be assessed; and may from time to time make rules prescribing the manner in which Settlement Officers shall report for sanction the rates and method of assessment and the amounts they propose to assess.

Chief Commissioner to issue rules as to mode of assessment.

16. The Chief Commissioner shall, with the previous sanction of the Governor General in Council, determine what documents shall form the settlement-record, and frame and issue rules regarding (*a*) the mode in which such record is to be prepared, (*b*) the facts to be therein entered, and (*c*) the manner in which the entries shall be attested.

Settlement record.

The Chief Commissioner may from time to time, with the same sanction, alter such rules.

17. Every entry in such settlement record duly made and attested shall, until the contrary is proved, be presumed to be a correct record of the fact entered.

Presumption as to entries in settlement record.

18. Every local area shall be held to be under settlement from the date of any notification published under section 14, and relating thereto, until the issue of another notification declaring settlement operations to be closed therein.

Settlement to be deemed in progress until closing notified.

Every local area under settlement at the time of the passing of this Act shall be held to be under settlement within the meaning of this section without the issue of either of the notifications prescribed by section 14.

Settlements now in progress brought under operation of Act.

19. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, appoint an officer to be in charge of the settlement of any local area and as many Assistant Settlement Officers as the Chief Commissioner thinks fit; and such officers shall exercise the powers conferred on them respectively under this Act so long as such area is under settlement.

Appointment and powers of Settlement Officers.

20. In any local area in which a settlement of the land-revenue is in progress, the Chief Commissioner, with the previous sanction of the Governor General in Council, may by order confer on any officer making or controlling such settlement the powers of a Civil Court of any specified grade for the purpose of trying suits and appeals, or any specified class of suits and appeals, relating to property in land assessed or assessable to revenue, in such District, and may revoke any such order; and so long as such order remains in force the jurisdiction of the Civil Courts of the same grade shall be excluded in respect of such suits and appeals.

Power to invest Settlement Officers with powers of Civil Courts in certain cases.

21. Notwithstanding the existence of any such order, the Chief Commissioner may from time to time direct that any cases pending before the Settlement Officers invested with the powers mentioned in section nineteen, shall be transferred to the ordinary Civil Courts of the District if the state of business in his opinion requires such transfer.

Power to transfer cases from Settlement Officers to Civil Courts.

22. If a suit relating as well to such land as other property be instituted before any officer so invested, he shall make a reference regarding the disposal of such suit to the Commissioner of the Division in which the District wherein the suit was instituted is included, who shall determine by what Court the suit shall be tried.

Trial of suit relating to land and to other property.

23. When any local area is under settlement, the Settlement Officer shall have power to call upon all proprietors, by proclamation to be stuck up in some conspicuous place in each village, to erect within fifteen days such boundary-marks as he may think necessary to define the limits of their villages, mahals or fields; and in default of their compliance within the time specified in the notice, he may cause such boundary-marks to be erected, and he shall recover the cost of such erection from the proprietors as if it were an arrear of land-revenue.

Powers of Settlement Officers as to erection of boundary-marks and decision of disputes.

In case of dispute concerning any boundary-marks, the Settlement Officer shall decide such dispute on the basis of possession, or may refer it to arbitration, for decision on the merits as provided for in sections 192 to 203, both inclusive.

24. All Settlement Officers, and all officers in charge of a survey made in connection with the revenue, and their assistants, servants, agents and workmen, may do all acts necessary for any purpose connected with the settlement or survey, as the case may be.

Power of Settlement and Survey Officers to do necessary acts.

25. The Settlement Officer may order all persons whose presence is, in his opinion, necessary for any of the purpose of this chapter, to attend at any specified time and place, and to produce any written document in their possession or power; and all such persons shall be legally bound to obey such order.

Power to require attendance of persons concerned, and production of documents.

26. The settlement shall be made

With whom settlement to be made.

(*a*) in the case of a taluqdárí mahál with the taluqdár,

(*b*) in the case of other mahals with the proprietor of the mahál; or if in any such mahál there are two classes of proprietors, superior and inferior, with either of such classes as the Chief Commissioner directs,

or if the taluqdár or proprietor has transferred possession of his mahál to a mortgagee or conditional vendee, then with such mortgagee or vendee.

If, at the time of settlement, a mahál or any share thereof, be in the possession of a lunatic, minor or other person incapable of making a contract, the settlement shall be made on his behalf with his guardian or with the manager of his property.

Settlement of estate in possession of lunatic or minor.

27. When several persons are in possession of a mahál, not being a taluqdárí mahál, the Settlement Officer shall have power to make a joint settlement with all such persons, or with their representatives.

Power to make joint settlement with several proprietors or their elected representatives.

28. The Settlement Officer shall, in accordance with the rules made under section fifteen, frame general proposals of assessment for any local area or any portion thereof regarding which a notification has been published under the first clause of section fourteen, and shall report such proposals through the Commissioner of the Division to the Chief Commissioner.

Framing and reporting general proposals of assessment.

29. After the receipt of the orders of the Chief Commissioner thereon, subject to such orders, the Settlement Officer shall ascertain the amount of the assessment proper for each mahál in the area, and shall declare the same to the person with whom the settlement of such mahál is to be made.

Detailed assessment and declaration thereof to persons concerned.

If any mahál in any such area comprise two or more villages, or portions of villages, the Settlement Officer shall declare the assessment due on

each of such villages or portions of villages, together with the aggregate amount of the assessment proper in his opinion for the whole mahál.

Such declaration shall be made on a date to be notified by proclamation at the tahsíl in which such mahál is situate.

30. If the persons with whom the settlement of such mahál is to be made agree to the assessment so proposed, they and those (if any) whom they represent in interest shall become liable from the date of such agreement, or from such subsequent date as the Chief Commissioner directs, to pay such assessment in respect of such mahál.

Effect of agreement to assessment proposed.

and in a mahál in which the land, or part of the land is held in severalty, the Settlement Officer shall distribute such assessment on the lands so held.

Distribution of assessment.

31. In any mahál where, by the established custom, the land or the amount of revenue payable by each co-sharer is subject to periodical re-distribution or re-adjustment, the Settlement Officer may, on application of one or more of the co-sharers, enforce such re-distribution or re-adjustment according to such custom.

Enforcement of custom as to re-distribution of land and adjustment of revenue of shares.

32. If the person to be settled with be a taluqdár and such taluqdár refuse to accept the assessment offered by the Settlement Officer in respect of his entire taluqá, or in respect of any portion thereof, or if, within thirty days from the date of the declaration by the Settlement Officer under section 29, such taluqdár fail to accept such assessment, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner.

Exclusion of taluqdár declining or failing to accept settlement.

The Chief Commissioner, after hearing and considering the reasons which the taluqdár may have to urge against the assessment, may direct that the taluqdár so refusing or failing be excluded fromthe settlement of his entire taluqá, or of any portion thereof, for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner shall fix; and the Settlement Officer or Deputy Commissioner shall either farm the taluqá or any portion thereof or hold it under direct management during such term, or any part thereof: provided that no taluqdár shall be excluded from the settlement of his entire taluqá without the previous sanction of the Governor General in Council.

33. If a taluqdár be excluded from the settlement of any portion of his taluqá, and if such portion be held in sub-settlement by an under-proprietor, the farm of such portion shall be offered to such under-proprietor on such terms as the Chief Commissioner may in each case direct.

Offer of farm to under-proprietor.

34. If such under-proprietor accept the assessment so offered, the taluqdár so excluded shall be entitled to an allowance out of the profits of such portion to be fixed by the Chief Commissioner not exceeding the share of the gross assets, if any, to which he would have been entitled had he accepted the assessment.

Allowance to excluded taluqdár.

In other cases, the taluqdár so excluded shall (subject to the orders of the Chief Commissioner) be entitled to an allowance out of the profits of such portion of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

35. In a mahál other than a taluqdárí mahál, if the person to be settled with refuse to accept the assessment offered by the Settlement Officer, or fail to accept such assessment within thirty days from the date of the declaration by the Settlement Officer under section 29, the Settlement Officer shall report the case through the Commissioner of the Division to the Chief Commissioner,

Exclusion of person declining or failing to accept settlement in a mahál.

and the Chief Commissioner may direct that the person so refusing or failing be excluded from the settlement for such term not exceeding fifteen years from the date of such direction, as the Chief Commissioner thinks fit,

and the Settlement Officer or the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either farm the mahál or hold it under direct management during such term or any part thereof.

In such case the person so excluded shall be entitled (subject to the orders of the Chief Commissioner) to an allowance out of the profits of the mahál, of not less than five or more than fifteen per cent. on the amount proposed to be assessed thereon.

Allowance to person excluded.

36. If in a mahál held on a pattídárí or imperfect pattídárí tenure any of the co-sharers refuse or fail within thirty days from the date of the declaration by the Settlement Officer under section 29 to accept the proposed assessment, the shares of such co-sharers shall be dealt with under the provisions of section 35, and they shall receive an allowance, as provided in that section, in proportion to their respective shares in the mahál.

Procedure in case of some of several proprietors refusing assessment.

If the Settlement Officer farms any share in such mahál, the farm of such share shall be offered in the first instance to those co-sharers who have accepted the proposed terms.

Farm of shares of proprietors refusing.

37. Any proprietor excluded from settlement under sections 35 and 36 shall be entitled to hold as a tenant with a right of occupancy so much of the land in the mahál actually cultivated by him as the Settlement Officer may determine, and the rent to be paid by such proprietor for such land during such exclusion shall be fixed by the Settlement Officer at the rate which would have been paid by a tenant-at-will for the said land less four annas in the rupee.

Adjustment of rent of the sír land of proprietors of mahál farmed under section 35 or 36.

38. The aggregate amount of any allowance assigned under section 35 or section 36 to any proprietor of a mahál who has been excluded from settlement, and of the difference between the rent fixed under section 37, and the rent which he would be liable to pay if he were a tenant-at-will,

Amount of allowance assigned under section 35 or 36 to excluded proprietor, and of difference between rent fixed under section 37, and rent payable by him if he were a tenant-at-will.

shall not be less than five or more than fifteen per cent. on the amount proposed by the Settlement Officer to be assessed on such mahál.

39. On the expiration of the term fixed under section 32 or section 35, the settlement of such mahál portion, or share comprised therein shall be offered by the Deputy Commissioner to the person then entitled to be settled with in respect of such mahál portion or share, at such assessment for the remainder of the term of settlement of the District as the Chief Commissioner may direct.

Offer of settlement to excluded proprietor on expiry of term of exclusion.

And if such person refuse to accept the offer, the Deputy Commissioner shall report such refusal through the Commissioner of the Division to the Chief Commissioner, and such person may be excluded from settlement for such period not exceeding the term of the settlement of the District, as the Chief Commissioner may direct, and the provisions of sections 32 to 38 (both inclusive) shall, so far as may be applicable, apply to his case.

Procedure on refusal.

40. The Settlement Officer shall, in accordance with the provisions of the Oudh Sub-settlement Act, 1866, so far as they are applicable, determine the rent to be paid to the proprietor by all under-proprietors in a mahál and by all holders of heritable, non-transferable leases, whose rent has not been fixed by contract.

Determination of rent payable to proprietor.

When the rent is so determined the co-sharers may at their option agree with the Settlement Officer that the rent shall be paid either by them collectively or by one of them on behalf of himself and the others. Whenever, whether before or after the passing of this Act, rent payable by such under-proprietors or lessees has been determined by a Settlement Officer, all the co-sharers shall be jointly and severally responsible for the payment to the proprietor of the rent so determined.

Nothing in this section applies to rent payable by a tenant with a right of occupancy.

41. All land shall be deemed liable to be charged with the payment of revenue to Government, unless some competent authority has declared it exempt from such payment. And no length of occupancy of any land, nor any grant of land made by the proprietor, shall release such land from such liability.

Saving of liability for Government revenue.

42. The Settlement Officer shall enquire into the case of all lands released, conditionally or for a term, from the payment of revenue, and shall assess such lands if it appear to him that the conditions have been transgressed or the term has expired.

Inquiry into cases of land released from payment of revenue.

43. Every settlement shall be made subject to confirmation by the Governor General in Council.

Confirmation of settlement.

44. The Governor General in Council shall, at some time before confirming the settlement, fix the period for which the settlement is to be made. Such period shall be fixed with reference to the agricultural year.

Period for which settlement is to be made.

45. The assessment of any mahál may be revised at any time before it is confirmed by the Governor General in Council, and in such case the revised assessment shall be proposed to the proprietors of such mahál, and the provisions of sections 23 to 40 (both inclusive) shall apply.

Revision of assessment before confirmation.

Alteration of assessment during the currency of a Settlement.

46. The Deputy Commissioner shall enquire annually into the cases of all land released from the payment of revenue conditionally, or for a term, or for the life of the grantee.

Annual enquiry as to revenue-free grants.

If the condition be broken, he shall report the case through the Commissioner of the Division to the Chief Commissioner for orders,

and if the term has expired, or (where the grant is for the life of the grantee) if the grantee has died, the Deputy Commissioner shall assess the land comprised therein, and shall report his proceedings through the Commissioner of the Division to the Chief Commissioner for sanction.

47. All land added by alluvion to a mahál is liable to assessment. Such land may be assessed and settled under rules to be framed under section 208.

Assessment of land added by alluvion.

48. Where such land is held by an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such rent shall be increased proportionately to the increase of revenue effected by such assessment.

Proportionate increase of rent payable by under-proprietor.

49. Where for any cause the revenue assessed on a mahál has, by order of the Chief Commissioner, been reduced or been wholly or in part remitted or suspended, and the land on account of which the revenue has been so reduced, remitted or suspended is in the possession of an under-proprietor or lessee whose rent has been fixed by a Settlement Officer, such under-proprietor or lessee shall be entitled (where the revenue has been reduced or remitted) to a proportionate reduction or remission of the rent payable by him in respect of such land, or (where the revenue has been suspended) to a suspension of the payment of such rent for the time during which the revenue has been so suspended.

Proportionate reduction or remission of rent payable by under-proprietor or lessee.

50. Assessments under sections 46 and 47 shall be made by the Deputy Commissioner in the same manner and with the same powers as if he were an officer in charge of a settlement.

Deputy Commissioner to have powers of officer in charge of settlement.

51. At any time during the currency of a settlement, the Chief Commissioner may, with the previous sanction of the Governor General in Council, invest any officer with all or any of the powers of an officer in charge of a settlement under this Act within such limits, and with such restrictions, and for such period as he thinks fit;

Power to invest officer with Settlement Officer's powers.

but not so as to enable him to enhance the total amount of revenue payable on account of any

mahál except in respect of land added thereto or becoming liable to payment of revenue since the confirmation of the settlement.

Resumption of rent-free grants.

52. All grants (whether in writing or otherwise) by proprietors or the persons whom they represent of land to be held exempt from the payment of rent are hereby declared to be liable to resumption, unless such grants have been sanctioned or confirmed by the Governor General in Council or the Chief Commissioner.

Liability of rent-free grants to resumption.

53. Provided that grants of land held under a written instrument (whether executed before or after the passing of this Act) by which the grantor expressly agrees that the grant shall not be resumed, shall be held valid against him (but not as against his representatives after his death) during the continuance of the settlement of the District in which the land is situate which was current at the date of the grant.

Grants under certain instruments.

54. Proprietors wishing to resume grants made by themselves or the persons whom they represent shall apply by petition to the principal Court of original civil jurisdiction of the District in which the land is situate for a declaration of the liability of the grant to resumption.

Application for declaration of such liability.

The Court shall cause notice of such application to be served on the grantee, and shall fix a day for hearing his objections (if any) to the declaration; and thereupon, after considering such objections (if any), may either dismiss the application with or without costs to be paid by the applicant, or declare that the grant is liable, in whole or in part, to resumption.

55. Nothing in section 52, section 53, or section 54 applies to either of the following cases:—

Exemptions from sections 52, 53 and 54.

(*a*) where land is held rent-free under a judicial decision;

(*b*) where previously to the passing of this Act, land held rent-free has been acquired for a valuable consideration and the right to resume it has been barred by the law of limitation.

56. The amount of rent payable in respect of land which has been declared by a Civil Court liable to resumption shall, when the district in which the land is situate is under settlement, be determined by the Settlement Officer and in every other case by the Deputy Commissioner of the District.

Rent of land declared liable to resumption.

CHAPTER IV.

REGISTRATION, INCLUDING THE PREPARATION AND MAINTENANCE OF REVENUE RECORDS.

57. The Deputy Commissioner of the District shall, on the basis of the settlement record, and in accordance with such rules as the Chief Commissioner from time to time prescribes in this behalf, prepare the following lists and registers:—

Lists and registers to be prepared by Deputy Commissioner.

(*a*) A list of all the villages in each pargana or tahsíl of his District;

The pargana register.

(*b*) A list of all the revenue-paying mahálsin each pargana or tahsíl, shewing the revenue assessed on each mahál, and the name of the person responsible for its payment whether as sole proprietor or as lambardár;

The málguzárí register.

(*c*) A register of all the co-sharers in each mahál with the nature and extent of the interest of each co-sharer;

The khewat.

(*d*) A register of all mahálsin which the rent of any under-proprietor or lessee has been fixed by the Settlement Officer, the names of all the co-sharers in such mahálsi, together with the nature and extent of the interest of such co-sharers.

Register of sub-settled mahálswith khewat.

(*e*) For each mahál a list—

Register of under-proprietary and other tenures.

(1) of all under-proprietors and lessees whose rent has been so fixed, and of all tenants with a right of occupancy, with the nature and extent of the interest of each such person, and the rent (if any) which he is liable to pay therefor,

(2) of all other persons (if any) holding land free of rent, or revenue free.

(*f*) A register—

Register of revenue-free tenures.

(1) of all land in his District held revenue free, with the names of the holders, and the conditions of the grant under which they hold,

(2) of all land declared by competent authority to be waqf or názul, or the property of the State.

(*g*) A register of all mahálson which a málikána allowance has been sanctioned by competent authority, with the names of the persons entitled to such allowance, the amount of such allowance, and the conditions under which it was given.

The málikána register.

(*h*) A register of all jungle-grants, the names of the grantees, and the conditions of the grants.

Register of jungle-grants.

58. In the preparation of the said lists and registers, the Deputy Commissioner shall correct any errors in the settlement records which the parties interested admit to have been made therein; and any dispute arising regarding any entry in such record shall be investigated and decided on the basis of actual possession; and all persons not in possession, but claiming the right to be so, shall be referred to a Court of competent jurisdiction, except where the claim is founded on the decision of such Court, and in such case the entry shall be in accordance with such decision.

Correction of errors in settlement record.

59. The Deputy Commissioner shall keep and maintain the said lists and registers,

Deputy Commissioner to keep the lists and registers.

and he shall from time to time cause to be registered all events and transactions affecting any of the rights or interests recorded in the said registers, to such extent as the Chief Commissioner may from time to time prescribe.

60. The Chief Commissioner shall prescribe the forms in which the lists and registers mentioned in section 57 are to be prepared,

Forms of lists and registers.

and the manner in which, the persons by whom, and the occasions on which, the alterations referred to in section 58 and section 59 are to be recorded.

61. The Chief Commissioner may prescribe proper fees for alteration in the lists and registers formed under the said rules: Provided that no fee for a single alteration shall exceed one hundred rupees.

Power to prescribe fees for mutations.

Such fee shall be levied from the person in whose favour the mutation is made, and shall be expended in such manner as the Chief Commissioner thinks fit.

Levy of fees.

Fees how spent.

62. All persons obtaining the possession of land or the profits thereof, whether by succession, purchase or other form of transfer, as proprietors or under-proprietors, or as lessees whose rents have been fixed by a Settlement Officer, or as mortgagees, shall give notice of the same immediately after it has taken place to the tahsíldár of the tahsíl in which the mahál to which such land belongs is situated, or to the Deputy Commissioner of the District.

Notice of transfer of possession.

If the notification be made to the tahsíldár, that officer shall report such notice to the Deputy Commissioner.

63. The Deputy Commissioner on receiving such notice or report shall make such enquiry as the Chief Commissioner may from time to time prescribe to ascertain the fact of the alleged transfer of the property, and if the transfer appears to have taken place, he shall, subject to the rules framed by the Chief Commissioner under section 68, record the same in the appropriate register:

Enquiry as to truth of transfer.

Provided that no such entry shall be held to affect the rights of any other person who may claim and establish in any Court of competent jurisdiction any interest in the land to which the entry has reference.

64. If the person so succeeding is a minor or otherwise under disability, the guardian or other person who has charge of his property shall give the notice required by section 62.

Notification in case of minority or other disqualification.

65. Any person neglecting to give the notice prescribed in section 62 within three months from the date of the occurrence of the fact to be notified, shall be liable, at the discretion of the Deputy Commissioner, to a fine not exceeding five times the amount of the fee which would otherwise have been payable under section 61.

Fine for neglect to notify.

66. If in the course of enquiry made under section 63, a dispute regarding the possession of the property arises, and the Deputy Commissioner is unable to satisfy himself as to which party is in possession, he shall ascertain by summary enquiry who is the person *primâ facie* entitled to the property and shall put such person in possession, and make the necessary entry in the record accordingly, subject to any order that may be subsequently passed by the Civil Court.

Power to put one party in possession in certain cases of dispute.

67. When any person obtains possession of land or of the profits thereof, for any interest other than those referred to in section 62, the transfer of such possession shall be recorded by the Kánúngo and patwárí in such manner as the Chief Commissioner from time to time directs;

Registry of transfers of interests in land other than those referred to in section 62.

and all disputed cases shall be reported to the Deputy Commissioner or Assistant Commissioner, who shall make such enquiry as may be necessary to ascertain the fact of the alleged transfer, and cause the record to be amended accordingly.

Enquiry in disputed cases.

68. All registers prepared under the preceding sections of this chapter shall be deemed to be public documents and the property of Government, and shall be open to public inspection at such hours and on such conditions as to fees or otherwise as the Chief Commissioner may from time to time prescribe.

Inspection of registers.

CHAPTER V.

PARTITION AND UNION OF MAHALS.

69. Partition is either perfect or imperfect.

Partitions.

'Perfect partition' means the division of a mahál into two or more mahálsi, severally responsible for the revenue assessed on each.

'Perfect partition.'

'Imperfect partition' means the division of any mahál, or of any portion of a mahál, into two or more portions jointly responsible for the revenue assessed on the whole mahál.

'Imperfect partition.'

70. Any recorded co-sharer in a mahál, any person in whose favour a decree has been passed by any Civil Court, awarding to him the proprietary right in a portion of a mahál, whether such portion consists of a fractional share in the whole or a part of the mahál, or of specific lands, is entitled to claim perfect partition of his share.

Persons entitled to perfect partition.

Any two or more recorded co-sharers may claim that their shares be divided from the other shares by a perfect partition, and be held by them as a single mahál.

If any recorded co-sharer be under disability, the person in possession of his property shall, for the purpose of this section, be deemed to be a recorded co-sharer.

71. Applications for perfect partition are to be made in writing to the Deputy Commissioner of the district in which the mahál is situated;

Application for perfect partition.

and shall be accompanied by a certified copy of the record, showing the share held by the applicant in the mahál:

Provided that, if the mahál be situated in two or more districts, the application may be made in any one of those districts, and the partition shall be made by such one of the Deputy Commissioners of those districts as the Chief Commissioner may direct.

Provision as to estates situated in more than one district.

72. The Deputy Commissioner, on receiving an application for partition shall, if the application be in order and not open to objection on the face of it, publish a notification of the same at his office, and at some conspicuous place in the mahál to which the application relates,

Notification of application.

and shall serve a notice on all such of the recorded co-sharers in the mahál as have not joined in the application, requiring any co-sharer in possession who may object to the partition to appear before him to state his objection, either in person or by a duly authorized agent, on a day to be specified in the notice, not less that thirty, or more than sixty, days from the date on which such notice was issued.

Notice to co-sharers not joining.

73. Where, from any cause, notice cannot be personally served on any co-sharer, the notification so published shall be deemed sufficient notice.

Notification when alone sufficient.

74. If, on or before the day so specified, any objection is made to the partition by any co-sharer in possession, and the Deputy Commissioner, on a consideration of such objection, is of opinion that there is any good and sufficient reason why the partition should be absolutely disallowed, he may refuse the application, recording the grounds of his refusal.

Power to refuse partition when objection admitted.

75. If the objection raises any question of title, or of proprietary right, which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner may either decline to grant the application until the question in dispute has been determined by a competent Court, or he may proceed to enquire into the merits of the objection.

Procedure if question of title be raised.

In the latter case the Deputy Commissioner after making the necessary inquiry and taking such evidence as may be adduced, shall record a proceeding declaring the nature and extent of the interests of the party or parties applying for the partition, and any other party or parties who may be affected thereby.

The procedure to be observed by the Deputy Commissioner in trying such cases shall be that laid down in the Code of Civil Procedure for the trial of original suits, and he may, with the consent of the parties, refer any question arising in such case to arbitration, and the provisions of chapter VI (relative to arbitrators) of the same Code shall apply to such references.

Procedure in such cases.

Reference to arbitration.

76. All orders and decisions passed by the Deputy Commissioner under the last preceding section, declaring the rights of parties, shall be held to be decisions of a Court of civil judicature of first instance, and shall be open to appeal under the provisions of the Oudh Civil Courts Act.

Deputy Commissioner's decision equivalent to decision of Civil Court.

Appeal thereupon.

Upon such appeal being made, the appellate Court may issue a precept to the Deputy Commissioner, desiring him to stay the partition, pending the decision of the appeal.

Appellate Court may stay partition.

77. When it has been decided to make a partition under this chapter, the Deputy Commissioner shall either give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he shall make the partition himself or cause it to be made by any Assistant Commissioner subordinate to him, and when made by an Assistant Commissioner, it shall be reported to the Deputy Commissioner for his confirmation.

Option to make partition themselves or to appoint arbitrators.

78. If arbitrators are appointed, the provisions of sections 192 to 203, both inclusive, shall apply.

Partition by arbitrators.

In making a partition, arbitrators shall not be bound by the provisions of sections 81 to 84 both inclusive; but they shall deliver a full and complete paper of partition, specifying the separate maháls into which they propose that the mahál shall be divided; the names of the parties to whom the several maháls are proposed to be allotted, and the amount of land revenue which in the opinion of the arbitrators should be assessed on each of such maháls.

79. In making partitions, the Deputy Commissioner, and any person appointed by him, shall have the same powers to enter on the land under partition, for marking out the boundaries, surveying the mahál, and other purposes, as are conferred on Settlement Officers under this Act.

Power to enter on land for purposes of partition.

80. When a Deputy Commissioner has decided that a partition shall be made, he may, with the sanction of the Commissioner, hold the mahál under direct management, pending the completion of the partition.

Power to hold mahál under direct management, pending partition.

The provisions of the law in force for the time being, for the management of maháls held under direct management for arrears of revenue shall be applicable to maháls, the management of which is assumed under this section.

The collections of the mahál shall be applied to the payment of the Government revenue, and, after defraying the expenses of management and any other expenses with which the mahál is chargeable, the residue shall be divided amongst the recorded co-sharers in proportion to their respective shares at such periods as the Deputy Commissioner may see fit.

81. Where there are no lands held in common, the lands held in severalty by the applicant for partition shall be declared a separate mahál, and shall be separately assessed to the Government revenue.

Partition of lands held only in severalty.

82. Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of such lands in accordance with village custom, if any such exist,

Partition of lands some of which are held in common.

If no such custom exist, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the common lands.

83. The portion of the common lands falling by such partition to the share of the applicant shall be added to the land held by him in severalty, and the maháls thus formed shall be assessed and declared separate maháls.

Formation of separate maháls from shares allotted in partition.

84. In making partitions under this Act, the Deputy Commissioner shall give effect to any transfer of lands held in severalty and forming part of the mahál, which has been agreed to by the parties, previous to the declaration of the partition.

Transfers to be effectuated in making partition.

85. Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the mahál.

Partition where all lands are held in common.

86. In all cases each mahál shall be made as compact as possible: Provided that, except with the sanction of the Chief Commissioner, no partition be disallowed solely on the ground of incompactness.

Estate to be compact.

87. If in making the partition it be necessary to include in the mahál assigned to one sharer, the land occupied by a dwelling-house or other building in the possession of another co-sharer, such other co-sharer shall be allowed to retain it, with the buildings thereon (if any) on condition of his paying a reasonable ground-rent therefor to the sharer into whose portion it may fall.

Rule when dwelling-house of one sharer is included in mahál assigned to another.

The limits of such land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

88. Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

Rule as to tanks, wells, water-courses and embankments.

Where, from the extent, situation or construction of such works, it is found necessary that they should continue the joint property of the proprietors of two or more of the maháls into which the mahál may be divided, the Deputy Commissioner shall determine the extent to which the proprietors of each mahál may make use of the said works, and the proportion of the charges for repairs of such works to be borne by such proprietors respectively, and the manner in which the profits, if any, derived form such works, shall be divided.

89. Places of worship and burial-grounds, held in common previous to the partition of a mahál, shall continue to be so held, unless the persons who so held them otherwise agree among themselves.

Rules as to places of worship and burial-grounds.

In such cases they shall state in writing the agreement into which they have entered, and such writing shall be filed with the record.

90. In all cases whether partition has been made by arbitrators or otherwise, the amount of revenue to be paid in respect of each portion of a mahál partitioned under this chapter shall be determined by the Deputy Commissioner, provided that the aggregate revenue payable in respect of the new maháls shall not exceed the revenue assessed on the mahál immediately before partition;

Determination of revenue payable by each division of a mahál.

and the proprietor of each new mahál shall be held liable for the portion of the revenue assessed on his mahál, whether a new engagement be taken from him or not.

Liability of proprietors.

91. If at any stage of any proceedings under this chapter there appears to be any reason for stopping the partition, the Deputy Commissioner may of his own motion, or on the report of the Assistant Commissioner making the partition, stay the partition and order the proceedings to be quashed.

Power to stay partition.

92. A partition, whether made by the Deputy Commissioner himself or otherwise, shall not be deemed to be complete unless the Deputy Commissioner has made an order confirming it.

Order confirming partition.

On making such order, he shall publish a notification of the fact at his office and at some conspicuous place in each of the new maháls,

Notification of order.

and the partition shall take effect on and from the first day of July next after the date of such notification.

Partition when to take effect.

93. An appeal against the decision of the Deputy Commissioner confirming a partition, shall lie to the Commissioner of the division within one year from the date on which such partition takes effect.

Appeal to Commissioner from orders of Deputy Commissioner.

94. Where the land-revenue is fraudulently or erroneously distributed at the time of the partition, the Chief Commissioner may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the land-revenue upon the several maháls into which the mahál has been divided, on an estimate of the assets of each mahál at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

Power to order new allotment of revenue on proof of fraud or error in first distribution.

95. Imperfect partition shall be carried out according to the provisions of sections 70 to 93 (both inclusive) so far as they are applicable: Provided that no application for imperfect partition shall be entertained unless the consent of recorded co-sharers holding in the aggregate more than one moiety of the property of which partition is sought be first obtained.

Making of imperfect partitions.

96. No Civil Court shall entertain any suit or application for perfect or imperfect partition.

Civil Courts barred from entertaining applications for partitions.

97. All imperfect partitions and all partitions perfect or imperfect of under-proprietary maháls hitherto made, shall be deemed to have been made under the provisions of this Act.

Previous imperfect partitions and partitions of under-proprietary maháls.

98. If two or more revenue-paying mahálsUnion of mahálsoriginally part of same village. originally formed portions of the same village, the proprietor shall be entitled to have such mahálsunited and to hold them as a single mahál.

99. Every application for the union of such mahálsApplication for such union. shall be made in writing to the Deputy Commissioner of the district in which the mahálsare situate.

If the Deputy Commissioner see no objection, he shall comply with the application, and cause the necessary entries to be made in the register of his office, reporting the case to the Commissioner of the division.Application how dealt with.

100. The provisions of this chapter, so far as they are applicable, may be applied by order of the Deputy Commissioner to the partition or union of mahálsheld free of revenue.Partition or union of revenue-free maháls.

101. The partition of taluqdárí and under-proprietary mahálsand of mahálsheld by lessees whose rent has been fixed by the Settlement Officer, shall be carried out accordingly to the provisions of sections 70 to 94 (both inclusive), so far as they are applicable.Partition of taluqdárí and under-proprietary maháls.

(*a*) In the partition of taluqdárí mahals, all mahálsAssignment of inferior mahals. whether under-proprietary or held by lessees whose rent has been fixed by the Settlement Officer shall, if practicable, be assigned to one or other of the new taluqás to be formed by the partition;

(*b*) if any such mahál cannot be assigned in whole, the assignment shall be made by thoks, pattís or other existent sub-divisions;

(*c*) and if no other satisfactory arrangement can be made, such mahál shall be partitioned;

(*d*) in cases in which one portion of any such mahál is assigned to one taluqá and another portion to another taluqá, each portion shall be deemed a separate mahál, the joint responsibility of the co-sharers being limited to such portion.

102. Whenever a partition of a mahál in respect of which rent is payable is effected under this Act, the amount of rent to be paid in respect of each portion shall be determined by the Deputy Commissioner, and the person to whom such rent is payable may present an application in writing to the Deputy Commissioner objecting to the distribution of the rental over the several parts into which the mahál has been divided, and praying that such objection may be heard and determined; and his objection shall be heard and determined, and the Deputy Commissioner shall record his reasons for such determination.Objection to distribution of rental.

CHAPTER VI.

MAINTENANCE OF BOUNDARIES.

103. The Deputy Commissioner and his subordinates shall have power to enter upon and survey lands and to demarcate the boundaries of mahals, villages and fields.Power of Deputy Commissioner to enter and survey.

104. All owners of mahals, villages or fields, are bound to maintain and keep in repair at their own cost the boundary-marks lawfully erected thereon.Obligations of owners as to boundary-marks.

105. Any person convicted before a Deputy Commissioner of wilfully erasing, removing or damaging any such boundary-mark, may be ordered by the convicting officer to pay such sum not exceeding fifty rupees for each mark so erased, removed or damaged, as may be necessary to defray the expense of restoring such mark, and of rewarding the informer (if any) through whom the conviction was obtained.Payment for erasing, removing or injuring marks.

106. Whenever the person erasing, removing or damaging any such mark cannot be discovered, or if for any other reason the sum which he has been so ordered to pay cannot be recovered, the mark shall be re-erected or repaired at the charge of the owner or owners of such one or more of the conterminous field or mahals as to the Deputy Commissioner seems fit.Who is to be charged for re-erection and repair when offenders not discoverable.

107. The Deputy Commissioner may decide, on the basis of possession, all disputes concerning boundaries, and may at any time direct the owners of mahals villages or fields, by written notice served upon them,Powers of Deputy Commissioner as to boundary disputes and boundary-marks.

(*a*) to cause proper boundary-marks to be erected in such mahals, villages or fields,

(*b*) to repair the boundary-marks lawfully erected in such mahals, villages or fields.

108. In default of compliance with such direction within fifteen days from the date of the service of the notice, the Deputy Commissioner shall cause such boundary-marks to be erected or repaired, as the case may be, and shall charge the cost of such erections or repairs to the owners of the conterminous mahals, villages or fields in such proportion as he thinks fit.Power to erect or repair boundary-marks.

CHAPTER VII.

COLLECTION OF THE LAND-REVENUE.

109. In the case of every mahál the entire mahál shall be charged with, and all the proprietors jointly and severally shall be responsible to Government for the revenue for the time being assessed on the mahál.Responsibility of proprietors of mahál for land-revenue.

The term "proprietors" shall, for the purposes of this chapter, include all persons in possession for their own benefit.

110. The Chief Commissioner may, from time to time, make rules as to the instalments in which, and the persons, places and times to whom, and at which, the revenue payable in respect of any land shall be paid.Chief Commissioner may make rules as to payment of revenue.

111. Until the issue of such rules the said revenue shall be paid in the instalments, to the persons, and at the times and places in which, to whom, and at which, it is now paid.Payment until issue of rules.

112. Any sum not so paid becomes thereupon an arrear of revenue, and the proprietor responsible for it becomes a defaulter.Effect of non-payment.

No interest shall be demanded on any arrear of land-revenue.

113. If the settlement of any land has been made with a lambardár, and if there be an arrear of revenue due in respect of such land, both the lambardár and the co-sharers of the mahál from which the arrear is due shall be deemed defaulters.Defaulters in case of settlements with lambardárs.

114. A statement of account certified by the tahsíldar shall, for the purposes of this chapter, be conclusive evidence of the existence of the arrear, of its amount, and of the person who is the defaulter.Evidence of arrear.

115. When an arrear of land-revenue has accrued, a writ of demand or summons to appear may issue, calling on the defaulter to pay the amount within a time therein stated.Writ of demand.

116. At any time after an arrear of land-revenue becomes due, such officer as the Chief Commissioner from time to time empowers in this behalf, may arrest the defaulter and detain him in custody for fifteen days, unless the arrear, together with the costs of arrest, is sooner paid.Arrest and detention of defaulter.

117. If the arrear be not paid within fifteen days, and no good reason for the non-payment is shown, the Deputy Commissioner may issue an order to the jailor of the civil jail of the district, directing him to confine the defaulter therein as a civil prisoner until the arrear is paid, or until the expiration of such period, not exceeding six months from the date of the order, as the Deputy Commissioner thinks fit; and such person shall be confined according to the terms of such order:Imprisonment in civil jail.

Provided that no person exempted under the law for the time being in force from personal attendance in the Civil Courts, no taluqdár and no female, shall be subject to arrest or imprisonment under this and the preceding section.

118. The Deputy Commissioner may, whether the defaulter has been arrested and imprisoned or not, order the attachment and sale of so much of his moveable property as will, as nearly as may be, defray the arrear.Attachment and sale of moveables.

Nothing herein contained shall authorize the attachment and sale of articles set aside exclusively for the use of religious endowments: or, in the case of an agriculturist, of instruments of husbandry and of cattle *bonâ fide* kept for the cultivation of his land, or in the case of an artisan, of his tools, nor of any other articles exempted by the law for the time being in force from sale in execution of decrees of Civil Courts.

119. Every attachment and sale ordered under the preceding section shall be conducted according to the law in force for the time being, for the attachment and sale of moveable property under the decree of a Civil Court.Conduct of sale.

120. When an arrear of land-revenue has become due in respect of a share, pattí or mahál, the Deputy Commissioner may in addition to, or instead of, the processes hereinbefore specified, cause such share, pattí or mahál to be attached and taken under the direct management of any agent whom he appoints for that purpose.Property may be attached and taken under direct management.

The agent so appointed shall stand, for the purpose of managing the property so attached, in the position of the person for whose default it was attached;Powers and obligations of agent.

and shall be bound by all the liabilities of such person to any under-proprietors, lessees whose rent has been fixed by a Settlement Officer, or tenants with rights of occupancy;

and shall be entitled to manage such property and to receive all rents and profits accruing thereon to the exclusion of the person for whose default it was attached,

until the arrears of land-revenue due therefrom have been satisfied, or until the Deputy Commissioner directs him to restore the person whose interest has been attached to the management thereof.

121. All surplus profits of the property so attached after defraying thereout any instalment of land-revenue that may become due during such management, and the cost of such attachment and direct management, shall be applied to discharging the arrear of revenue on account of which it was ordered.Application of surplus profits.

And no such management shall continue after such arrear has been discharged as aforesaid, and any surplus remaining after payment of the charges mentioned in the first clause of this section shall be handed over to the proprietor.Termination of management.

122. If an arrear of land-revenue has become due in respect of the share of any member of a village community, such community, or any member thereof, may tender payment of such arrear, or may offer to pay such arrear by instalments.Transfer of share of defaulter to solvent co-sharers.

If such tender be made, or if the Deputy Commissioner considers such offer satisfactory, the Deputy Commissioner may transfer the share of the defaulting member to the community or member making the tender or offer on such terms as the Deputy Commissioner thinks fit, and either for a term of years, or until such arrear is paid.

In case of conflicting tenders or offers under this section, the co-sharer who, in case the share were sold, would have a right of pre-emption under section 9 of the Oudh Laws Act, shall be preferred.

123. If such share is so transferred until the arrear is repaid, and if the arrear is not repaid within twelve years from the date of the transfer, the community or member to whom the share has been so transferred, may apply in writing to the Deputy CommissionerWhen transfer of share is to become absolute.

to publish a notification that, if the arrear is not paid within one year from the date thereof, such transfer will become absolute.

The Deputy Commissioner shall publish such notification accordingly, and if the arrear is not repaid before the expiration of one year from the date of the notification, the transfer to such community or member shall become absolute.

124. The procedure prescribed in the two preceding sections shall not affect the joint liability of the co-sharers of the mahál.

Procedure not to affect joint liability of co-sharers.

125. When any arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner is of opinion that the processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of, any such process, report, through the Commissioner of the division, the matter to the Chief Commissioner, and the Chief Commissioner may thereupon order the existing settlement of such pattí or mahál to be annulled.

When settlement may be annulled.

The provisions of this section shall not be put in force for the recovery of any arrear of land-revenue which may have accrued on land,

Exception of certain arrears.

(*a*) while attached under section 120, or

(*b*) while in charge of the Court of Wards.

126. When the settlement of any pattí or mahál has been annulled under the last preceding section, the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, either manage the land by himself or an agent, or let it in farm to any person willing to accept the same, for such term and on such conditions as may be approved by the Chief Commissioner:

When settlement has been annulled, the Deputy Commissioner may manage the land himself, or by agent, or let it in farm.

Provided that the term for which a pattí or mahál may be so managed or let be not longer than fifteen years from the first day of July next after the date of such annulment.

And no interest in or right to such pattí or mahál, or any part thereof, created or assigned by any person who, immediately before the annulment of the settlement, was in possession of the whole or any part of the land comprised therein, or by any person through whom he claims, shall, during the continuance of such term, be binding on the Deputy Commissioner or his agent or lessee.

Suspension of contracts.

127. When the Deputy Commissioner attaches any land under section 120, or when the settlement of any land has been annulled under section 125, he shall make public proclamation thereof on the mahál.

Proclamation of attachment or annulment of settlement.

And he may realize all arrears of rent becoming due in respect of such land by under-proprietors or by lessees whose rent has been fixed by a Settlement Officer, as if they were arrears of land-revenue.

128. No payment made after such proclamation on account of rent or other profit of the land so attached, or of which the settlement has been so annulled to any person other than the Deputy Commissioner or his agent or lessee, shall be credited to the person making such payment, or relieve him from liability to payment to the Deputy Commissioner, his agent or lessee.

Payments thereafter to defaulter not to discharge payer.

129. No payment made to the defaulter in anticipation of the usual period for the payment of rents, shall, without the special sanction of the Deputy Commissioner, be credited to the person making the same in account with the Deputy Commissioner, or with his agent or lessee.

Payments to defaulter in anticipation of due date.

130. When any land has been let in farm under section 126 any balance due by the lessee as such may be recovered from him or his surety (if any) as if it were an arrear of revenue.

Recovery of balance due by farmer.

131. Whenever the settlement of any portion of a mahál is annulled under section 125, the joint responsibility of the co-sharers of the mahál for the revenue of such portion subsequently becoming due, shall be in abeyance until a new settlement of such portion is made under section 132.

Suspension of responsibility of co-sharers for revenue of portion of mahál as to which settlement is annulled.

132. After the expiration of the period for which any land has been managed or let in farm under section 126, the Deputy Commissioner shall offer to the person entitled to be settled with under section 26 a new settlement, on such conditions as the Chief Commissioner may direct, for the remainder of the term of the settlement of the district; and if such person refuse such offer, the Deputy Commissioner may (with the previous sanction of the Chief Commissioner) either manage the land by himself or an agent, or let the same in farm, under the provisions of sections 30 to 38, both inclusive.

Offer of settlement to proprietor on expiry of period for which land is managed or farmed.

133. When an arrear of land-revenue has become due in respect of any pattí or mahál, and the Deputy Commissioner of the district is of opinion that the other processes hereinbefore provided are not sufficient for the recovery of such arrear, he may, in addition to, or instead of all or any such other processes, and subject to the provisions next hereinafter contained, and with the previous sanction of the Chief Commissioner, sell by auction the pattí or mahál in respect of which such arrear is due:

Power to sell land to recover revenue-arrears.

Provided that no pattí or mahál shall be sold—

(*a*) for any arrears of land-revenue which may have become due in respect thereof while it was under the management of the Court of Wards, or held under the provisions of the Oudh Taluqdárs' Relief Act, or when the proprietor or under-proprietor thereof was, at the time the arrear accrued, a female deemed by the Chief Commissioner incompetent to manage her estate, a minor, an idiot, or a lunatic;

(*b*) for any arrears of land-revenue which may have become due while it was under attachment under section 120; or

(*c*) for any arrears of land-revenue which may have become due while it was under direct management by the Deputy Commissioner, or in farm by

any other person under sections 32, 35, 126, or 132.

134. Land sold under the last preceding section shall be sold free of all incumbrances,

Land to be sold free of incumbrances.

and all grants and contracts previously made by any person other than the purchaser in respect of such land shall become void as against the purchaser at the auction-sale.

Grants and contracts void against purchaser.

Nothing in the former part of this section applies to leases of lands at fair rents, for the erection of dwelling-houses or manufactories, or for mines, gardens, tanks, canals, places of worship or burying grounds.

Exceptions.

135. The Chief Commissioner may, notwithstanding anything contained in section 134, at any time before a sale of land for arrears of revenue has been actually made, direct it to be made subject to such of the interests in or rights to such land created by the proprietor in possession thereof, or any person through whom he claims, as the Chief Commissioner thinks fit.

Power to direct sale to be made subject to incumbrances.

When the proceeds of a sale so made are not equal to the arrears due at the time of sale, the Chief Commissioner may, at any time before the Commissioner of the Division has confirmed the sale, direct it to be cancelled and a new sale of the land to be made under section 134.

Power to cancel restricted sale and re-sell under section 134.

136. If the arrear cannot be recovered by any of the above processes, and the defaulter is in possession of any other immoveable property, the Deputy Commissioner may proceed against such other property, as if it were the land on account of which the revenue is due under the provisions of this Act:

Power to proceed against defaulter's other immoveable property.

Provided that no interest save those of the defaulter alone, shall be so proceeded against, and no incumbrances created or contracts entered into by him in good faith shall be rendered invalid by such proceeding.

137. On the receipt of the sanction of the Chief Commissioner to the sale of any land, the Deputy Commissioner of the district shall issue a proclamation, in the vernacular language of the district, of the intended sale, specifying the time and place of sale,

Procedure in effecting sale.

and (when the land to be sold is a mahál or part of a mahál paying revenue to Government) the revenue assessed upon it, together with any other particulars he may think necessary.

138. When the land is sold for arrears of revenue due in respect thereof, the proclamation shall declare that the land is to be sold free of every incumbrance except the leases mentioned in section 134, and except the interests and rights, if any, referred to in the first paragraph of section 135.

Contents of proclamation.

The particulars of such leases, interests and rights shall be given in the proclamation.

Such proclamation shall be made at the head-quarters of the tahsíl in which the land is situate, and also in the village of which it is a part.

139. A written notice of the intended sale and of the time and place thereof shall be affixed in the office of the Deputy Commissioner of the district, and where the Assistant Commissioner in charge of the sub-division in which the land is situate has a separate office, then also in such office, and a copy of such notice shall be served on the defaulter.

Notification of sale.

140. Every sale under this chapter shall be made either by the Deputy Commissioner of the district in person or by an Assistant Commissioner specially appointed by him in this behalf.

Sale by whom to be made.

No such sale shall take place on a Sunday or other authorized holiday, or until after the expiration of at least thirty days from the date on which the said notice thereof has been affixed in the office of the Deputy Commissioner of the district, and proclamation of the sale has been made in the village in which the land is situate.

Time when sale may be made.

The Deputy Commissioner of the district may, from time to time, postpone the sale, reporting such postponement to the Commissioner of the division.

141. If the defaulter pay the arrear of revenue in respect of which the land is to be sold at any time before the day fixed for the sale, to the person appointed by Government under section 110, to receive payment of the revenue assessed on such land, or to the Deputy Commissioner of the district, or the Assistant Commissioner in charge of the sub-division of the district, the sale shall be stayed.

When sale may be stayed.

142. The person declared to be the purchaser shall be required to deposit immediately twenty-five per cent. on the amount of his bid, and in default of such deposit the land shall forthwith be again put up and sold.

Deposit by purchaser.

Re-sale in default of deposit.

143. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the sale of the land took place, or, if the said fifteenth day be a Sunday or other authorized holiday, then on the first office day after such fifteenth day;

Purchase-money when to be paid.

and in default of payment within such period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold.

Resale in case of default.

144. If the proceeds of the sale which is eventually made be less than the price bid by such defaulting purchaser, the difference shall be leviable from him under the rules contained in the Code of Civil Procedure for the execution of a decree for money.

Liability of purchaser for loss by re-sale.

145. No re-sale under section 143 in default of payment of the purchase-money shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale.

Notification before re-sale.

146. At any time within thirty days from the date of the sale, application in writing may be made to the Commissioner of the Division to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it.

Application to set aside sale.

147. No sale shall be set aside on such ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake complained of.

When sale may be set aside.

148. After the expiration of the said thirty days, if no such application as is mentioned in section 146, has been made, or if such application has been made and rejected, the Commissioner of the Division shall make an order confirming the sale;

and if such application be made and allowed the Commissioner shall make an order setting aside the sale.

Every order made under this section shall be final.

Order confirming or setting aside.

149. If no such application be made within the time allowed by section 146, all claims founded on the irregularity or mistake complained of shall, as against the Government, be barred.

Bar of claims against Government.

Nothing herein contained shall preclude the institution of a suit in a Civil Court for the purpose of setting aside a sale on the ground of fraud.

150. Whenever the sale of any land is set aside, the purchaser shall be entitled to receive back his purchase-money, with or without interest, at such rate not exceeding six per cent. per annum, as the Commissioner of the Division thinks fit.

Refund of purchase-money when sale set aside.

151. After a sale of land in respect of which an arrear of revenue is due has been confirmed in manner aforesaid, the Deputy Commissioner of the District shall, unless the purchase has been made subject to a right of some other person to possession, put the person declared to be the purchaser into possession of the land, and shall grant him a certificate, to the effect that he has purchased the land to which the certificate refers, and such certificate shall be deemed to be a valid transfer of such land, but need not be stamped or registered as a conveyance.

On confirmation of sale, purchaser to be put in possession.

If the land has been sold on account of an arrear of revenue due in respect thereof, the certificate shall also either state that the purchaser has purchased the land to which the certificate refers free of every incumbrance other than the leases mentioned in section 134, or shall specify the incumbrances subject to which the land has been sold.

152. The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

Bar of suit against certified purchaser.

153. When a sale of land has been confirmed under section 148, the proceeds of the sale shall be applied in the first place to defraying the expenses of sale and to the payment of any arrears due in respect of such land at the date of the confirmation of such sale and recoverable as an arrear of land-revenue,

Application of proceeds of sale.

and the surplus (if any) shall be paid to the person whose land has been sold;

or, if the land sold were held in shares, then to the co-sharers collectively, or according to the amount of their recorded interests, at the discretion of the Deputy Commissioner of the District.

154. Such surplus shall not (except under an order of a Civil Court) be payable to any creditor of the person whose land has been sold, nor shall it (except under a like order) be retained in the Government treasury.

Surplus not to be paid to creditors, nor retained by Government except under order of Court.

155. The person named in the certificate of title as purchaser of any land shall be liable for all instalments of land-revenue becoming due in respect of such land subsequently to the date of the confirmation of the sale.

Liability of purchaser for revenue.

156. Where any land sold under section 133 is a pattí of a mahál, any recorded co-sharer, not being himself in arrear with regard to the revenue due in respect of such land, may, if the lot has been knocked down to a stranger, claim to take the said land at the sum last bid:

Pre-emption by co-sharers when land sold is a pattí of a mahál.

Provided that such claim be made on the day of sale, and before the officer conducting the sale has left the office for the day, and provided that the claimant fulfil all the other condtions of the sale.

157. Whenever proceedings are taken under this chapter against any person for the recovery of any arrear of revenue, he may pay the amount claimed under protest to the officer taking such proceedings,

Payment under protest and suit for recovery.

and upon such payment the proceedings shall be stayed,

and (subject to the pecuniary limitations prescribed by law) the person against whom such proceedings were taken may sue the Government for the amount so paid in any Civil Court situate in the district where such proceedings were taken;

and in such suit, the plaintiff may, notwithstanding section 114, give evidence of the amount which he alleges to be due from him.

158. Any proprietor or under-proprietor of a mahál or portion of a mahál, that is attached, transferred, held under direct management, farmed or sold under the provisions of this Act, who may, at the date of the order of such attachment, transfer, direct management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner may determine, and the rent to be

Proprietor of mahál when to be deemed a tenant with right of occupancy.

paid by him for such land shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

159. Whenever a mahál or pattí is held in sub-settlement, or under a heritable, nontransferable lease, the rent payable under which has been fixed by the Settlement Officer, and the rent of such mahál or pattí falls into arrear, the proprietor may, instead of suing the defaulter under Act No. XIX of 1868, apply in writing to the Deputy Commissioner requesting him to realize such arrear.

Assistance to recover rent of mahál held in sub-settlement.

The Deputy Commissioner shall, on receipt of such application, satisfy himself as to the existence of such arrear, and shall then, subject to such rules as may from time to time be made in this behalf by the Chief Commissioner, proceed to recover such arrear as if it was an arrear of revenue.

160. If the term for which any settlement has been made expires before a new settlement is made, all persons with whom a settlement has been made, who continue after the expiration of such term to occupy the land comprised in the expired settlement shall, until a new settlement is made, hold the said land upon the conditions of the expired settlement.

Tenure of land under expired settlement until new settlement is made.

161. The provisions of this Act with regard to the recovery of arrears of revenue shall apply to all arrears of land-revenue and sums of money recoverable as arrears of land-revenue and due when this Act comes into force.

Provisions applied to arrears due at commencement of Act.

CHAPTER VIII.

COURTS OF WARDS.

162. Deputy Commissioners shall, subject to the control of the Commissioner of the Division and of the Chief Commissioner, have the power of a Court of Wards within their respective districts for the superintendence of the persons and property of all persons who may become entitled as proprietors or under-proprietors, or lessees whose rent has been fixed by a Settlement Officer, to any beneficial interest in a mahál or portion of a mahál assessed to the payment of land-revenue or held free of revenue, and who are either disqualified for the management of their own estates or are committed by a Civil Court to the care of the Deputy Commissioner:

Deputy Commissioners to be Courts of Wards.

Provided that the Court of Wards shall not take charge of or administer any beneficial interest in an estate, in which more persons than one have a joint undivided interest, unless all such persons are so circumstanced as to be subject to the Court of Wards.

Bar of jurisdiction in certain cases.

163. Persons shall be held to be disqualified to manage their own estates when they are

Persons when disqualified to manage their estates.

(*a*) females deemed by the Chief Commissioner incompetent to manage their estates,

(*b*) minors,

(*c*) idiots,

(*d*) lunatics,

(*e*) persons who may in the opinion of the Chief Commissioner be otherwise rendered incapable by physical defects or infirmities from managing their estates,

(*f*) persons convicted of a non-bailable offence and disqualified in the opinion of the Chief Commissioner by vice or bad character from managing their estates,

(*g*) persons declared by the Chief Commissioner on their own application to be disqualified from managing their estates.

164. The Deputy Commissioner may make an inquiry into the disqualification of any person, who, he has reason to believe, disqualified within the meaning of section 163, clauses (*b*), (*c*) or (*d*), and into the circumstances and property of any such person, and may make an order declaring him to be subject to the jurisdiction of the Court of Wards.

Inquiry into minority, lunacy, idiocy, &c.

165. The Court of Wards may assume or refrain from assuming the superintendence of the person or property of any disqualified person and may at any time release any person or property from its superintendence: Provided that such person or property has not been placed under the Court of Wards by any competent authority whose order is necessary to his or its release.

Jurisdiction of Court of Wards.

166. If in any case not specially provided for by this or any other law for the time being in force, the right of the Court of Wards to assume or retain the superintendence of the estate of a disqualified person is disputed by such person, the case shall be reported to the Chief Commissioner whose orders thereon shall be final.

Report to Chief Commissioner when right of Court of Wards is disputed by persons other than those specially provided for.

167. The jurisdiction of the Court of Wards shall extend to the care and education, and to the management of the property, of the persons subject thereto.

Extent of jurisdiction.

168. The Court of Wards may appoint managers of the property of disqualified proprietors, and if such proprietors be minors, idiots or lunatics, may appoint guardians for the care of their persons, and may remove and control such managers and guardians.

Appointment, removal and control of guardians.

169. Proprietors may appoint guardians for their heirs, if disqualified, by will executed and attested in manner required in case of Taluqdárs by Act No. I of 1869, and in case of other proprietors by the Indian Succession Act, 1865; but the Court of Wards shall be competent to remove such guardian for any sufficient reason.

Power of proprietors to appoint guardians for disqualified heirs.

170. The Court of Wards may direct where all male minors under its jurisdiction shall reside for the purpose of education or otherwise.

Powers of Courts of Wards as to male minors within its jurisdiction.

171. The manager appointed by the Court of Wards shall have power to collect the rents of the land entrusted to him, as well as all other money due to

Powers of manager.

the disqualified proprietor, and to grant receipts therefor;

and he may, subject to the control of the Court, grant or renew such leases and farms, not being for a longer period than five years, as may be necessary for the good management of the property.

172. The manager shall manage the property committed to him diligently and faithfully for the benefit of the proprietor, and shall in every respect act to the best of his judgment for the proprietor's interest as if the property were his own.

Duties of manager.

173. The Court of Wards shall have power to give such leases or farms of the whole or parts of the immoveable property under its charge, and to mortgage or sell any part of such property, and to do all such other acts, as it may judge to be most for the benefit of the property and the advantage of the disqualified proprietors.

Power of Court of Wards as to land under its charge.

174. Persons whose property is under the superintendence of the Court of Wards shall not be competent to create without the sanction of the Court any charge upon or interest in such property or any part thereof.

Disabilities of persons subject to Court of Wards.

175. No such property shall be liable to be taken in execution of a decree made in respect of any contract entered into any such person while his property is under such superintendence.

Their property exempt from being taken in execution of certain decrees.

176. All disqualified proprietors whose property is in charge of the Court of Wards shall sue and be sued by and in the name of their guardians, where guardians have been appointed; otherwise by and in the name of the Court of Wards.

Suits by and against disqualified proprietors in charge of Court of Wards.

Provided that no such suit shall be maintained or defended by any guardian without the sanction of the Court of Wards.

177. If no such guardian has been appointed, the disqualified proprietors shall sue and be sued by and in the name of the Court of Wards.

Suits by such proprietors when no guardian appointed.

178. Every manager appointed by the Court of Wards shall—

Rules relating to managers.

(*a*) give such security as the Court of Wards thinks fit, duly to account for what he shall receive in respect of the rents and profits of the property for which he is appointed;

(*b*) pass his accounts at such periods and in such form as the Court of Wards directs;

(*c*) pay the balance due from him thereon;

(*d*) apply for the sanction of the Court of Wards to any act which may involve the property in expense not previously sanctioned by such Court;

(*e*) be entitled to such allowance as the Court of Wards thinks fit for his care and pains in the execution of his duties;

(*f*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

CHAPTER IX.

POWERS OF OFFICERS.

A.—Powers of Assistant Commissioners.

179. An Assistant Commissioner in charge of a sub-division shall as such have the following powers:—

Powers of Assistant Commissioners of the first class.

(*a*) to refer cases for inquiry or decision to his subordinates;

(*b*) to withdraw cases from his subordinates and to deal with them himself, or to refer them for disposal to any other subordinate officer competent to deal with them;

(*c*) to order changes in the proprietary register;

(*d*) to levy fees for mutations;

(*e*) to enquire into cases of reported transfers;

(*f*) to levy fines, under section 65;

(*g*) to declare the person best entitled to property and put him in possession, under section 66;

(*h*) to report on revenue-free holdings, and to assess revenue on resumed grants;

(*i*) to assess alluvial lands;

(*j*) to receive applications for and make partitions under chapter V, of this Act, subject to the confirmation of the Deputy Commissioner of the District.

(*k*) to impose fines for injuries to boundary-marks, and in certain cases apportion the charges of re-erecting and repairing boundary-marks;

(*l*) to call on owners to erect or repair boundaries, and, in default, to erect and repair and charge the cost to owners, and to decide disputes regarding boundaries;

(*m*) to attach and sell moveable property of defaulters, under section 118;

(*n*) to fix under section 158 the area of the land to be held as a tenant with right of occupancy and the rent to be paid for it by proprietors of mahâls which have been attached, transferred, held under direct management, farmed or sold, under the provisions of this Act, for land in their cultivating occupancy;

180. Assistant Commissioners of the first class, not in charge of sub-divisions of districts, shall exercise all or any of the powers conferred on Assistant Commissioners of the first class in charge of sub-divisions, in such cases or class of cases as the Deputy Commissioner of the District may, from time to time, refer to them for disposal.

Powers of Assistant Commissioners of first class not in charge of sub-divisions.

181. All Assistant Commissioners of the second class shall have power to investigate and report on such cases as the Deputy Commissioner of the District or Assistant Commissioner in charge of a sub-division of a district may, from time to time, commit to them for investigation and report.

Powers of Assistant Commissioners of second class.

B.—Powers of Settlement Officers.

182. Officers in charge of a settlement may exercise all the powers conferred by or under this Act on Settlement Officers, and by section ten on the Deputy Commissioner of the District, but none but an officer in charge of a settlement or an Assistant Settlement Officer specially empowered by the Chief Commissioner shall have power—

Powers of officers in charge of a settlement.

(*a*) to frame proposals for assessment;

(*b*) to distribute the assessment;

(*c*) to re-distribute land or revenue under section 31;

(*d*) to determine the rent payable under section 40 by under-proprietors or lessees;

(*e*) to exclude proprietors from settlement for refusal to engage;

(*f*) to adjust the rent of excluded proprietors;

(*g*) to determine under section 56 the rent payable in respect of resumed rent-free tenures;

(*h*) to resume and assess revenue-free land.

183. All other powers conferred on Settlement Officers by this Act shall be exercised by Assistant Settlement Officers, under such restrictions as the officer in charge of a settlement may from time to time impose.

Powers of Assistant Settlement Officers.

184. The Chief Commissioner may with the previous section of the Governor General in Council invest any officer in charge of a settlement with all or any of the powers of a Deputy Commissioner under this Act, and any Assistant Settlement Officer with all or any of the powers conferrible on an Assistant Commissioner under this Act within such limits, and with such restrictions, and for such period as he thinks fit.

Investing of Settlement Officers with powers of Deputy Commissioner and Assistant Commissioner.

CHAPTER X.

APPEALS.

185. Appeals shall lie under this Act as follows:—

Officers to whom appeals lie.

(*a*) to the Chief Commissioner from any order passed by a Commissioner except such orders as are made on appeal from orders passed by Deputy Commissioners in the exercise of their appellate jurisdiction;

(*b*) to the Commissioner from orders, original or appellate, passed by Deputy Commissioners or officers in charge of a settlement in any proceeding held under the provisions of this Act;

(*c*) to the Deputy Commissioner from orders passed by any Assistant Commissioner;

(*d*) to the officer in charge of a settlement from orders passed by an Assistant Settlement Officer.

186. No appeal under section 185, clauses (*c*) and (*d*), shall be brought after the expiration of thirty days from the date of the order complained of.

Limitation of appeals.

No appeal under the same section, clause (*b*), shall be brought after the expiration of six weeks from the date of the order complained of, unless otherwise specially provided.

No appeal under the same section, clause (*a*), shall be brought after the expiration of two months from the date of the order complained of.

187. In computing the period prescribed for an appeal under this chapter, the day on which the order complained of was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

Time to be excluded.

188. Any appeal under this chapter may be admitted after the period of limitation prescribed therefor, when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within such period.

Admission of appeal after period of limitation.

No appeal shall lie against an order under this section admitting an appeal.

189. The officer to whom the appeal lies may either admit or summarily reject the appeal. If he admit the appeal, he may reverse, modify or confirm the order appealed against, or he may direct such further investigation to be made or such additional evidence to be taken as he may think necessary, or he may himself take such additional evidence.

Procedure on admitting appeal.

190. In every case in which an appeal is admitted, the execution of the order appealed may, pending the result of the appeal, be suspended.

Suspension of order appealed against.

191. The Chief Commissioner and every Commissioner shall have power to call for the file of any proceeding held by any officer subordinate to him, and to pass such orders thereon as he thinks fit.

Power to call for files of subordinate officers.

CHAPTER XI.

REFERENCE TO ARBITRATION.

192. The Chief Commissioner, a Commissioner of a Division, a Deputy Commissioner, an Assistant Commissioner of the first class, an officer in charge of a settlement, or an Assistant Settlement Officer may, with the consent of the parties, by order, refer any dispute before him to arbitration; and any officer acting under the provisions of sections 103 to 108, both inclusive, may, with the consent of the parties, refer to arbitration any dispute arising before him respecting the matters mentioned in the same sections.

Power to refer disputes to arbitration.

193. In referring any such dispute to arbitration, the officer making the reference shall specify, in the order of reference, the precise matter submitted to the arbitrators, and such period as he may think reasonable for the delivery of the award;

What to be specified in order of reference.

and he may from time to time extend such period.

194. The parties to the case may each nominate either one or two arbitrators, provided that each party shall nominate the same number;

Appointment of arbitrators.

and a third or fifth arbitrator (as the case may be) shall be appointed by the parties, or, in the event of their being unable to agree, by the officer making the reference.

Power to excuse arbitrator from serving, and to call for nomination of substitute.

195. Every officer making a reference under this chapter may, on good cause shown, excuse any person from serving as an arbitrator, and may call on the party who nominated such person to nominate another in the place of the person so excused.

Nomination of new arbitrator in place of one dying or failing to act.

196. If an arbitrator die, desire to be discharged, or refuse or become incapable to act, the party who nominated him shall nominate another person in his place.

Nomination by officer when parties fail.

197. If in any of the cases provided for by section 195 or section 196 any party fail for a week to nominate in manner aforesaid, the officer making the reference shall appoint some person to act as arbitrator.

Award.

The arbitrators shall determine and award concerning the matters referred to them for arbitration; and the parties disputing, and all persons claiming through them respectively, shall abide by and perform the award of the arbitrators.

Summoning parties to give evidence.

198. If the arbitrators require the presence of the parties, or any other persons whose evidence may be necessary, they shall apply to the officer making the reference, who shall summon such parties or persons;

Obligation of persons summoned.

and all such parties or persons shall be bound to attend, either in person or by agent, as the arbitrators may require, and to state the truth as to the subject-matter of the reference, and to produce such documents and other things as may be required before the arbitrators.

Preparation and submission of award.

199. The award shall be made in writing under the hands of the arbitrators, and shall be submitted by them to the officer making the reference, who shall cause notice to be served on the parties to attend and hear the award.

In what cases award or subject of arbitration may be remitted to arbitrators.

200. The officer making the reference may remit the award or any of the matters referred to arbitration to the re-consideration of the same arbitrators,

(*a*) if the award has left undetermined some of the matters referred to arbitration, or if it determine matters not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of the award.

Grounds on which award may be set aside.

201. No award shall be liable to be set aside except on the ground of corruption or misconduct of all or any of the arbitrators.

Application to set aside.

Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

Decision according to award.

202. If the officer making the reference does not see cause to remit the award or any of the matters referred to arbitration for re-consideration in the manner aforesaid,

and if no application has been made to set aside the award,

or if he has refused such application,

he shall decide in accordance with the award of the majority of the arbitrators,

and shall fix the amount to be allowed for the expenses of the arbitration, and direct by, and to whom, and in what manner, the same shall be paid.

Bar to appeal any suit in Civil Court.

203. Such decision shall not be open to appeal, and shall be at once carried out;

and no Civil Court shall entertain any suit for the purpose of setting it aside or against the arbitrators on account of their award.

CHAPTER XII.

MISCELLANEOUS.

Place for holding Court.

204. Subject to the orders of the Chief Commissioner,

(*a*) a Commissioner may hold his Court at any place within his division that he thinks fit:

(*b*) a Deputy Commissioner, an Assistant Commissioner (whether in charge or not of a sub-division of a district), or an officer in charge of a settlement or Assistant Settlement Officer may hold his Court at any place within the limit of the district to which he is appointed; and

(*c*) a Tahsíldár may hold his Court at any place within the limits of his tahsíl.

Power to summon persons to give evidence and produce documents.

205. The Chief Commissioner and any officer mentioned in the last preceding section shall have power to summon any person whose attendance he considers necessary for the purpose of any investigation, suit or other business before him.

All persons so summoned shall be bound to attend either in person or by authorized agent as such officer may direct,

and to state the truth upon any subject respecting which they are examined or make statements,

and to produce such documents and other things as may be required.

Conduct of proceedings.

206. All proceedings held under the provisions of this Act shall be conducted according to the rules for the time being prescribed under section 208.

Matters excepted from cognizance of Civil Courts.

207. No Civil Court shall exercise jurisdiction over any of the following matters:—

(*a*) the claim of any person to be settled with, or

the validity of any engagement with Government for the payment of revenue, or

the amount of revenue, cess or rate to be assessed on any mahál, or portion of a mahál under this or any other Act for the time being in force: or

the rent to be paid to a proprietor by an under-proprietor or a lessee whose rent has been fixed by the Settlement Officer.

(*b*) any claims connected with or arising out of any process enforced on account of neglect or refusal to accept the assessment or terms of sub-settlement proposed by the Settlement Officer:

(*c*) the formation of the settlement record,

the preparation, signing, or attestation of any of the documents contained therein, or

the notification of settlement:

(*d*) the distribution on partition of the land or allotment of the revenue of a mahál or of the rent of an under-proprietary tenure, or of rent payable by lessees whose rent has been fixed by a Settlement Officer.

(*e*) the determination of the rent to be paid by any person under section 87;

(*f*) claims connected with, or arising out of, the collection of revenue or any process enforced on account of an arrear of revenue, or on account of any sum which is by this or any other Act realizable as revenue other than claims under section 157:

(*g*) claims to set aside a sale for arrear of revenue other than claims under section 149.

In all the above cases, jurisdiction shall rest with the revenue officers only.

Power to make rules for purposes of Act.

208. The Chief Commissioner may, from time to time, with the previous sanction of the Governor General in Council, make and issue rules consistent with this Act, and relating to the following matters;—

(*a*) the appointment, duties, remuneration, punishment and dismissal of—

(1) tahsíldárs.

(2) lambardárs or representatives of village communities,

(3) kánúngos or superintendents of revenue records,

(4) patwárís or village accountants;

(*b*) for regulating the assessment of land gained by alluvion or the reduction of the assessment of a mahál in consequence of diluvion;

(*c*) the procedure to be followed by any officer or other person who, under any provision of this Act, is required or empowered to take action in any matter;

(*d*) the cases in which, the officers to whom, and the conditions subject to which, orders and decisions given under the preceding sections of this Act, and not expressly provided for as regards appeal shall be appealable;

(*e*) the person by whom, and the time, and manner at or in which, anything for the doing of which provision is hereinbefore made in this Act, shall be done;

(*f*) the form and contents of reports to be furnished by officers required or empowered to take action in any matter, and the period within which such reports shall be furnished;

(*g*) the form and contents of the registers and lists kept under this Act; and

(*h*) the cases in which alone taluqdárí maháls and maháls whether under-proprietary or held by lessees whose rents have been fixed by the Settlement Officer shall be liable to partition under this Act;

(*i*) the costs of partitions under this Act and the persons by whom they are to be paid, and the mode of enforcing such payment against such persons or their shares in the property of which partition has been made;

(*j*) the issue under section 115, of writs of demand or summons to appear, and the costs recoverable from the defaulter, and the officer by whom such writs and summonses shall be issued;

(*k*) and generally to carry out the provisions of this Act.

Penalty for neglecting to appoint patwárís.

209. Where, by any rule framed under the provisions of clause (*a*) of the preceding section, the appointment of patwárís is directed to be made by the landowners of a village, or the landowners are made primarily responsible for enforcing the due submission of such returns as may be prescribed to be kept by patwárís, the neglect or refusal of such landowners to make such appointment or to enforce the submission of such returns shall be punishable with such fine not exceeding fifty rupees, as the Chief Commissioner directs.

Recovery of fines and costs.

210. All fees, fines, costs and other moneys ordered to be paid under this Act, shall be recoverable as if they were an arrear of land-revenue.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Third publication.]

The following further Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 27th July 1876:—

We, the undersigned Members of the Select Committee to which the Bill to declare and amend the laws to be administered in Oudh was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

From Secretary to Chief Commissioner, Oudh, No. 554, dated 2nd February 1871, and enclosures.
" Government of Bengal, No. 3304, dated 14th July 1871, and enclosure.
Endorsement by Department of Revenue, Agriculture and Commerce, No. 900, dated 19th September 1872, forwarding—
Letter from Personal Assistant to Chief Commissioner, Oudh, No. 2779, dated 5th August 1872, and enclosures.
From Officiating Personal Assistant to Chief Commissioner, Oudh, No. 133, dated 14th January 1873, and enclosures.
" Officiating Secretary to Chief Commissioner, Oudh, No. 4478, dated 19th September 1873, and enclosures.
" Military Department, No. 437J, dated 8th January 1874, and enclosures.
" Secretary to Chief Commissioner, Oudh, No. 1032, dated 4th March 1875, and enclosures.
" Secretary to Chief Commissioner, Oudh, No. 3925, dated 21st August 1875, and enclosures.
" Secretary to Chief Commissioner, Oudh, No. 2707, dated 9th January 1876, and enclosures.
" Secretary to Financial Commissioner, Panjáb, No. 767, dated 18th July 1873, and enclosures.
" Officiating Government Advocate, Panjáb, No. 1322, dated 16th July 1874.
" Officiating Registrar, Chief Court, Panjáb, No. 1215, dated 15th May 1875, and enclosures.

2. We have omitted the chapter relating to minority. So far as relates to Europeans the matter is sufficiently provided for by Act No. XIII of 1874. As to Natives, there seemed some danger that the chapter in question might have interfered undesirably with their customs as to guardianship, minority, and bastardy; and as there is no evidence before us that those customs are either unjust or inexpedient, we thought it best not to touch them in the present measure. Exactly the same course was followed by the legislature when it passed the Panjáb Laws Act, and no inconvenience has been found to result.

3. We have transferred the chapter treating of the Court of Wards to the Oudh Land-Revenue Bill, with certain changes described in the report on that Bill.

4. For reasons similar to those mentioned in paragraph 2 of this report, we have omitted the chapter relating to betrothal. Here, again, we have followed the precedent of the Panjáb Laws Act.

5. We have redrawn the chapter of pre-emption, extending it to foreclosures of mortgages as well as to sales, as is done by the Panjáb Laws Act.

6. The substance of the sections on partitions has been inserted in the Oudh Land-Revenue Bill. We have therefore struck them out of the Laws Bill.

7. We have omitted the sections (46 and 47) as to the bar of certain suits for redemption. They were taken from the Oudh Courts Act: some difference of opinion exists about them; and they should not be inserted in a Bill of which the primary object is to clear up doubts as to what the law really is in Oudh. The Oudh Courts Act remains untouched in this respect.

8. We have also omitted the sections relating to insolvency. This matter will, so far as regards persons arrested or imprisoned in execution of money decrees, be dealt with by the revised Code of Civil Procedure, which will apply to Oudh as to other parts of British India; and, in any case, we think it inexpedient to give Oudh a special law on the subject.

9. We have also omitted the sections relating to intestacy. The procedure which they prescribe can, for the most part, be enforced by executive rules for the disposal of unclaimed property made under the Police Act, V of 1861. Moreover, so far as regards Europeans and East Indians, the necessary rules are already contained in the Administrator General's Act, II of 1874.

10. The retention of the system of trial by jury in civil cases in Lucknow alone, of all places in India, is obviously inexpedient. We have therefore struck out section 61.

11. We have struck out the clause of the Bill requiring Judges of Civil Courts to forward to the Deputy Commissioner certified copies of decrees affecting land.

12. As regards sales of land in execution of decrees, we have altered section 65 of the Bill so as to render unsaleable ancestral property in land without the permission of the Judicial Commissioner, and acquired property in land without the permission of the Deputy Commissioner. This maintains the modification of Act VIII of 1859, section 205, subject to which the Code of Civil Procedure was extended to Oudh in August 1861. We have also declared that in the clause under notice (section 21 of the amended Bill) the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59. This agrees with the Oudh Rent Act, section 109.

13. We have provided (section 22) for the appointment of a person to manage immoveable property under attachment.

14. We have amended (sections 23 and 24) the Oudh Rent Act sections 109 and 118.

15. We have omitted the chapters relating respectively to Escheats and Hidden Treasure. Rules as to the former subject can be made by the Executive and require no legislation. The latter subject will be dealt with by another Bill about to be introduced into the Council of the Governor General, which will apply to the whole of British India.

16. We have also omitted the chapter relating to Cantonments and Military Bázárs. So much doubt exists in the Military Department of the Government of India as to what rules should be made on this subject, that the Committee have thought it best to omit the chapter in question, and rely for the present on the rules contained in Bengal Regulation XX of 1810.

17. We have inserted, at the desire of the Chief Commissioner, a chapter (copied from Act XVI of 1873) dealing with Village and Road Police.

18. In the section relating to the creation of new districts, we have empowered the Chief Commissioner to subdivide districts and to alter the limits of subdivisions.

19. We have repealed sections 10 to 15 of the old Gambling Act, which were extended to Oudh by an executive order. We have also repealed Act XIX of 1863, as its provisions have been inserted in the Oudh Land-Revenue Bill. We have omitted from the schedule of repeals Act III of 1869, as to Rural Police, and sections 29 and 30 of the Oudh Civil Courts Act.

20. From the section (91) corresponding with sections 38 and 39 of the present draft, we have omitted the clause providing for the periodical republication of subsidiary rules.

21. From the second schedule we have omitted Regulation XXIII of 1803, as to fees to defray the expenses of Revenue-offices, and Regulation IV of 1821, as to the powers and duties of Collectors; and Acts I of 1847, as to boundary marks, XXVI of 1854, as to education of Wards, and XXXI of 1858, as to the settlement of alluvion. We have inserted Regulation XX of 1810, as to Military Bázárs, Regulation V of 1817, as to Hidden Treasure, and Regulation XI of 1822, section 38, as to the non-liability of Government for the errors of Courts of Justice.

22. The publication directed by the Rules for the conduct of legislative business has taken place. But the Bill has been so much altered that we think it should be republished, with this report, in the *Gazette of India* and the local Gazette, and that its further consideration should be postponed for two months.

A. HOBHOUSE.
R. H. DAVIES.
E. C. BAYLEY.
A. J. ARBUTHNOT.
JOHN INGLIS.
T. C. HOPE.
F. R. COCKERELL.

SIMLA;
The 22nd July 1876.

No. II.

THE OUDH LAWS BILL, 1876.

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A Bill to declare and amend the laws to be administered in Oudh.

Preamble. Whereas it is expedient to declare and amend the laws to be administered in Oudh; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Oudh Laws Act, 1876."

Local extent. It extends only to the territories for the time being under the administration of the Chief Commissioner of Oudh;

Commencement. And it shall come into force on the passing thereof.

Repeal of enactments. **2.** On and from that day, the Regulations, Acts, Rules and Orders mentioned in the first Schedule hereto annexed shall be repealed to the extent mentioned in the third column of the said schedule.

PART II.

GENERAL LAWS TO BE ADMINISTERED IN OUDH.

Statutory law to be administered in Oudh. **3.** The law to be administered by the Courts of Oudh shall be as follows:—

(a) the laws for the time being in force regulating the assessment and collection of land-revenue;

(b) in questions regarding succession, special property of females, betrothal, marriage, divorce, dower, adoption, guardianship, minority, bastardy, family relations, wills, legacies, gifts, partitions or any religious usage or institution, the rule of decision shall be—

(1) any custom applicable to the parties concerned which is not contrary to justice, equity, or good conscience, and has not been by this or any other enactment altered or abolished and has not been declared to be void by any competent authority;

(2) the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, except in so far as such law has been, by this or any other enactment, altered or abolished, or has been modified by any such custom as is above referred to;

(c) the rules contained in the third Part of this Act;

(d) the rules published in the local *Gazette* as provided by section sixty-two or made under any other Act for the time being in force in Oudh;

(e) the Regulations and Acts specified in the second Schedule hereto annexed, subject to the provisions of section four, and to the modifications mentioned in the third column of the same schedule;

(f) subject to the modifications hereinafter mentioned, all enactments for the time being in force and expressly, or by necessary implication, applying to British India or Oudh, or some part of Oudh;

(g) in cases not provided for by the former part of this section, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience.

Validity of local custom and mercantile usages. **4.** All local customs and mercantile usages shall be regarded as valid, unless they are contrary to justice, equity, or good conscience, or have, before the passing of this Act, been declared to be void by any competent authority.

PART III.

CHAPTER I.

DOWER AMONG MUHAMMADANS.

Muhammadan dower-contracts how to be enforced. **5.** Where the amount of dower stipulated for in any contract of dower by a Muhammadan is excessive with reference to the means of the husband, the entire sum provided in the contract shall not be awarded in any suit by decree in favour of the plaintiff, or by allowing it by way of set-off, lien or otherwise to the defendant; but the amount of the dower to be allowed by the Court shall be reasonable with reference to the means of the husband and the status of the wife.

Rule applicable after husband's death. This rule shall be applicable whether the suit to enforce the contract be brought in the husband's lifetime or after his death.

CHAPTER II.

PRE-EMPTION.

Right of pre-emption. **6.** The right of pre-emption is a right of the persons hereinafter mentioned or referred to, to acquire, in the cases hereinafter specified, immoveable property in preference to all other persons.

Presumption as to its existence. **7.** Unless the existence of any custom or contract to the contrary is proved, such right shall, whether recorded in the settlement-record or not, be presumed—

(a) to exist in all village-communities, however constituted, and whether proprietary or under-proprietary, and in the case referred to in section 40 of the Oudh Land-Revenue Act, and

(b) to extend to the village site, to the houses built upon it, to all lands and shares of lands within the village-boundary, and to all transferable rights affecting such lands.

Its existence in towns to be proved. **8.** The right of pre-emption shall not be presumed to exist in any town or city, or any sub-division thereof, but may be shown to exist therein, and to be exercisable therein by such persons and under such circumstances as the local custom prescribes.

Devolution of right when property to be sold is part of a village. **9.** If the property to be sold or foreclosed is a proprietary or under-proprietary tenure, or a share of such a tenure, the right to buy or redeem such property belongs, in the absence of a custom to the contrary,

1*st*, to co-sharers in the tenure in order of their relationship to the vendor or mortgagor;

2*ndly*, if no relation of the vendor or mortgagor claim the said right to buy or redeem, to the land-owners of the pattí or other sub-division of the tenure in which the property is comprised;

3*rdly*, to any member of the village-community; and

4*thly*, if the property be an under-proprietary tenure, to the proprietor.

Notice to pre-emptors. **10.** When any person proposes to sell any property, or when he forecloses a mortgage upon any property, in respect of which any persons have a right of pre-emption, he must give notice to the persons concerned of the price at which he is willing to sell such property, or of the amount due in respect of such mortgage, as the case may be.

Such notice shall be deemed sufficiently given if it be stuck up on the chaupál or other public place of the village or city in which the property is situate.

Loss of right of pre-emption. **11.** Any person having a right of pre-emption in respect of any property proposed to be sold, shall lose such right, unless within three months from the date of such notice he or his agent pays or tenders the price aforesaid to the person so proposing to sell.

Decree to fix time for payment. **12.** Such decree shall specify a day on or before which the purchase-money shall be paid.

Effect of non-payment of purchase-money. **13.** If the purchase-money is not paid into Court before it rises on that day, the decree shall become void, and the plaintiff shall lose his right of pre-emption over the property to which it relates.

Right of pre-emptor on foreclosure. **14.** When the right of pre-emption arises in respect of the foreclosure of a mortgage, any person entitled to such right may, at any time within three months after the giving of the notice required by section ten, pay or tender to the mortgagee or his successor in title the amount specified in such notice and shall thereupon acquire a right to purchase the property.

On completion of the purchase the person exercising the right of pre-emption shall be bound to pay to the mortgagee or his successor in title the amount specified in such notice, together with interest on the principal sum secured by the mortgage, at the rate specified by the instrument of mortgage, for any time which has elapsed since the date of the notice, and any additional costs which may have been properly incurred by the mortgagee or his successor in title.

Suit to enforce right of pre-emption.

15. Any person entitled to a right of pre-emption may bring a suit to enforce such right on any of the following grounds (namely)—

(*a*) that no due notice was given as required by section ten;

(*b*) in the case of a sale, that the price stated in the notice was not fixed in good faith;

(*c*) in the case of a mortgage, that the amount claimed by the mortgagee was not really due on the footing of the mortgage and was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged.

If in the case of a sale, the Court finds that the price was not fixed in good faith, the Court shall fix such price as appears to it to be the fair market-value of the property sold.

If in the case of a mortgage, the Court finds that the amount claimed by the mortgagee was not really due on the footing of the mortgage, and that it was not claimed in good faith, and that it exceeds the fair market-value of the property mortgaged, the amount to be paid to the mortgagee shall not exceed what the Court finds to be such market-value.

CHAPTER III.

PROCEDURE OF THE COURTS.

(*a*) *Law of Limitation.*

Rule of Limitation.

16. The Judicial Commissioner's Circular No. 104 of July 1860, shall be held to have been a notification within the meaning of section twenty-four of Act No. XIV of 1859; and such Act shall be deemed to have been in force in Oudh from the fourth day of July 1862; and all orders and decrees passed under the rules contained in the said circular, or under the said Act, shall be deemed to have been passed under a law in force for the time being.

Nothing in this section affects the provisions of sections 102, 104, 105, 106, 107 and 108 of the Oudh Rent Act (XIX of 1868) with regard to the limitation of suits under that Act.

Act XXXII of 1871, s. 28, to cease in any district where first regular settlement is sanctioned.

17. The provisions of the Oudh Civil Courts' Act, 1871, section 28, shall cease to have effect in any district from the date on which the first regular settlement is sanctioned therein.

(*b*) *Modifications of the Code of Civil Procedure.*

Extension of the term 'recognized agent.'

18. Section 17 of Act VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

"The recognized agents of parties by whom such applications and appearances may be made are—

"A permanent servant, partner, relation or friend, whom the Court may admit as a fit person to represent a party, and especially persons holding powers of attorney from absent parties, parties carrying on business on behalf of bankers and traders, managing agents of landlords, nearest male relations of women, and persons *ex-officio* authorized to act for Government or for any prince or chief.

"Whenever the personal appearance of a party to a suit is required by this Act, such appearance may be made by his recognized agent, unless the Court shall otherwise direct; and anything which by this Act is required or permitted to be done by a party in person may be done by his recognized agent. Notices given to, or processes served on, a recognized agent, relative to a suit, shall be effectual for all purposes, in relation to the suit, as if the same had been given to or served on the party in person, unless the Court shall otherwise direct; and all the provisions of this Act, relative to the service of notices or processes on a party to a suit, shall be applicable to the service of notices and processes on such recognized agent."

Modification of sec. 111 of Act VIII of 1859.

19. Section 111 of the same Act shall be construed as if the following clause were added thereto (namely) "Nothing in this section shall be deemed to compel the Court to decide *ex parte* in the absence of the defendant; but if the defendant does not appear, the Court may, in its discretion, attach his property and issue a warrant to arrest and detain him till such day as it appoints for the hearing of the suit."

Rules for taking evidence.

20. Section 172 of Act No. VIII of 1859 is hereby repealed, so far as the Province of Oudh is concerned, and the following section is substituted therefor:—

"On the day appointed for the hearing of the suit, or on some other day to which the hearing may be adjourned, the evidence of the witnesses in attendance shall be taken orally in open Court in the presence and hearing and under the personal direction and superintendence of the Judge.

"A note of the essential points of the evidence of each witness is to be taken at the time, and in the course of oral examination, by the officer who tries the case, in his own language, or in English if he is sufficiently acquainted with that language, and such note shall be filed, and shall form part of the record of the case.

"If the evidence be taken down in a different language from that in which it has been given, and the witness does not understand the language in which it is taken down, the witness may require his deposition as taken down to be interpreted to him in the language in which it was given.

"It shall be in the discretion of the Court to take down, or cause to be taken down, any particular question and answer, if there appear any special reason for so doing, or any party or his pleader requires it.

"If any question put to a witness be objected to by either of the parties or their pleaders, and the Court allow the same to be put, the question and the answer shall be taken down, and the objection and the name of the party making it shall be noticed in taking down the depositions, together with the decision of the Court upon the objection.

"The Court shall record such remarks as it may think material respecting the demeanour of the witness while under examination.

"If the Judge be prevented from making a note as above required, he shall record the reason of his inability to do so, and shall cause such note to be made in writing from his dictation in open Court, and shall sign the same, and such note shall form part of the record."

Execution of Decrees.

Execution sale of under-proprietary right.

21. So much of section 205 of the Code of Civil Procedure, as renders land liable to sale in execution of a decree, shall be subject to the following restriction:—

No ancestral property in land shall be sold in satisfaction of a decree without the permission of the Judicial Commissioner; no acquired property in land shall be so sold without the permission of the Deputy Commissioner.

Explanation.—In this section the words "ancestral property" include the immoveable property of persons admitted to engagement for the land-revenue at the summary settlement of 1858-59.

Appointment of a person for the care and management of immoveable property.

22. Whenever the Civil Court may think fit under section 243 of the Civil Procedure Code, or any other law in force for the time being, to provide for the management of immoveable property, the Court shall issue a precept to the Deputy Commissioner of the district wherein such property may be situated, directing him to hold the property in attachment, and to appoint a person for the due care and management of the property under adequate security for the faithful discharge of the trust in a sum proportionate to the extent thereof.

The precept of the Civil Court above mentioned shall state specifically the property to be included in the attachment, and the attachment shall not be withdrawn without a further precept from the Court to that effect.

Nothing in this section is to be taken as authorising a Civil Court to direct a Deputy Commissioner to attach immoveable property not in the actual possession of the judgment-debtor, or of some one on his behalf other than a creditor holding the said property as security for a debt due by the said judgment-debtor.

Section substituted for section 109, Act XIX of 1868.

23. The following section is substituted for section 109 of Act XIX of 1868 (The Oudh Rent Act):—

"The provisions of the Code of Civil Procedure, as in force in Oudh, shall, so far as they are not inconsistent with the provisions herein contained, apply to all suits, appeals and proceedings under this Act."

Section substituted for section 118, Act XIX of 1868.

24. Section 118 of the Oudh Rent Act No. XIX of 1868 is repealed, and the following section is substituted for it:—

"118. No process of execution shall be issued on a decree under this Act on any application made after the lapse of three years from the date of such decree."

No process of execution to issue on a decree after the lapse of three years from date of such decree.

Right of occupancy in judgment-debtor's sir land.

25. Any proprietor or under-proprietor of a mahál or portion of a mahál, which is attached, transferred, held under direct management, farmed or sold under the provisions of the Code of Civil Procedure, who may at the date of the order for such attachment, transfer, management, farm or sale, hold any land within such mahál or portion of a mahál in his cultivating occupancy, shall be deemed to be a tenant with a right of occupancy in respect of so much of such land as the Deputy Commissioner shall determine, and the rent to be paid by him for land so determined shall be fixed by the Deputy Commissioner under the provisions of the Oudh Rent Act.

Power to make rules for custody and sale of attached property.

26. With the sanction of the Chief Commissioner, the Judicial Commissioner may from time to time make rules consistent with this Act and with the Code of Civil Procedure,

(*a*) for the custody and sale of moveable property attached in execution of decrees;

(*b*) for the levy of a fee or commission on the sale of attached property, and the disposal of the funds accruing from such fees;

(*c*) as to the appointment and remuneration of persons by whom property is to be attached, kept in custody, and sold; and

(*d*) as to the appointment and remuneration of persons by whom local investigation under section 180, and investigations and adjustments of accounts under section 181, of the Code of Civil Procedure, are to be made.

CHAPTER IV.

OF VILLAGE AND ROAD POLICE.

Appointment of Village Police.

Right of nomination of village policemen.

27. The nomination to the post of village policeman shall be made by the zamíndár of the village, or, where there are more zamíndárs than one, by the lambardár as their representative, and where there are more lambardárs than one, the opinion of the majority (unless there is some special provision to the contrary in the village administration paper) shall prevail.

Obligation to nominate.

28. Every person authorized to nominate to the office of village policeman shall, within fifteen days after the occurrence of a vacancy in such

office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the district.

Discretion to appoint or reject nominee.

29. The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected at discretion by such Magistrate, or by some officer authorized by him in that behalf.

Power to Magistrate to appoint.

30. (*a*).—In default of such nomination within the said fifteen days, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Procedure in case of rejection of nominee.

(*b*).—If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made, but the nominee is again rejected, the Magistrate of the district shall appoint such person as he thinks fit to the vacancy.

Appointment of Road Police.

Appointment of road police.

31. Subject to the rules to be framed under section thirty-seven and for the time being in force, the Magistrate of the district may, from time to time, appoint persons to be the road police of his district.

Duties of Village and Road Police.

Duties of village and road policemen.

32. Every village policeman and every road policeman shall perform the following duties:—

(*a*).—He shall give immediate information to the officer in charge of the police-station appointed for his village or beat,

(1) of every unnatural, suspicious, or sudden death occurring in the village of which he is chaukídár, or within his beat;

(2) of each of the following offences occurring in such village or on such beat (that is to say,) murder, culpable homicide, rape, dacoity, theft, robbery, mischief by fire, house-breaking, counterfeiting coin, causing grievous hurt, riot, harbouring a proclaimed offender, exposure of a child, concealment of birth, administering stupefying drugs, kidnapping, lurking house-trespass, and

(3) of all attempts and preparations to commit, and abetments of, any of the said offences.

(*b*).—He shall keep the police informed of all disputes which are likely to lead to any riot or serious affray.

(*c*).—He shall arrest all proclaimed offenders, and all persons whom he may find in the act of committing any offence specified in paragraph (*a*), clause (2) of this section.

(*d*).—He shall observe, and from time to time report to the officer in charge of the police-station within the jurisdiction of which his village or beat may be situate, the movements of all bad characters in or on such village or beat.

(*e*).—He shall report to the officer in charge of such police-station the arrival of suspicious characters in the neighbourhood.

(*f*).—He shall supply to the best of his ability any local information which a Magistrate or any officer of police may require, and shall promptly execute all orders issued to him by competent authority.

Procedure on arrest by village or road policeman.

33. Whenever a village policeman or road policeman arrests any person, he shall take him as soon as possible to the police-station within the jurisdiction of which his village or beat is situate.

Liabilities of Village and Road Police.

Dismissal of village or road policeman.

34. The Magistrate of the district may dismiss any village policeman or road policeman for any misconduct or neglect of duty.

Acts punishable.

35. Every village policeman and every road policeman guilty of any wilful misconduct in his office, or of neglect of duty, such misconduct or neglect not being an offence within the meaning of the Indian Penal Code,

or withdrawing from the duties of his office without permission, and without having given at least two months' notice of his intention to withdraw from such duties to the persons authorized to nominate or appoint under sections twenty-seven, thirty and thirty-one (as the case may be),

or offering any unnecessary personal violence to any person in his custody,

or violating any of the rules framed under section thirty-seven and for the time being in force,

shall be liable, on conviction before a Magistrate,

Penalty.

to a penalty not exceeding three months' pay or to imprisonment for a period not exceeding three months, or to both.

Fines to be credited to such fund as Government appoints.

36. All fines levied under this Act on village policemen or road policemen shall be credited to such fund as the Local Government from time to time appoints.

CHAPTER V.

SUBSIDIARY RULES.

Power to make rules.

37. The Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, make rules consistent with this Act as to—

(*a*) the discipline and remuneration of the village and road police and the regulation of their number, location and duties;

(*b*) the entry into cities or towns of bands of armed men;

(*c*) prohibiting bands of foreign vagrants from entering or requiring them to leave any district;

(*d*) the disposal of unclaimed property under Act No. V of 1861 (*for the regulation of Police,*) sections 25, 26, 27;

(*e*) public health and conservancy at fairs and other large public assemblies, and the maintenance of a proper watch and ward at such fairs and assemblies;

(*f*) imposing with the previous sanction of the Governor General in Council taxes for those purposes only;

(*g*) the manner in which records, civil, criminal and revenue, shall be kept; the appointment and removal of the persons entrusted with the custody of records, and all other matters connected with such custody and the destruction from time to time of such records as it may be deemed unnecessary to keep;

(*h*) the appointment, duties, punishment and dismissal of all ministerial officers other than those employed in the Civil Courts and those in respect of whom provision is made in the Oudh Revenue Act.

Publication of rules.

38. All rules made by the Chief Commissioner under section thirty-seven and all rules made by the Judicial Commissioner under section twenty-six shall be published in the local official *Gazette*, and shall thereupon have the force of law.

Rules prescribed in respect of matters for which rules may be made under this Act, to remain in force for twelve months.

39. All rules heretofore prescribed by competent authority in respect of any of the matters for which rules may be made under this Act, shall remain in force for twelve months after this Act comes into force, unless any rules on the same subject are previously issued by the Chief Commissioner or Judicial Commissioner.

Penalty for breach of rules.

40. Whoever breaks any rule made under this Act, shall, on conviction before a Magistrate, be punishable with a fine not exceeding fifty rupees, or imprisonment not exceeding a period of six months, or with both.

CHAPTER VI.

MISCELLANEOUS.

Honorary Civil Jurisdiction.

Power to invest Talukdárs with civil jurisdiction.

41. The Chief Commissioner may from time to time by notification in the official *Gazette*

(*a*) invest such persons as he thinks fit to be Honorary Assistant Commissioners with the powers of a Civil Court of the first or second grade,

(*b*) declare what shall be in each such case the local limits of the jurisdiction so conferred, and

(*c*) withdraw such jurisdiction.

Honorary Police Officers.

Honorary police officers.

42. The Chief Commissioner may from time to time confer on any person whom he thinks fit any power which may be exercised by a police officer under any Act for the time being in force, and withdraw any power so conferred.

Armed men and Foreign Vagrants.

Bands of armed men.

43. No band of armed men shall enter into any city or town, except with the consent of the Chief Commissioner or of such officer as he may empower in this behalf.

Foreign vagrants.

44. The Magistrate of the district may, if he considers that any band of foreign vagrants is likely to occasion a breach of the peace, or to commit any offence under the Indian Penal Code, prohibit such band from entering his district, or, if they are already in his district, may require them within a given time to leave it.

Procedure when they disobey Magistrate's orders.

45. If any such band fail to comply with the orders of the said Magistrate within the prescribed period, he shall report the matter to the Chief Commissioner, and the Chief Commissioner may give such directions for the supervision, control, or deportation of such band as to him seems fit.

Pasturage of Government lands.

Pasturage of Government lands.

46. No person shall make use of the pasturage or other natural product of any land being the property of the Government, except with the consent of the Chief Commissioner or of such officer as he may empower in this behalf.

Power to create new Districts.

47. The Governor General in Council may by notification in the *Gazette of India* create new Districts in any part of such territories, for any revenue, judicial or other purpose, and may alter the limits of existing Districts.

Power to form Sub-divisions of Districts.

The Chief Commissioner may from time to time divide any District into Sub-divisions, and from time to time alter the limits of such Sub-divisions.

All existing tahsíls shall be Sub-divisions of Districts until they are so altered.

THE FIRST SCHEDULE.

(*See section* 2).

Number and year.	Title.	Extent of repeal.
	All Bengal Regulations now in force in Oudh, except those specified in the second schedule, and, except when expressly provided otherwise in this Act, all rules, Laws and Regulations made for the Province of Oudh, or any part thereof, which have acquired the force of law under the Indian Councils' Act.	
	Government Notification No. 4325 of 6th August 1861.	The whole.
XXI of 1857 ...	Gambling	Sections ten to fifteen.
XIX of 1863 ...	Partition	The whole.
XXXII of 1871 ...	The Oudh Civil Courts Act	Section thirty-one.

THE SECOND SCHEDULE.

(*See section* 3).

PART I.—BENGAL REGULATIONS.

Number and year.	Subject.	Modifications.
XXXIII of 1803 ...	Embezzlement by Native Officers.	In section II, *omit* the first sentence of the second clause, and in the second sentence of the same clause, *omit* "such" and "accordingly." In section III, *for* "Dewanny Adawlut of the Zillah, the Judge of which Court shall detain him" *read* "District, where he shall be detained;" *for* "real or personal" *read* "moveable or immoveable;" *for* "city" *read* "jurisdiction;" *for* "Board of Revenue" *read* "Chief Commissioner." In section IV, *omit* the words "or in either of the cities of Patna, Dacca or Moorshedabad."
X of 1804 ...	Punishment by Courts Martial of certain State offences.	*Omit* section I. In section II, *for* "the British territories subject to the Government of the Presidency of Fort William" *read* "the territories under the administration of the Chief Commissioner of Oudh." In section IV, *omit* "or before any special Court appointed for the trial of such offences under Regulation IV, 1799, and Regulation XX, 1803."

Number and year.	Subject.	Modifications.
XI of 1806 ...	Assistance to troops and travellers passing through Districts.	*Omit* sections I, VII, IX to XX (both inclusive), and so much of the rest of the Regulation as authorises Collectors and their native officers, or Magistrates and their police officers, to give their official aid in procuring coolies for the purpose of facilitating the march of troops or the progress of travellers. *For* "Collectors of Revenue" and "Collector" *read* "Deputy Commissioner" throughout the Regulation. In sections II and III, *for* "the Company's territories" *read* "Oudh." In section II, *omit* the last sentence. In section IV, clause *Third*, *for* "Governor General in Council" *read* "Chief Commissioner." In section V, *omit* "the Company's;" and *for* "Board of Revenue" *read* "Chief Commissioner." In section VI, *for* "Magistrate" *read* "Deputy Commissioner" and *for* "on the part of the Collector" *read* "by the Deputy Commissioner." In section VIII, *for* "the Company's provinces" *read* "Oudh;" and *omit* the words and figures ("under the rules prescribed by Regulation V, 1804.)"
XVII of 1806 ...	Redemption and foreclosure of mortgages.	*Omit* sections I to VI (both inclusive), and in section VII, the first sentence as far as the word "designation" and the concluding sentence. In section VII, *for* "within one year (Bengal Fassily or Willaity according to the era current where the mortgage may take place)" *read* "within one calendar year;" *for* "Zillah or City Court of Dewanny Adawlut" *read* "Deputy Commissioner;" *for* "Dewanny Adawlut of the Zillah or City" *read* "Court of the Deputy Commissioner or other officer having jurisdiction with reference to the value of the subject matter." In section VIII, *for* "preamble and preceding sections" *read* "preceding section;" *for* "Judge of the Zillah or City" *read* "Deputy Commissioner of the District," and *for* "Judge" *read* "Deputy Commissioner."
XX of 1810 ...	Military Bázárs.	
V of 1817 ...	Hidden Treasure ...	In section V, *for* "Board of Revenue" *read* "Chief Commissioner;" *for* "Judge" *read* "Deputy Commissioner." In section VI, *for* "Zillah or City Judge" *read* "Deputy Commissioner." In section VIII, *for* "Judge of the Zillah or City Court" *read* "Deputy Commissioner," and *omit* the words "on the application of the vakeel of Government under instructions from the Board of Revenue." In section IX, *for* "Judges of the Zillah Courts" *read* "Deputy Commissioners."
III of 1818 ...	State Prisoners ...	In section IV, *omit* clause *First*. In the same section, clause *Second*, *for* "Zillah or City Magistrate" *read* "Deputy Commissioner," and *for* "Judge of Circuit" *read* "Commissioner of Division." *Omit* section VIII, and the last twenty-five words of the preamble. In section IX, *for* "to the Provincial Court of Appeal and Circuit and to the Sudder Dewanny Adawlut and Nizamut Adawlut" *read* "and to the Judicial Commissioner."
VI of 1819 ...	Ferries	*Omit* section II.

Number and year.	Subject.	Modifications.
		Omit "or Joint Magistrates," "and Joint Magistrates" and "or Joint Magistrate," wherever they occur. In section I, *for* "subject to the Presidency of Fort William in Bengal" *read* "under the administration of the Chief Commissioner of Oudh," and *for* "Government" *read* "Chief Commissioner." In section III, clause *Second*, *omit* "by the Collectors, under the provisions of Regulation XIX, 1816." In the same section, clause *Third*, *for* "Superintendents of Police" *read* "Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner," and *add* "who shall fix the rates of toll to be levied at such ferries." In section IV, clause *First*, *omit* "for limiting the rates of toll to be levied at each ferry." In section V, *omit* "and in that of the Collector of the District." In section VI, clause *Second*, *for* "Superintendents of Police" *read* "Commissioners of Divisions," and *for* "Government" *read* "Chief Commissioner." In section VII, clause *First*, *omit* "they shall fix the rates of toll on a very moderate scale in no case exceeding, without an indispensable necessity, the rates which prevailed previous to the enactment of Regulation XIX, 1816." In the same section, clause *Third*, *for* "Government" *read* "Chief Commissioner," *for* "Bengal Fussily year according to the *era* current in the province" *read* "term of his lease." In the same section, clause *Fourth*, *for* "Magistrate and Collector," *read* "Deputy Commissioner," and *omit* "European." In section X, *omit* "from" and including the words "in the manner" down to the end of the section, and substitute "in the manner prescribed for recovery of arrears of revenue." In section XI, *for* "Magistrates reserve to themselves" *read* "the Chief Commissioner reserves to himself." In section XII, clause *First*, line one, *for* "Magistrate" *read* "Chief Commissioner," and in line four *omit* "said." In section XIII, *omit* the *Second* clause. In section XIV, *omit* the second sentence, and *for* "Superintendents of Police" *read* "Commissioner of Division."
XI of 1822 ...	Non-liability of Government for errors of a Court of Justice.	*Omit* the whole except section thirty-eight.
VI of 1825 ...	Supply of troops on the march.	In the preamble, *omit* the last twenty words. In section IV, *for* "Board of Revenue in whose jurisdiction the district may be situate" and "the Board" *read* "Commissioner." In section V, *omit* "on the stamped paper prescribed for other appeals to the Revenue Boards," and *for* "proper Board" and "the Board" *read* "Commissioner."
XI of 1825 ...	Alluvion and Diluvion ...	*Omit* section I. In section III, *omit* "either" and "or the sea."

Number and year.	Subject.	Modifications.
		In section IV, clause *First*, *omit* "whether" and "or of the sea," and *for* "the provisions of Regulation II, 1819, or of any other Regulation," *read* "any law in force for the time being;" clause *Third*, *omit* "or in the sea" and "or sea;" clause *Fifth*, *omit* "or the sea." In section V, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners."
XX of 1825 ...	Military Courts of Requests	*Omit* sections I, III, and IV and section II, clause *Sixth*. In section II, clause *First*, *omit* from the beginning down to and including "provided that;" and *for* "His Majesty or of the Hon'ble East India Company" *read* "Her Majesty;" and *for* "not within the territories subject to the Presidency of Fort William or at any place within such territories which may be situated above one hundred and twenty miles from the aforesaid Presidency" *read* "within Oudh;" and *for* "a person attached to such body of troops in any of the capacities specified in sections XLV and LX of Statute IV, Geo. IV, cap. LXXXI," *read* "otherwise subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force;" and *omit* "as directed in such cases in the Regulations abovementioned;" and *for* "Act of Parliament" *read* "the Mutiny Act for the time being in force." In the same section, clause *Third*, *for* "Act of Parliament" *read* "Mutiny Act;" and *for* "Magistrate of the Zillah or City" *read* "Deputy Commissioner." In the same section, clause *Fourth*, *for* "Zillah and City Magistrates" *read* "Deputy Commissioners;" and *omit* "of the nature described in section II of Statute IV, Geo. IV, cap. LXXXI," and "under the provisions of the said Act" and "under the provisions of the Regulations hitherto in force."

PART II.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Modifications.
XIII of 1857 ...	Opium	In preamble, *after* "the Presidency of Fort William in Bengal" *read* "and the territories under the administration of the Chief Commissioner of Oudh." In section II, *after* "Presidency of Fort William in Bengal," *read* "and the administration of the Chief Commissioner of Oudh." In section III, *omit* "being covenanted servants of the Company."
XL of 1858 ...	Minors	In the title, *for* "the Presidency of Fort William in Bengal" *read* "Oudh." In section II, *for* "estates paying revenue to Government" *read* "mahâls assessed to revenue or held revenue-free."

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 9, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September 1876, and was referred to a Select Committee with instructions to make their report thereon in six weeks:—

No. 10 of 1876.

A Bill to amend the Land Improvement Act, 1871.

Preamble. Whereas doubts have arisen as to the effect of certain provisions of the Land Improvement Act, 1871, and it is expedient, with a view to removing such doubts, to amend the said Act; It is hereby enacted as follows:—

Local extent. 1. This Act extends to the whole of British India:

Construction. It shall be read with, and taken as part of, the said Land Improvement Act, 1871, and it shall be deemed to have come into force on the twenty-eighth day

Commencement. of September 1871, being the day on which the said Act came into force.

Amendment of Act XXVI of 1871, section 15. 2. Section fifteen of the said Act is repealed, and instead thereof the following section shall be substituted:—

"15. All sums advanced under this Act shall, when they become due, be recoverable in all or any of the following ways:—

(*a*) from the borrower as if they were arrears of land-revenue due from him:

(*b*) from the surety (if any) as if they were arrears of land-revenue due from him:

(*c*) out of the land to be improved as if they were arrears of land-revenue due on account of such land:

(*d*) out of the property comprised in the collateral security (if any) according to the terms of such security:

Provided—

(*e*) that if the borrower is the landlord, any proprietary or cultivating interest which a tenant may have in the land to be improved shall not, unless the tenant has given such interest as collateral security for the advance, be liable to sale for the recovery of such advance:

(*f*) that if the borrower is such a tenant as is mentioned in section seven, the landlord's interest in the land to be improved shall not be liable to sale for the recovery of the advance:

(*g*) and if the advance is recovered from the surety or out of his property, to the exoneration of the borrower or of the land to be improved, the surety shall have the same claims and remedies against the borrower and the land to be improved as the Government had when the advance was due."

STATEMENT OF OBJECTS AND REASONS.

The Land Improvement Act (XXVI of 1871), section 14, provides that every certificate granted by a Collector making advances under the Act shall specify the amount of the advance, the position, extent and boundaries of the land to be improved and the nature and amount of the security (if any) other than the land to be improved. Section 15 then provides that the amount so specified shall be recoverable "from the person to whom the advance was made, *or* from any person who has become security for the repayment thereof, as if they were arrears of land-revenue due by the person to whom the advance was made or by his security."

The remainder of section 15 is as follows:—

"If any such sum cannot be so recovered, it shall be recoverable as if it was an arrear of revenue due on *the land specified in the said certificate*:

"Provided that when the person to whom the advance was made is a landlord or a tenant having a right to transfer his interest in the land without the consent of the landlord, the interest of *no person, other than such landlord or tenant, in the said land*, shall be sold under this section."

On this clause two questions have arisen: First, is the advance made by Government a first charge on the land to be improved, in preference to all other charges, whether they have priority in point of time or not? Secondly, does the expression "land specified in the said certificate" include any land which might be given as security?

The object of the present Bill is to clear up these doubts; and it will be seen that it does so in accordance with what is believed to have been the principles on which the Act was framed, and with the undoubted understanding on which all loans have hitherto been made, received and recovered, *viz.*, that Government advances should be a charge on the land to be improved in preference to all other charges on, and interests in, such land, and that if other land be given as security, the Government advance should rank with other charges thereon in the same way as if it were an ordinary advance by a private person.

It might also be contended that, on the strict literal construction of the clause, the surety must be sued before all the remedies against the principal are exhausted. That is not just, and was not intended. The opportunity is therefore taken of removing doubts on this head, and of making it clear that the remedies against principal and surety stand on the usual footing.

SIMLA;
The 28th August 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

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SIMLA, SATURDAY, SEPTEMBER 16, 1876.

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PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September 1876, and was referred to a Select Committee with instructions to make their report thereon in six weeks:—

No. 10 of 1876.

A Bill to amend the Land Improvement Act, 1871.

Whereas doubts have arisen as to the effect of certain provisions of the Land Improvement Act, 1871, and it is expedient, with a view to removing such doubts, to amend the said Act; It is hereby enacted as follows:— Preamble.

1. This Act extends to the whole of British India: Local extent.

It shall be read with, and taken as part of, the said Land Improvement Act, 1871, and it shall be deemed to have come into force on the twenty-eighth day of September 1871, being the day on which the said Act came into force. Construction. Commencement.

2. Section fifteen of the said Act is repealed, and instead thereof the following section shall be substituted:— Amendment of Act XXVI of 1871, section 15.

"15. All sums advanced under this Act shall, when they become due, be recoverable in all or any of the following ways:—

(*a*) from the borrower as if they were arrears of land-revenue due from him:

(*b*) from the surety (if any) as if they were arrears of land-revenue due from him:

(*c*) out of the land to be improved as if they were arrears of land-revenue due on account of such land:

(*d*) out of the property comprised in the collateral security (if any) according to the terms of such security:

Provided—

(*e*) that if the borrower is the landlord, any proprietary or cultivating interest which a tenant may have in the land to be improved shall not, unless the tenant has given such interest as collateral security for the advance, be liable to sale for the recovery of such advance:

(*f*) that if the borrower is such a tenant as is mentioned in section seven, the landlord's interest in the land to be improved shall not be liable to sale for the recovery of the advance:

(*g*) and if the advance is recovered from the surety or out of his property, to the exoneration of the borrower or of the land to be improved, the surety shall have the same claims and remedies against the borrower and the land to be improved as the Government had when the advance was due."

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The Land Improvement Act (XXVI of 1871), section 14, provides that every certificate granted by a Collector making advances under the Act shall specify the amount of the advance, the position, extent and boundaries of the land to be improved and the nature and amount of the security (if any) other than the land to be improved. Section 15 then provides that the amount so specified shall be recoverable "from the person to whom the advance was made, *or* from any person who has become security for the repayment thereof, as if they were arrears of land-revenue due by the person to whom the advance was made or by his security."

The remainder of section 15 is as follows:—

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"Provided that when the person to whom the advance was made is a landlord or a tenant having a right to transfer his interest in the land without the consent of the landlord, the interest of *no person, other than such landlord or tenant, in the said land*, shall be sold under this section."

On this clause two questions have arisen: First, is the advance made by Government a first charge on the land to be improved, in preference to all other charges, whether they have priority in point of time or not? Secondly, does the expression "land specified in the said certificate" include any land which might be given as security?

The object of the present Bill is to clear up these doubts; and it will be seen that it does so in accordance with what is believed to have been the principles on which the Act was framed, and with the undoubted understanding on which all loans have hitherto been made, received and recovered, *viz.*, that Government advances should be a charge on the land to be improved in preference to all other charges on, and interests in, such land, and that if other land be given as security, the Government advance should rank with other charges thereon in the same way as if it were an ordinary advance by a private person.

It might also be contended that, on the strict literal construction of the clause, the surety must be sued before all the remedies against the principal are exhausted. That is not just, and was not intended. The opportunity is therefore taken of removing doubts on this head, and of making it clear that the remedies against principal and surety stand on the usual footing.

SIMLA;
The 28th August 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th September 1876, and was referred to a Select Committee with instructions to make their report thereon in five months:—

No. 11 of 1876.

THE INDIAN RAILWAY BILL, 1876.

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SCHEDULE.

A Bill to consolidate and amend the Law relating to Railways in India.

Preamble. Whereas it is expedient to consolidate and amend the law relating to Railways in India; It is hereby enacted as follows:—

CHAPTER I.
PRELIMINARY.

Short title. 1. This Act may be called "The Indian Railway Act, 1876:"

Local extent. It extends to the whole of British India and, so far as regards subjects of Her Majesty the Empress of India, to the dominions of Princes and States in India in alliance with Her said Majesty:

Commencement. And it shall come into force on the first day of March 1877.

Repeal of Acts. 2. On and from that day, the Acts specified in the schedule hereto annexed shall be repealed.

All rules made, notifications published, and powers conferred under any of such Acts shall be deemed to have been respectively made, published and conferred under this Act.

Interpretation-clause. 3. In this Act, unless there be something repugnant in the subject or context,—

'Railway.' "Railway" includes—

(*a*) railways belonging to and worked by Companies:

(*b*) railways belonging to Government but worked by Companies:

(*c*) railways worked by Government:

(*d*) land within the fences or other boundary-marks prescribed under section forty-five:

(*e*) all lines of rail, sidings or branches, worked over for the purposes of, or in connexion with, a railway:

(*f*) all stations, offices, warehouses, fixed machinery and other works constructed or being constructed for the purposes of, or in connexion with, a railway:

And in the following sections (namely) 11, 13, 18, 21, 22, 26, 27 and 32 to 39 (both inclusive), "Railway" includes a railway under construction or not used for the public conveyance of passengers or goods.

'Railway officer.' "Railway officer" means any person employed by a Railway Company or the Government to perform any function in connection with a Railway.

'Passenger.' "Passenger" means a passenger by Railway.

'Magistrate.' "Magistrate" means any person lawfully exercising the powers of a Magistrate and includes a Presidency Magistrate.

'Fine.' "Fine" includes a sum of money due upon a forfeited recognizance.

All opened Railways presumed within the Act. 4. Every Railway used for the public conveyance of passengers or goods, shall, until the contrary be proved, be presumed to be a Railway within the meaning of this Act,

and every Company to or by whom any such Railway belongs or is worked shall, until the contrary be proved, be presumed to be a Railway Company within the meaning of this Act.

CHAPTER II.
RULES RELATING TO RAILWAY COMPANIES.

No liability for unbooked luggage. 5. A Railway Company and (in the case of a Railway worked by Government) the Government shall in no case be answerable for loss or injury to any

passenger's luggage, unless it has been booked and separately paid for and made over to the charge of a Railway officer.

No liability for loss of gold, silver, &c., unless in case of special engagement.

6. A Railway Company and (in the case of a Railway worked by Government) the Government shall in no case be answerable for loss of or injury to any of the following articles (namely),—

(*a*) gold or silver, coined or uncoined, manufactured or unmanufactured,

(*b*) plated articles,

(*c*) cloths and tissue of which gold and silver form part,

(*d*) precious stones, jewellery, trinkets,

(*e*) watches, clocks, or time-pieces of any description,

(*f*) Government securities,

(*g*) Government stamp-paper, postage stamps, telegraph stamps,

(*h*) bills of exchange, promissory notes, bank-notes, orders, or other securities for payment of money,

(*i*) maps, writings, title-deeds,

(*j*) paintings, engravings, lithographs, photographs, carvings, sculpture,

(*k*) glass, china,

(*l*) silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with other materials,

(*m*) shawls,

(*n*) lace,

(*o*) opium,

(*p*) ivory, ebony, sandalwood,

(*q*) musical instruments,

contained in any parcel or package delivered to such Company or the Government, either to be carried on a Railway for hire or to accompany the person of any passenger, unless the value and nature of such articles have been declared by the person sending or delivering the same, and an increased charge for the safe conveyance of the same has been accepted by some person specially authorized to enter into such engagements on behalf of the Company or Government.

Public notice or private contract not to limit liability.

7. The liability of a Railway Company, or (in the case of a Railway worked by Government) of the Government, for loss of or injury to any articles or goods to be carried by Railway other than those specially provided for by this Act shall not be limited or otherwise affected by any public notice given, or any private contract made, by the Company or the Government;

but the Company, or (in the case of a Railway worked by Government) the Government, shall be answerable for such loss or injury when it has been caused by gross negligence or misconduct on the part of their agents or servants.

Lien for money due for carriage of goods.

8. If any person fail to pay on demand any sum due for conveyance of any goods by Railway, the Company, or (in the case of a Railway worked by Government) the Government, may detain all or any part of such goods, or, if the same have been removed from the Railway, any other goods of such person then on such Railway or thereafter coming into the possession of the Company or Government;

and may also sell by public auction sufficient of such goods to realize the sum payable as aforesaid, and all charges and expenses of such detention and sale;

and may out of the proceeds of the sale, retain the sum so payable, together with the charges and expenses aforesaid, rendering the overplus, if any, of the money arising by such sale, and such of the goods as remain unsold, to the person entitled thereto.

Written account of goods to be given on demand.

9. The owner or person having the care of any goods which have been carried upon any Railway, or are brought into any station or warehouse for the purpose of being carried on a Railway, shall, on demand by any Railway officer appointed to receive goods to be carried on that part of the Railway on which such goods have been carried, or are about to be carried, deliver to such officer an exact account in writing signed by him of the number or quantity and description of such goods.

Carriage of goods of a dangerous nature.

10. Any Railway officer may refuse to carry upon a Railway any luggage or parcel which he suspects to contain goods of a dangerous nature, and may require the same to be opened to ascertain the fact previously to carrying the same;

and in case any such luggage or parcel is received for the purpose of being carried upon a Railway, any Railway officer may stop the transit thereof until he is satisfied as to the nature of the contents of the luggage or parcel.

Accident to be reported.

11. Every Railway Company, and every officer controlling a Railway worked by Government, shall, within forty-eight hours after the occurrence upon the Railway belonging to such Company or so worked by Government of any accident attended with serious personal injury, give notice thereof to the Local Government.

Returns of accidents in course of traffic.

12. The Local Government may direct any Railway Company or any officer controlling a Railway worked by Government to make up and deliver to the Local Government a return of serious accidents occurring in the course of the public traffic upon the Railway belonging to such Company, or so worked by Government whether attended with personal injury or not, in such form and manner as the Local Government deems necessary and requires for information, with a view to the public safety.

Power to make rules for working Railway.

13. Every Railway Company, and every officer controlling a Railway worked by Government, may respectively from time to time, with the previous sanction of the Governor General in Council, make general rules for the use, working and general administration of the Railway belonging to such Company or so worked by Government.

Publication of rules.

All such rules shall be published in the *Gazette of India*, and shall be otherwise notified to the Railway officers and the public in such manner as the Governor General in Council, from time to time, directs.

Penalty for breach of rules.

Any such rule may contain a provision that any person committing a breach of it shall be liable to a fine not exceeding fifty rupees, or, in default of payment of such fine, to imprisonment for a term which may extend to two months.

Power to cancel rules.

The Governor General in Council may at any time cancel any rule so sanctioned.

Copy and translation of Act, &c., to be shown at stations.

14. A copy of this Act, and of the General Rules, Time-tables, and Tariff of charges, which may from time to time be published for any Railway by any Railway Company with the sanction of the Local Government, or (in the case of a Railway worked by Government) by the officer controlling the same, shall be exhibited in some conspicuous place at each station of such Railway, so that they may be easily seen and read.

All such documents shall be so exhibited in English and in the Vernacular language of the district in which the station is situate, and in such other language, if any, as the Local Government may direct.

CHAPTER III.

RULES RELATING TO PASSENGERS.

Passengers on payment of fares to be furnished with tickets.

15. Every person desirous of travelling on a Railway shall, upon payment of his fare, be furnished with a ticket, specifying the class of carriage and the place from and place to which the fare has been paid, and shall,

Tickets to be shown and given up on demand.

when required, show his ticket to any Railway officer duly authorized to examine the same, and shall deliver up such ticket upon demand to any Railway officer duly authorized to collect tickets.

Fares and tickets at intermediate stations.

16. At the intermediate stations, the fares shall be deemed to be accepted, and the tickets furnished only upon condition that there be room in the train for which the tickets are furnished.

Preferential right to tickets.

In case there is not room for all the passengers to whom tickets have been furnished, those who have obtained tickets for the longest distance shall have the preference; and those who have obtained tickets for the same distance shall have the preference according to the order in which they have received their tickets:

Proviso.

Provided that all officers and troops of Her Majesty, on duty, and all other persons on the business of the Government, who by virtue of any contract with the Government are entitled to be conveyed on a Railway in preference to, or in priority over the public, shall be entitled to such preference and priority without reference to the distance for which, or the order in which, they have received their tickets.

Fares to be prepaid.

17. No person shall enter any carriage used on any Railway, for the purpose of travelling therein, without having first paid his fare and obtained a ticket.

Passengers not to carry dangerous goods.

18. No person shall carry upon any Railway any dangerous goods, or shall be entitled to require to be carried upon any Railway any luggage or goods which, in the judgment of any Railway officer, is or are of a dangerous nature.

CHAPTER IV.

PENALTIES.

(*A.*) *As to Companies.*

For omitting to report accident.

19. Any Railway Company or officer controlling a Railway worked by Government omitting to give notice as required by section eleven, shall forfeit the sum of fifty rupees for every day during which such omission continues.

For not sending return of accidents.

20. Any Railway Company or officer controlling a Railway worked by Government failing to deliver any return mentioned in section twelve, within fourteen days after the same has been required, shall forfeit the sum of fifty rupees for every day during which such failure continues.

(*B.*) *As to Railway Officers.*

For drunkenness or breach of duty.

21. Any Railway officer who is in a state of intoxication whilst actually employed upon a Railway in the discharge of any duty,

or who negligently omits to perform his duty,

or who performs the same in an improper manner,

shall be liable to a fine not exceeding fifty rupees;

and if the duty in any of the cases aforesaid be such that the omission or negligent performance thereof would be likely to endanger the safety of any person travelling or being upon such Railway, such officer shall, on conviction before a Magistrate, be liable to imprisonment for a term not exceeding one year, or to fine, or to both.

For endangering the safety of persons.

22. If any Railway officer endangers the safety of any person—

(*a*) by disobeying any general rule sanctioned and notified in the manner prescribed by section thirteen, or

(*b*) by disobeying any rule or order not inconsistent with the general rules aforesaid, and which he was bound by the terms of his service to obey, and of which he had notice, or

(*c*) by any rash or negligent act or omission,

he shall be liable to imprisonment for any term not exceeding three years, or to fine not exceeding five hundred rupees, or to both.

For receiving bribes.

23. Every Railway officer, and every other person employed by or on behalf of a Railway Company to do any act upon the Railway, and every person employed either permanently or temporarily in connection with a Tramway shall be deemed a "public ser-

vant" within the meaning of sections 161, 162, 163, 164 and 165 of the Indian Penal Code.

Amendment of Penal Code, section 161.

In the definition of legal remuneration contained in the said section 161 the word "Government" shall, for the purposes of this section, be deemed to include—

(*a*) a Railway Company,

(*b*) the proprietors for the time being of a Tramway, and

(*c*) the lessees, representatives and assigns of such Company or proprietors.

(*C.*) *As to the Public.*

24. Any passenger not producing or delivering up his ticket when so required by a Railway officer authorized to require such production or delivery, shall be liable to pay the fare from the place whence the train originally started, unless he can prove that he has travelled a less distance only, in which case he shall be liable to pay the fare only from the place whence he has travelled.

For not producing or delivering ticket.

25. Any person who defrauds, or attempts to defraud any Railway Company or the Government

For evading payment of proper fare.

(*a*) by travelling, or attempting to travel, upon any Railway, without having previously paid his fare; or

(*b*) by riding in or upon a carriage of a higher class than that for which he has paid his fare; or

(*c*) by continuing his journey in or upon any Railway carriage beyond the place for which he has paid his fare, without previously paying the fare for the additional distance, and with intent to avoid payment thereof;

or who knowingly and wilfully refuses or neglects, on arriving at the point to which he has paid his fare, to quit such carriage;

or who, in any other manner whatever, attempts to evade the payment of his fare,

shall be liable to a fine not exceeding fifty rupees for each offence.

26. Any passenger, who gets into or upon, or attempts to get into or upon, or quits, or attempts to quit, any carriage upon any Railway, while such carriage is in motion;

For entering carriage in motion,

or who rides or attempts to ride upon any Railway, on the steps, or any other part of a carriage, except on those parts which are intended for the accommodation of passengers,

For riding on the steps.

shall be liable to a fine not exceeding twenty rupees for each offence.

27. Any person other than the engine-man, fire-man, and assistant fire-man, who, without the special license of the Superintendent of Locomotives, rides or attempts to ride upon any locomotive engine or tender upon any Railway;

For riding on engine, tender, or luggage-van.

and any person other than the guard or brakesman, who, without such license as aforesaid, rides or attempts to ride upon any Railway, in or upon any luggage-van or goods-wagon, or other vehicle not appropriated to the carriage of passengers,

shall be liable to a fine not exceeding twenty rupees for each offence.

28. Whoever smokes, either in a Railway station, or in or upon any Railway carriage, except in places or carriages specially provided for the purpose, shall be liable to a fine not exceeding twenty rupees for each offence;

For smoking.

and whoever persists in so smoking (except as aforesaid) after being warned to desist by any Railway officer, may, in addition to incurring the liability abovementioned, be removed by any Railway officer from any such carriage, and from the premises of the Railway, and shall forfeit his fare.

29. Any person who is in a state of intoxication, or who commits any nuisance or act of indecency in any Railway carriage, or upon any part of any Railway;

For intoxication or nuisance.

or who wilfully and without lawful excuse interferes with the comfort of any passenger,

shall be liable to a fine not exceeding twenty rupees; and in addition to such liability, the offender may be removed by any Railway officer from any such carriage, and also from the premises of the Railway, and shall forfeit his fare.

30. If any special carriage, or portion of a carriage, or any private room or apartment, be provided by any Railway Company or by Government for the exclusive use of females, any male person, who, without lawful excuse, enters such carriage, or portion of a carriage, or any such room or apartment, knowing the same to be exclusively appropriated as aforesaid, or remains therein after having been informed of its exclusive appropriation, shall be liable to a fine not exceeding one hundred rupees,

For entering private room or carriage.

and may be removed therefrom, and also from the premises of the Railway, by any Railway officer,

and shall forfeit his fare.

31. Any owner or person referred to in section nine, who wilfully fails to give on demand to any Railway officer appointed as therein mentioned an exact account of the number or quantity and description of the goods therein referred to,

For false account.

or who wilfully gives to such Railway officer a false account thereof,

shall, for every such offence, be liable to a fine not exceeding one hundred rupees for every ton of such goods, or for any parcel exceeding one hundredweight, and to a fine not exceeding fifty rupees for any quantity of such goods less than a ton or for any parcel less than one hundredweight.

32. Whoever carries upon a Railway any dangerous goods,

For carrying goods of a dangerous nature.

and whoever delivers to a Railway officer any such goods for the purpose of being carried upon a Railway, without distinctly marking their nature on the outside of the package containing the same,

For delivering such goods without notice.

or otherwise giving notice in writing of the nature thereof to such officer,

shall be liable to a fine not exceeding two hundred rupees for every such offence.

33. Whoever wilfully obstructs or impedes any Railway officer in the discharge of his duty on a Railway, or any of the works, stations, or premises connected therewith, shall be liable to a fine not exceeding fifty rupees.

For obstructing Railway officer in his duty.

34. Whoever unlawfully and wilfully removes or defaces the number-plates, or removes or extinguishes any lamp on any Railway carriage, or wilfully or negligently damages or injures any carriage, engine, wagon, truck, warehouse, building, machine, fence, or any other thing belonging to a Railway Company or (in the case of a Railway belonging to or worked by Government) to Government, shall be liable to a fine not exceeding fifty rupees.

For injuring carriage, &c.

35. Whoever trespasses upon a Railway shall be liable to a fine not exceeding twenty rupees;

For trespass.

and if any person so trespassing refuse to leave such Railway on being requested to do so by any Railway officer, or by any other person on behalf of the Railway Company or the officer controlling a Railway worked by Government, he shall be liable to a fine not exceeding fifty rupees, and may be immediately removed from such Railway by such officer or other person as aforesaid.

For refusing to leave on request.

36. The owner or person in charge of any cattle trespassing or straying on any Railway provided with fences suitable for the exclusion of cattle shall, on conviction before a Magistrate, be liable to a fine not exceeding ten rupees for each animal, in addition to any amount that may be recovered under the Cattle Trespass Act, 1871.

For cattle-trespass within Railway fences.

Whenever cattle are wilfully driven or knowingly permitted to be on any Railway provided with fences suitable for the exclusion of cattle otherwise than for the purpose of crossing the Railway at a gate or bar provided for public use, the person in charge of such cattle, or if he cannot be identified, then the owner of the said cattle shall on conviction before a Magistrate be liable to a fine not exceeding fifty rupees for each animal, in addition to any amount that may be recovered under the said Act.

For wilfully driving cattle on fenced Railway.

All fines imposed under this section may be recovered in manner provided by section 25 of the said Act, and may be appropriated in whole or in part in compensation for loss or damage proved to the satisfaction of the convicting Magistrate.

The expression 'public road' in sections eleven and twenty-six of the said Act shall be deemed to include a Railway. And any Railway officer may exercise the powers of seizure provided by the said section eleven.

Amendment of Act I of 1871, ss. 11 and 26.

Explanation.—In this section the word 'cattle' includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids.

37. Whoever, when any engine or train approaching along a Railway is in sight, opens any gate which has been set up for the use or accommodation of any person by any Railway Company or by Government on either side of the Railway, or passes or attempts to pass, or drives or attempts to drive any carriage, cattle, or other animal or thing across the Railway;

For opening or not properly shutting gates.

and whoever at any time omits to shut and fasten such gate, as soon as he and any carriage, cattle, or other animal or thing under his charge have passed through the same,

shall be liable to a fine not exceeding fifty rupees.

(*D.*) *As to Railway Officers and the Public.*

38. Whoever, whether a Railway officer or not, wilfully does any act, or wilfully omits to do what he is legally bound to do, intending by such act or omission to cause, or knowing that he is thereby likely to endanger the safety of any person travelling or being upon any Railway may be sentenced to transportation (or in the case of an European or American to penal servitude) for life or to imprisonment for any term not exceeding seven years.

For wilful act or omission endangering passenger.

39. Whoever, whether a Railway officer or not, rashly or negligently, and without lawful excuse, does any act likely to endanger the safety of any person travelling or being upon a Railway, shall, upon conviction before a Magistrate, be liable to imprisonment for a term not exceeding one year, or to fine, or to both.

For an act not wilful.

Apprehension of Offenders.

40. If any person commit any offence hereby made punishable by fine, and the name and address of such person are unknown, or there be reason to believe that he will abscond, any Railway officer or any police-officer, or other person whom such Railway officer or police-officer may call to his aid, may, without any warrant or written authority, apprehend and detain such offender until he can be taken before a Magistrate or give sufficient security for his appearance before such Magistrate, or is otherwise discharged by due course of law.

Apprehension for offences punishable by fine.

41. Every person guilty of any offence mentioned in sections 13, 21, 22, 38 and 39 may be apprehended without any warrant or written authority by any Railway officer, or by any other person whom such officer may call to his aid, or by any police-officer empowered to arrest without a warrant;

Apprehension for offences against sections 13, 21, 22, 38 and 39.

and every person so apprehended shall, with all convenient despatch, be carried and conveyed before a Magistrate or Justice of the Peace authorized to punish the offender or to commit him for trial.

Jurisdiction.

42. Any person, whether a European British subject or not, who is guilty of any offence for which, under this Act, he is liable to a fine only, shall be punishable

Jurisdiction of Magistrate, &c., to fine.

for such offence by any Magistrate, whether the offence has been committed within the local limits of his jurisdiction or not.

Jurisdiction of Justices to try Europeans for breach of general rules.

43. Any Justice of the Peace may try a European British subject for an offence under section thirteen and may on conviction award a sentence within the limits thereby prescribed for such offence.

Heads of District Police, &c., in Madras.

44. The heads of district police and amíns of police in the Presidency of Fort Saint George may punish, to the extent of their jurisdiction in petty offences, any offence hereby made punishable by fine not exceeding twenty rupees.

CHAPTER V.

MISCELLANEOUS.

Power of Government to make rules as to fences, gates and bars.

45. The Governor General in Council, or the Local Government with the sanction of the Governor General in Council, may, from time to time, make rules for providing

(*a*) boundary-marks or fences for any Railway or any part thereof, and for roads constructed in connexion therewith,

(*b*) gates or bars at places where any Railway crosses a road on the level, and

(*c*) persons to open and shut such gates or bars;

and may by such rules determine what kind of fences shall, for the purposes of section thirty-six, be deemed to be suitable for the exclusion of cattle.

Power to declare Local Government in respect of any Railway.

46. The Governor General in Council may from time to time, by notification in the *Gazette of India*, declare what Government or other authority shall be deemed to be, for the purposes of this Act, the Local Government in respect of the whole or any part of a Railway.

SCHEDULE.

ACTS REPEALED.

Number and year.	Title.
XVIII of 1854 ...	An Act relating to Railways in India.
XXXI of 1867 ...	An Act to render penal certain offences committed by servants of Railway Companies.
XIII of 1870 ...	An Act to apply the provisions of Act No. XVIII of 1854 to Railways belonging to, or worked by, Government.
XXV of 1871 ...	An Act to amend the Railway Act.

STATEMENT OF OBJECTS AND REASONS.

Doubts having arisen as to whether certain sections of the Railway Act (XVIII of 1854) applied to lines under construction or not opened for public conveyance of passengers and goods, the present Bill has been prepared with the primary object of removing these doubts.

At the same time the opportunity has been taken to consolidate four out of the five Acts in which the Railway law of India is now contained, and to make the following amendments therein:

Companies will not be answerable for loss or injury to luggage unless it has been, not only booked and paid for, but made over to the charge of a Railway officer.

The following articles (namely), cloths and tissue of which gold or silver forms part, telegraph stamps, lithographs, photographs, carvings, sculpture, opium, ivory, ebony, sandalwood, and musical instruments, have been added to the list of articles, for losing or injuring which Companies will not be liable except in case of special engagement.

The clause as to receiving bribes has been made to apply, not only to Railway officers, but also to every other person employed by or on behalf of a Railway Company to do any act upon the Railway.

The fines for giving false account of the goods carried, or to be carried on a Railway, have been raised respectively from Rs. 50 and Rs. 20 to Rs. 100 and Rs. 50.

SIMLA,
The 2nd September 1876. } A. CLARKE.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 23, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September 1876, and was referred to a Select Committee with instructions to make their report thereon in six weeks;—

No. 10 of 1876.

A Bill to amend the Land Improvement Act, 1871.

Preamble.

Whereas doubts have arisen as to the effect of certain provisions of the Land Improvement Act, 1871, and it is expedient, with a view to removing such doubts, to amend the said Act; It is hereby enacted as follows:—

Local extent.

1. This Act extends to the whole of British India;

Construction.

It shall be read with, and taken as part of, the said Land Improvement Act, 1871, and it shall be deemed to have come into force on the twenty-eighth day of September 1871, being the day on which the said Act came into force.

Commencement.

Amendment of Act XXVI of 1871, section 15.

2. Section fifteen of the said Act is repealed, and instead thereof the following section shall be substituted:—

"15. All sums advanced under this Act shall, when they become due, be recoverable in all or any of the following ways:—

(*a*) from the borrower as if they were arrears of land-revenue due from him:

(*b*) from the surety (if any) as if they were arrears of land-revenue due from him:

(*c*) out of the land to be improved as if they were arrears of land-revenue due on account of such land:

(*d*) out of the property comprised in the collateral security (if any) according to the terms of such security:

Provided—

(*e*) that if the borrower is the landlord, any proprietary or cultivating interest which a tenant may have in the land to be improved shall not, unless the tenant has given such interest as collateral security for the advance, be liable to sale for the recovery of such advance:

(*f*) that if the borrower is such a tenant as is mentioned in section seven, the landlord's interest in the land to be improved shall not be liable to sale for the recovery of the advance;

(*g*) and if the advance is recovered from the surety or out of his property, to the exoneration of the borrower or of the land to be improved, the surety shall have the same claims and remedies against the borrower and the land to be improved as the Government had when the advance was due."

STATEMENT OF OBJECTS AND REASONS.

The Land Improvement Act (XXVI of 1871), section 14, provides that every certificate granted by a Collector making advances under the Act shall specify the amount of the advance, the position, extent and boundaries of the land to be improved and the nature and amount of the security (if any) other than the land to be improved. Section 15 then provides that the amount so specified shall be recoverable "from the person to whom the advance was made, *or* from any person who has become security for the repayment thereof, as if they were arrears of land-revenue due by the person to whom the advance was made or by his security."

The remainder of section 15 is as follows:—

"If any such sum cannot be so recovered, it shall be recoverable as if it was an arrear of revenue due on *the land specified in the said certificate*:

"Provided that when the person to whom the advance was made is a landlord or a tenant having a right to transfer his interest in the land without the consent of the landlord, the interest of *no person, other than such landlord or tenant, in the said land*, shall be sold under this section."

On this clause two questions have arisen: First, is the advance made by Government a first charge on the land to be improved, in preference to all other charges, whether they have priority in point of time or not? Secondly, does the expression "land specified in the said certificate" include any land which might be given as security?

The object of the present Bill is to clear up these doubts; and it will be seen that it does so in accordance with what is believed to have been the principles on which the Act was framed, and with the undoubted understanding on which all loans have hitherto been made, received and recovered, *viz.*, that Government advances should be a charge on the land to be improved in preference to all other charges on, and interests in, such land, and that if other land be given as security, the Government advance should rank with other charges thereon in the same way as if it were an ordinary advance by a private person.

It might also be contended that, on the strict literal construction of the clause, the surety must be sued before all the remedies against the principal are exhausted. That is not just, and was not intended. The opportunity is therefore taken of removing doubts on this head, and of making it clear that the remedies against principal and surety stand on the usual footing.

SIMLA;
The 28th August 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th September 1876, and was referred to a Select Committee with instructions to make their report thereon in five months:—

No. 11 of 1876.

THE INDIAN RAILWAY BILL, 1876.

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SCHEDULE.

A Bill to consolidate and amend the Law relating to Railways in India.

Whereas it is expedient to consolidate and amend the law relating to Railways in India; It is hereby enacted as follows:— Preamble.

CHAPTER I.
PRELIMINARY.

1. This Act may be called "The Indian Railway Act, 1876:" Short title.

It extends to the whole of British India and, so far as regards subjects of Her Majesty the Empress of India, to the dominions of Princes and States in India in alliance with Her said Majesty: Local extent.

And it shall come into force on the first day of March 1877. Commencement.

2. On and from that day, the Acts specified in the schedule hereto annexed shall be repealed. Repeal of Acts.

All rules made, notifications published, and powers conferred under any of such Acts shall be deemed to have been respectively made, published and conferred under this Act.

3. In this Act, unless there be something repugnant in the subject or context,— Interpretation-clause.

'Railway.' "Railway" includes—

(*a*) railways belonging to and worked by Companies:

(*b*) railways belonging to Government but worked by Companies:

(*c*) railways worked by Government:

(*d*) land within the fences or other boundary-marks prescribed under section forty-five:

(*e*) all lines of rail, sidings or branches, worked over for the purposes of, or in connexion with, a railway:

(*f*) all stations, offices, warehouses, fixed machinery and other works constructed or being constructed for the purposes of, or in connexion with, a railway:

And in the following sections (namely) 11, 13, 18, 21, 22, 26, 27 and 32 to 39 (both inclusive), "Railway" includes a railway under construction or not used for the public conveyance of passengers or goods.

'Railway officer.' "Railway officer" means any person employed by a Railway Company or the Government to perform any function in connection with a Railway.

'Passenger.' "Passenger" means a passenger by Railway.

'Magistrate.' "Magistrate" means any person lawfully exercising the powers of a Magistrate and includes a Presidency Magistrate.

'Fine.' "Fine" includes a sum of money due upon a forfeited recognizance.

4. Every Railway used for the public conveyance of passengers or goods, shall, until the contrary be proved, be presumed to be a Railway within the meaning of this Act, All opened Railways presumed within the Act.

and every Company to or by whom any such Railway belongs or is worked shall, until the contrary be proved, be presumed to be a Railway Company within the meaning of this Act.

CHAPTER II.
RULES RELATING TO RAILWAY COMPANIES.

5. A Railway Company and (in the case of a Railway worked by Government) the Government shall in no case be answerable for loss or injury to any No liability for unbooked luggage.

passenger's luggage, unless it has been booked and separately paid for and made over to the charge of a Railway officer.

6. A Railway Company and (in the case of a Railway worked by Government) the Government shall in no case be answerable for loss of or injury to any of the following articles (namely),—

No liability for loss of gold, silver, &c., unless in case of special engagement.

(*a*) gold or silver, coined or uncoined, manufactured or unmanufactured,

(*b*) plated articles,

(*c*) cloths and tissue of which gold and silver form part,

(*d*) precious stones, jewellery, trinkets,

(*e*) watches, clocks, or time-pieces of any description,

(*f*) Government securities,

(*g*) Government stamp-paper, postage stamps, telegraph stamps,

(*h*) bills of exchange, promissory notes, bank-notes, orders, or other securities for payment of money,

(*i*) maps, writings, title-deeds,

(*j*) paintings, engravings, lithographs, photographs, carvings, sculpture,

(*k*) glass, china,

(*l*) silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with other materials,

(*m*) shawls,

(*n*) lace,

(*o*) opium,

(*p*) ivory, ebony, sandalwood,

(*q*) musical instruments,

contained in any parcel or package delivered to such Company or the Government, either to be carried on a Railway for hire or to accompany the person of any passenger, unless the value and nature of such articles have been declared by the person sending or delivering the same, and an increased charge for the safe conveyance of the same has been accepted by some person specially authorized to enter into such engagements on behalf of the Company or Government.

7. The liability of a Railway Company, or (in the case of a Railway worked by Government) of the Government, for loss of or injury to any articles or goods to be carried by Railway other than those specially provided for by this Act shall not be limited or otherwise affected by any public notice given, or any private contract made, by the Company or the Government;

Public notice or private contract not to limit liability.

but the Company, or (in the case of a Railway worked by Government) the Government, shall be answerable for such loss or injury when it has been caused by gross negligence or misconduct on the part of their agents or servants.

8. If any person fail to pay on demand any sum due for conveyance of any goods by Railway, the Company, or (in the case of a Railway worked by Government) the Government, may detain all or any part of such goods, or, if the same have been removed from the Railway, any other goods of such person then on such Railway or thereafter coming into the possession of the Company or Government;

Lien for money due for carriage of goods.

and may also sell by public auction sufficient of such goods to realize the sum payable as aforesaid, and all charges and expenses of such detention and sale;

and may out of the proceeds of the sale, retain the sum so payable, together with the charges and expenses aforesaid, rendering the overplus, if any, of the money arising by such sale, and such of the goods as remain unsold, to the person entitled thereto.

9. The owner or person having the care of any goods which have been carried upon any Railway, or are brought into any station or warehouse for the purpose of being carried on a Railway, shall, on demand by any Railway officer appointed to receive goods to be carried on that part of the Railway on which such goods have been carried, or are about to be carried, deliver to such officer an exact account in writing signed by him of the number or quantity and description of such goods.

Written account of goods to be given on demand.

10. Any Railway officer may refuse to carry upon a Railway any luggage or parcel which he suspects to contain goods of a dangerous nature, and may require the same to be opened to ascertain the fact previously to carrying the same;

Carriage of goods of a dangerous nature.

and in case any such luggage or parcel is received for the purpose of being carried upon a Railway, any Railway officer may stop the transit thereof until he is satisfied as to the nature of the contents of the luggage or parcel.

11. Every Railway Company, and every officer controlling a Railway worked by Government, shall, within forty-eight hours after the occurrence upon the Railway belonging to such Company or so worked by Government of any accident attended with serious personal injury, give notice thereof to the Local Government.

Accident to be reported.

12. The Local Government may direct any Railway Company or any officer controlling a Railway worked by Government to make up and deliver to the Local Government a return of serious accidents occurring in the course of the public traffic upon the Railway belonging to such Company, or so worked by Government whether attended with personal injury or not, in such form and manner as the Local Government deems necessary and requires for information, with a view to the public safety.

Returns of accidents in course of traffic.

13. Every Railway Company, and every officer controlling a Railway worked by Government, may respectively from time to time, with the previous sanction of the Governor General in Council, make general rules for the use, working and general administration of the Railway belonging to such Company or so worked by Government.

Power to make rules for working Railway.

All such rules shall be published in the *Gazette of India*, and shall be otherwise notified to the Railway officers and the public in such manner as the Governor General in Council, from time to time, directs.

Publication of rules.

Any such rule may contain a provision that any person committing a breach of it shall be liable to a fine not exceeding fifty rupees, or, in default of payment of such fine, to imprisonment for a term which may extend to two months.

Penalty for breach of rules.

The Governor General in Council may at any time cancel any rule so sanctioned.

Power to cancel rules.

14. A copy of this Act, and of the General Rules, Time-tables, and Tariff of charges, which may from time to time be published for any Railway by any Railway Company with the sanction of the Local Government, or (in the case of a Railway worked by Government) by the officer controlling the same, shall be exhibited in some conspicuous place at each station of such Railway, so that they may be easily seen and read.

Copy and translation of Act, &c., to be shown at stations.

All such documents shall be so exhibited in English and in the Vernacular language of the district in which the station is situate, and in such other language, if any, as the Local Government may direct.

CHAPTER III.

RULES RELATING TO PASSENGERS.

15. Every person desirous of travelling on a Railway shall, upon payment of his fare, be furnished with a ticket, specifying the class of carriage and the place from and place to which the fare has been paid, and shall, when required, show his ticket to any Railway officer duly authorized to examine the same, and shall deliver up such ticket upon demand to any Railway officer duly authorized to collect tickets.

Passengers on payment of fares to be furnished with tickets.

Tickets to be shown and given up on demand.

16. At the intermediate stations, the fares shall be deemed to be accepted, and the tickets furnished only upon condition that there be room in the train for which the tickets are furnished.

Fares and tickets at intermediate stations.

In case there is not room for all the passengers to whom tickets have been furnished, those who have obtained tickets for the longest distance shall have the preference; and those who have obtained tickets for the same distance shall have the preference according to the order in which they have received their tickets:

Preferential right to tickets.

Provided that all officers and troops of Her Majesty, on duty, and all other persons on the business of the Government, who by virtue of any contract with the Government are entitled to be conveyed on a Railway in preference to, or in priority over the public, shall be entitled to such preference and priority without reference to the distance for which, or the order in which, they have received their tickets.

Proviso.

17. No person shall enter any carriage used on any Railway, for the purpose of travelling therein, without having first paid his fare and obtained a ticket.

Fares to be prepaid.

18. No person shall carry upon any Railway any dangerous goods, or shall be entitled to require to be carried upon any Railway any luggage or goods which, in the judgment of any Railway officer, is or are of a dangerous nature.

Passengers not to carry dangerous goods.

CHAPTER IV.

PENALTIES.

(A.) As to Companies.

19. Any Railway Company or officer controlling a Railway worked by Government omitting to give notice as required by section eleven, shall forfeit the sum of fifty rupees for every day during which such omission continues.

For omitting to report accident.

20. Any Railway Company or officer controlling a Railway worked by Government failing to deliver any return mentioned in section twelve, within fourteen days after the same has been required, shall forfeit the sum of fifty rupees for every day during which such failure continues.

For not sending return of accidents.

(B.) As to Railway Officers.

21. Any Railway officer who is in a state of intoxication whilst actually employed upon a Railway in the discharge of any duty, or who negligently omits to perform his duty, or who performs the same in an improper manner,

For drunkenness or breach of duty.

shall be liable to a fine not exceeding fifty rupees;

and if the duty in any of the cases aforesaid be such that the omission or negligent performance thereof would be likely to endanger the safety of any person travelling or being upon such Railway, such officer shall, on conviction before a Magistrate, be liable to imprisonment for a term not exceeding one year, or to fine, or to both.

22. If any Railway officer endangers the safety of any person—

For endangering the safety of person.

(*a*) by disobeying any general rule sanctioned and notified in the manner prescribed by section thirteen, or

(*b*) by disobeying any rule or order not inconsistent with the general rules aforesaid, and which he was bound by the terms of his service to obey, and of which he had notice, or

(*c*) by any rash or negligent act or omission,

he shall be liable to imprisonment for any term not exceeding three years, or to fine not exceeding five hundred rupees, or to both.

23. Every Railway officer, and every other person employed by or on behalf of a Railway Company to do any act upon the Railway, and every person employed either permanently or temporarily in connection with a Tramway shall be deemed a "public ser-

For receiving bribes.

vant" within the meaning of sections 161, 162, 163, 164 and 165 of the Indian Penal Code.

Amendment of Penal Code, section 161.

In the definition of legal remuneration contained in the said section 161 the word "Government" shall, for the purposes of this section, be deemed to include—

(*a*) a Railway Company,

(*b*) the proprietors for the time being of a Tramway, and

(*c*) the lessees, representatives and assigns of such Company or proprietors.

(*C.*) *As to the Public.*

For not producing or delivering ticket.

24. Any passenger not producing or delivering up his ticket when so required by a Railway officer authorized to require such production or delivery, shall be liable to pay the fare from the place whence the train originally started, unless he can prove that he has travelled a less distance only, in which case he shall be liable to pay the fare only from the place whence he has travelled.

For evading payment of proper fare.

25. Any person who defrauds, or attempts to defraud any Railway Company or the Government

(*a*) by travelling, or attempting to travel, upon any Railway, without having previously paid his fare; or

(*b*) by riding in or upon a carriage of a higher class than that for which he has paid his fare; or

(*c*) by continuing his journey in or upon any Railway carriage beyond the place for which he has paid his fare, without previously paying the fare for the additional distance, and with intent to avoid payment thereof;

or who knowingly and wilfully refuses or neglects, on arriving at the point to which he has paid his fare, to quit such carriage;

or who, in any other manner whatever, attempts to evade the payment of his fare,

shall be liable to a fine not exceeding fifty rupees for each offence.

For entering carriage in motion.

26. Any passenger, who gets into or upon, or attempts to get into or upon, or quits, or attempts to quit, any carriage upon any Railway, while such carriage is in motion;

For riding on the steps.

or who rides or attempts to ride upon any Railway, on the steps, or any other part of a carriage, except on those parts which are intended for the accommodation of passengers,

shall be liable to a fine not exceeding twenty rupees for each offence.

For riding on engine, tender, or luggage-van.

27. Any person other than the engine-man, fire-man, and assistant fire-man, who, without the special license of the Superintendent of Locomotives, rides or attempts to ride upon any locomotive engine or tender upon any Railway;

and any person other than the guard or brakesman, who, without such license as aforesaid, rides or attempts to ride upon any Railway, in or upon any luggage-van or goods-wagon, or other vehicle not appropriated to the carriage of passengers,

shall be liable to a fine not exceeding twenty rupees for each offence.

For smoking.

28. Whoever smokes, either in a Railway station, or in or upon any Railway carriage, except in places or carriages specially provided for the purpose, shall be liable to a fine not exceeding twenty rupees for each offence;

and whoever persists in so smoking (except as aforesaid) after being warned to desist by any Railway officer, may, in addition to incurring the liability abovementioned, be removed by any Railway officer from any such carriage, and from the premises of the Railway, and shall forfeit his fare.

For intoxication or nuisance.

29. Any person who is in a state of intoxication, or who commits any nuisance or act of indecency in any Railway carriage, or upon any part of any Railway;

or who wilfully and without lawful excuse interferes with the comfort of any passenger,

shall be liable to a fine not exceeding twenty rupees; and in addition to such liability, the offender may be removed by any Railway officer from any such carriage, and also from the premises of the Railway, and shall forfeit his fare.

For entering private room or carriage.

30. If any special carriage, or portion of a carriage, or any private room or apartment, be provided by any Railway Company or by Government for the exclusive use of females, any male person, who, without lawful excuse, enters such carriage, or portion of a carriage, or any such room or apartment, knowing the same to be exclusively appropriated as aforesaid, or remains therein after having been informed of its exclusive appropriation, shall be liable to a fine not exceeding one hundred rupees,

and may be removed therefrom, and also from the premises of the Railway, by any Railway officer,

and shall forfeit his fare.

For false account.

31. Any owner or person referred to in section nine, who wilfully fails to give on demand to any Railway officer appointed as therein mentioned an exact account of the number or quantity and description of the goods therein referred to,

or who wilfully gives to such Railway officer a false account thereof,

shall, for every such offence, be liable to a fine not exceeding one hundred rupees for every ton of such goods, or for any parcel exceeding one hundredweight, and to a fine not exceeding fifty rupees for any quantity of such goods less than a ton or for any parcel less than one hundredweight.

For carrying goods of a dangerous nature.

32. Whoever carries upon a Railway any dangerous goods,

For delivering such goods without notice.

and whoever delivers to a Railway officer any such goods for the purpose of being carried upon a Railway, without distinctly marking their nature on the outside of the package containing the same,

or otherwise giving notice in writing of the nature thereof to such officer,

shall be liable to a fine not exceeding two hundred rupees for every such offence.

For obstructing Railway officer in his duty.

33. Whoever wilfully obstructs or impedes any Railway officer in the discharge of his duty on a Railway, or any of the works, stations, or premises connected therewith, shall be liable to a fine not exceeding fifty rupees.

For injuring carriage, &c.

34. Whoever unlawfully and wilfully removes or defaces the number-plates, or removes or extinguishes any lamp on any Railway carriage, or wilfully or negligently damages or injures any carriage, engine, wagon, truck, warehouse, building, machine, fence, or any other thing belonging to a Railway Company or in the case of a Railway belonging to or worked by Government) to Government, shall be liable to a fine not exceeding fifty rupees.

For trespass.

35. Whoever trespasses upon a Railway shall be liable to a fine not exceeding twenty rupees;

For refusing to leave on request.

and if any person so trespassing refuse to leave such Railway on being requested to do so by any Railway officer, or by any other person on behalf of the Railway Company or the officer controlling a Railway worked by Government, he shall be liable to a fine not exceeding fifty rupees, and may be immediately removed from such Railway by such officer or other person as aforesaid.

For cattle-trespass on Railway fences.

36. The owner or person in charge of any cattle trespassing or straying on any Railway provided with fences suitable for the exclusion of cattle shall, on conviction before a Magistrate, be liable to a fine not exceeding ten rupees for each animal, in addition to any amount that may be recovered under the Cattle Trespass Act, 1871.

For wilfully driving cattle on fenced Railway.

Whenever cattle are wilfully driven or knowingly permitted to be on any Railway provided with fences suitable for the exclusion of cattle otherwise than for the purpose of crossing the Railway at a gate or bar provided for public use, the person in charge of such cattle, or if he cannot be identified, then the owner of the said cattle shall on conviction before a Magistrate be liable to a fine not exceeding fifty rupees for each animal, in addition to any amount that may be recovered under the said Act.

All fines imposed under this section may be recovered in manner provided by section 25 of the said Act, and may be appropriated in whole or in part in compensation for loss or damage proved to the satisfaction of the convicting Magistrate.

Amendment of Act I of 1871, ss. 11 and 26.

The expression 'public road' in sections eleven and twenty-six of the said Act shall be deemed to include a Railway. And any Railway officer may exercise the powers of seizure provided by the said section eleven.

Explanation.—In this section the word 'cattle' includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids.

For opening or not properly shutting gates.

37. Whoever, when any engine or train approaching along a Railway is in sight, opens any gate which has been set up for the use or accommodation of any person by any Railway Company or by Government on either side of the Railway, or passes or attempts to pass, or drives or attempts to drive any carriage, cattle, or other animal or thing across the Railway;

and whoever at any time omits to shut and fasten such gate, as soon as he and any carriage, cattle, or other animal or thing under his charge have passed through the same,

shall be liable to a fine not exceeding fifty rupees.

(*D.*) *As to Railway Officers and the Public.*

For wilful act or omission endangering passenger.

38. Whoever, whether a Railway officer or not, wilfully does any act, or wilfully omits to do what he is legally bound to do, intending by such act or omission to cause, or knowing that he is thereby likely to endanger the safety of any person travelling or being upon any Railway may be sentenced to transportation (or in the case of an European or American to penal servitude) for life or to imprisonment for any term not exceeding seven years.

For an act not wilful.

39. Whoever, whether a Railway officer or not, rashly or negligently, and without lawful excuse, does any act likely to endanger the safety of any person travelling or being upon a Railway, shall, upon conviction before a Magistrate, be liable to imprisonment for a term not exceeding one year, or to fine, or to both.

Apprehension of Offenders.

Apprehension for offences punishable by fine.

40. If any person commit any offence hereby made punishable by fine, and the name and address of such person are unknown, or there be reason to believe that he will abscond, any Railway officer or any police-officer, or other person whom such Railway officer or police-officer may call to his aid, may, without any warrant or written authority; apprehend and detain such offender until he can be taken before a Magistrate or give sufficient security for his appearance before such Magistrate, or is otherwise discharged by due course of law.

Apprehension for offences against sections 13, 21, 22, 38 and 39.

41. Every person guilty of any offence mentioned in sections 13, 21, 22, 38 and 39 may be apprehended without any warrant or written authority by any Railway officer, or by any other person whom such officer may call to his aid, or by any police-officer empowered to arrest without a warrant;

and every person so apprehended shall, with all convenient despatch, be carried and conveyed before a Magistrate or Justice of the Peace authorized to punish the offender or to commit him for trial.

Jurisdiction.

Jurisdiction of Magistrate, &c., to fine.

42. Any person, whether a European British subject or not, who is guilty of any offence for which, under this Act, he is liable to a fine only, shall be punishable

for such offence by any Magistrate, whether the offence has been committed within the local limits of his jurisdiction or not.

Jurisdiction of Justices to try Europeans for breach of general rules.

43. Any Justice of the Peace may try a European British subject for an offence under section thirteen and may on conviction award a sentence within the limits thereby prescribed for such offence.

Heads of District Police, &c., in Madras.

44. The heads of district police and amíns of police in the Presidency of Fort Saint George may punish, to the extent of their jurisdiction in petty offences, any offence hereby made punishable by fine not exceeding twenty rupees.

CHAPTER V.

MISCELLANEOUS.

Power of Government to make rules as to fences, gates and bars.

45. The Governor General in Council, or the Local Government with the sanction of the Governor General in Council, may, from time to time, make rules for providing

(*a*) boundary-marks or fences for any Railway or any part thereof, and for roads constructed in connexion therewith,

(*b*) gates or bars at places where any Railway crosses a road on the level, and

(*c*) persons to open and shut such gates or bars;

and may by such rules determine what kind of fences shall, for the purposes of section thirty-six, be deemed to be suitable for the exclusion of cattle.

Power to declare Local Government in respect of any Railway.

46. The Governor General in Council may from time to time, by notification in the *Gazette of India*, declare what Government or other authority shall be deemed to be, for the purposes of this Act, the Local Government in respect of the whole or any part of a Railway.

SCHEDULE.

ACTS REPEALED

Number and year.	Title.
XVIII of 1854 ...	An Act relating to Railways in India.
XXXI of 1867 ...	An Act to render penal certain offences committed by servants of Railway Companies.
XIII of 1870 ...	An Act to apply the provisions of Act No. XVIII of 1854 to Railways belonging to, or worked by, Government.
XXV of 1871 ...	An Act to amend the Railway Act.

STATEMENT OF OBJECTS AND REASONS.

Doubts having arisen as to whether certain sections of the Railway Act (XVIII of 1854) applied to lines under construction or not opened for public conveyance of passengers and goods, the present Bill has been prepared with the primary object of removing these doubts.

At the same time the opportunity has been taken to consolidate four out of the five Acts in which the Railway law of India is now contained, and to make the following amendments therein:

Companies will not be answerable for loss or injury to luggage unless it has been, not only booked and paid for, but made over to the charge of a Railway officer.

The following articles (namely), cloths and tissue of which gold or silver forms part, telegraph stamps, lithographs, photographs, carvings, sculpture, opium, ivory, ebony, sandalwood, and musical instruments, have been added to the list of articles, for losing or injuring which Companies will not be liable except in case of special engagement.

The clause as to receiving bribes has been made to apply, not only to Railway officers, but also to every other person employed by or on behalf of a Railway Company to do any act upon the Railway.

The fines for giving false account of the goods carried, or to be carried on a Railway, have been raised respectively from Rs. 50 and Rs. 20 to Rs 100 and Rs. 50.

SIMLA,
The 2nd September 1876. } A. CLARKE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th September 1876, and was referred to a Select Committee with instructions to make their report thereon in three months:—

No. 12 of 1876.

THE STRAITS SETTLEMENTS EMIGRATION BILL, 1876.

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46. Prosecutions under this Act by whom to be instituted.

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47. Act not to apply to certain vessels,
48. or to contracts with Native seamen and menial servants.
49. Emigration Agent and his subordinates and Protector of Emigrants to be deemed public servants.

THE FIRST SCHEDULE.

THE SECOND SCHEDULE.

A Bill to regulate the Emigration of Native Labourers from the Presidency of Fort Saint George to the Straits Settlements.

Preamble.

Whereas it is expedient to regulate emigration from the Presidency of Fort Saint George to the Straits Settlements; It is hereby enacted as follows:—

I.—PRELIMINARY.

Short title.

1. This Act may be called "The Straits Settlements Emigration Act, 1876:"

Local extent.

This section and section two extend to the whole of British India: the rest of this Act extends only to the territories under the government of the Governor of Fort Saint George in Council;

Commencement.

And it shall come into force on such date as the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the *Fort Saint George Gazette*, direct.

Act XIV of 1872, repealed.

2. On and from such date Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act*, 1871) shall be repealed, but not so as to revive any right to sue or ground of proceeding taken away by the said Act.

The provisions of Act No. VII of 1871 (*to consolidate the laws relating to the emigration of Native Labourers*) shall not apply to emigration to the Straits Settlements from the said territories, or to any contract for labour to be performed in the Straits Settlements by an emigrant from the said territories.

Act VII of 1871 not to apply to emigration from Madras to the Straits Settlements.

Interpretation-clause.

3. In this Act—

"Emigrate" denotes the departure of any Native of India out of the said territories, under an engagement to labour in the said Settlements:

"Emigrate."

"Emigrant" means a person who "emigrates" within the meaning of the above definition:

"Emigrant."

"Magistrate" means a Magistrate of a District, a Magistrate of a division of a District, or any person appointed by the Local Government to perform the functions of a Magistrate under this Act:

"Magistrate."

"Vessel" includes anything made for the conveyance by water of human beings or property.

"Vessel."

From what port emigration lawful.

4. It shall not be lawful to emigrate except from the Port of Negapatam, or from such other port as may from time to time be declared by the Local Government, by a notification in the *Fort Saint George Gazette*, to be a port from which emigration under this Act shall be lawful.

While any such notification is in force, all the provisions of this Act shall apply to the port mentioned in such notification in like manner as they apply to the Port of Negapatam.

The Local Government may, at any time, by a like notification, revoke any such notification.

II.—EMIGRATION AGENT.

Appointment of Emigration Agent.

5. The Government of the Straits Settlements may, from time to time, appoint such person as the Local Government approves, to act as Emigration Agent at the Port of Negapatam, or such other port as aforesaid.

The Emigration Agent so appointed may be suspended or removed by the Government of the Straits Settlements.

III.—PROTECTOR OF EMIGRANTS.

Appointment of Protector of Emigrants.

6. The Local Government shall direct the Magistrate of the division of the District in which the Town of Negapatam is situated, or such other Magistrate in Negapatam as it thinks fit, to act as Protector of Emigrants under this Act; and may, with the sanction of the Governor General in Council, assign to such Magistrate such establishment as it thinks fit.

General duties of Protector.

7. Such Protector of Emigrants, in addition to any special duties assigned to him by this Act, shall, so far as is in his power, protect and aid all emigrants with his advice or otherwise, and cause all the provisions of this Act to be duly complied with.

Inspection of vessels with return emigrants.

He shall also inspect on arrival all vessels bringing return emigrants to Negapatam, and inquire into the treatment received by such emigrants both during the period of their service in the Straits Settlements and also during the voyage, and shall make a report thereon to the Local Government.

He shall aid and advise such return emigrants, so far as he reasonably can, when called upon by them to do so.

IV.—EMIGRATION DEPÔT.

Establishment and licensing of depôt.

8. The Emigration Agent shall establish a suitable depôt for emigrants at Negapatam and at any such other port as aforesaid. Such depôt may be licensed by the Protector of Emigrants after being inspected and approved of by him.

Duration of license.

No such license shall be in force for a longer period than a year; and any such license may be cancelled by the Protector of Emigrants, if he considers that the depôt for which it was granted is unhealthy, or in any respect has become unsuitable for the purpose for which it was established, or if the Emigration Agent fails to comply with any of the requirements of this Act.

Fee for license.

For every such license the Emigration Agent shall pay to the Protector of Emigrants a fee of fifteen rupees.

Inspection by Protector.

9. The Protector of Emigrants may, at any time, examine into the state of the depôt and the manner in which the emigrants are therein lodged, fed, clothed, and otherwise provided for and attended to.

Agent and his subordinates to afford facilities for inspection.

The Emigration Agent and all persons in charge of, or employed in, the depôt shall give the Protector every facility for making such inspections as he may deem necessary or proper, and shall afford him all such information as he may require.

Supply of medical aid and comforts.

10. The Emigration Agent shall provide at the depôt such medical aid and comforts as the said Protector may from time to time direct.

V.—RECRUITERS OF LABOURERS.

Protector to license recruiters.

11. The Protector of Emigrants shall license so many fit persons, as he deems necessary, to be recruiters of labourers for the Straits Settlements; and no person shall engage or attempt to engage any Native of India to emigrate, or shall otherwise act or be employed as a recruiter of labourers, except under a license from the Protector of Emigrants.

Duration and cancelment of license.

12. No such license shall be in force for a longer period than one year; and in case of misconduct on the part of any recruiter, the Protector of Emigrants may cancel his license before the expiration of the period for which it was granted.

Form of license.

13. Every such license shall specify the local limits within which the person licensed may recruit labourers, and shall be in the form set forth in the first Schedule hereto annexed.

Fee for license.

For every such license the recruiter shall pay to the Protector a fee of five rupees.

Recruiter to obtain Magistrate's countersignature to license.

14. No recruiter shall engage, or attempt to engage, labourers in any district without having first exhibited his license to a Magistrate in such district, and obtained the countersignature of such Magistrate thereupon.

VI.—CONTRACTS WITH EMIGRANTS.

Conditions of validity of emigration contracts.

15. A contract made by a recruiter with a Native of India to emigrate shall not be enforceable by the recruiter or his principal unless it—

(*a*) is expressed in writing;

(*b*) purports to be executed by the recruiter on behalf of some principal in the Straits Settlements;

(*c*) states the terms, if any, agreed on as to the redemption of the recruit's engagement for employment, or of the unexpired term of such engagement;

(*d*) is registered in the manner provided in section nineteen.

But nothing contained in this section shall be deemed to prevent such Native from insisting, if he thinks fit, that such contract shall be performed.

Contents of such contracts.

16. Every such contract shall—

(*a*) contain an engagement for employment to be provided by such principal for a definite term not exceeding three years; and

(*b*) specify the nature of the services to be performed by such recruit and the rates of wages (not less than twelve cents a day for an able-bodied male adult) payable in respect of the same.

Certain agreements declared void.

17. Save as provided by section fifteen, clause (*c*), every agreement entered into by a Native of India in the territories subject to the Governor of Fort Saint George in Council, to pay money to any person in the Straits Settlements, in consideration of pecuniary or other assistance given to such Native to emigrate, shall be illegal and void.

Every contract not containing the particulars required by section sixteen shall be illegal and void.

Medical examination of intending emigrants.

18. Every recruit who has entered into such a contract as aforesaid shall be brought by the recruiter before the Civil Surgeon of the District, or such other Medical Officer as the Local Government appoints in this behalf, or in default of such appointment, before such Medical Officer as the Magistrate directs.

The Medical Officer shall thereupon examine the recruit, and shall either reject him or shall certify that he is in a fit state of health and able in point of physical condition to proceed to the Straits Settlements and to work there.

Dependents.

If it is intended that any persons shall accompany the recruit as his dependents, the recruiter shall also bring them before the Medical Officer for the purpose of obtaining certificates that they are in a fit state of health and able in point of physical condition to perform the journey to the Straits Settlements; and the Medical Officer shall examine such persons and shall give or refuse certificates according to his opinion as to their fitness and ability.

Form of Certificates.

Certificates shall be in the form set forth in the second Schedule hereto annexed; and the recruiter shall pay to the Medical Officer such fee for each person so examined as the Local Government may from time to time prescribe.

Emigrant to appear before Magistrate,

19. Every certified recruit and every accompanying dependent shall appear with the recruiter before a Magistrate in the district within which the contract with the recruit was entered into.

and be examined.

The Magistrate shall thereupon inspect the instrument of contract and the medical certificate of the recruit, and shall, apart from the recruiter, examine the recruit with reference to his contract.

If it appears on such examination that the recruit understands the nature of the contract he has entered into as regards the particulars specified in section sixteen, and that he is willing to fulfil the same, the Magistrate shall register

(*a*) the name, the father's name and the age of such recruit:

(*b*) the name of the village or place in which he resides:

(*c*) the port of embarkation to which it is intended he shall proceed:

(*d*) the particulars specified in section sixteen.

The recruit shall thereupon be deemed an emigrant under this Act.

Registration when to be refused.

If the Magistrate thinks that the recruit does not understand the nature of his contract, or has been induced to enter into it by fraud or misrepresentation, he shall refuse to register him, and record his reasons for such refusal.

Examination of dependents.

20. On the appearance of any person claiming to be dependent on an emigrant, the Magistrate, after inspecting the medical certificate, shall, apart from the recruiter, examine such person if able to give intelligent answers to questions as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

If the Magistrate is satisfied that such dependence and willingness exist, he shall register the dependent as a dependent on such emigrant.

But if the Magistrate sees reason to doubt the existence of such dependence or willingness, he may refuse to register the alleged dependent, and, if so, shall record his reasons for such refusal.

Copies of registered matters.

21. The Magistrate shall furnish to every emigrant an authenticated copy on substantial paper of the matters registered under sections nineteen and twenty.

Copy of entry in register to be sent to Emigration Agent and Protector.

22. A copy of every entry made in the registry book by a Magistrate shall be forthwith forwarded by such Magistrate to the Emigration Agent and to the Protector of Emigrants.

Registration at Negapatam.

23. Registration under section nineteen and section twenty of emigrants recruited in the division of the district in which the town of Negapatam is situated, and of persons dependent on such emigrants, shall be effected before the Protector of Emigrants in the manner hereinbefore prescribed for registration before a Magistrate; and such Protector shall deliver one copy of the contract to the emigrant and another copy of the contract to the Emigration Agent.

Fee for registration.

24. For the registration of every contract under section nineteen, the recruiter shall pay to the Magistrate or to the Protector of Emigrants, as the case may be, such fee as may be from time to time directed by the Local Government, not exceeding one rupee.

VII.—ARRIVAL AT DEPÔT AND PROCEDURE THEREON.

Arrival at depôt to be reported.

25. The arrival of each emigrant at the depôt shall immediately be reported by the person in charge of the depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

Duty of Emigration Agent on arrival of emigrants.

26. The Emigration Agent shall, within forty-eight hours after the arrival of each emigrant at the depôt, question such emigrant as to the mode of his recruitment, and shall at the same time examine the copy of the contract furnished to the emigrant under section twenty-three.

If, for any reason, further inquiry is necessary, he shall make such enquiry forthwith.

Duty of Protector.

27. The Protector of Emigrants shall attend personally at the examination of emigrants by the Emigration Agent under section twenty-six, except in the case of emigrants recruited in the division of the district in which the town of Negapatam is situated, and shall see that the Emigration Agent makes all such enquiries of the emigrants as it may be his duty to make.

Countersignature of contract.

28. If in the opinion of the Protector of Emigrants the examination and enquiry made under section twenty-six disclose no valid reason against the fulfilment of the contract, and the emigrant has not become physically unfit for emigration, the Protector and the Emigration Agent shall countersign the emigrant's copy of the contract, and the Emigration Agent shall make out and deliver to the emigrant an embarkation pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant and the name of his father, and certifying that he has been duly registered for emigration to the Straits Settlements.

Grant of embarkation pass.

When the emigrant to be sent back to the place of registration.

29. If the Protector of Emigrants considers that any emigrant, not being an emigrant recruited in the division of the district in which the town of Negapatam is situated, is physically unfit to emigrate, and that he has not dishonestly represented himself as physically fit;

or that any such irregularity has occurred in the recruitment of any such emigrant, as makes it just to vacate the contract;

or if the Emigration Agent refuses without the consent of the Protector to countersign the emigrant's copy of the contract as required by section twenty-eight, or to be bound by the contract;

the Protector of Emigrants may order the Emigration Agent, or the recruiter with whom the contract was made, forthwith to pay to him such reasonable sum as is necessary to enable such emigrant to return to the place where his contract was registered; and may take any steps he thinks necessary for the conveyance of such emigrant to such place.

Payment of expenses of sending him back.

Failure of Emigration Agent, &c., to pay such expenses.

30. On failure of the Emigration Agent or of such recruiter for twenty-four hours to comply with an order of the Protector for the payment of any such sum, the Protector may pay the same to, or on behalf of, the emigrant.

Every sum so paid shall be recoverable by the Protector, with six per cent. per annum interest from the date of payment, from the Emigration Agent, or from such recruiter, as money paid to the use of such Emigration Agent or recruiter.

No further proof shall be required by any Court in any such case than that the Protector gave such Emigration Agent or recruiter an order to pay such money, and that the Emigration Agent or recruiter for a space of twenty-four hours made default in complying therewith.

Emigrant unfit from illness to return to the place of registration.

31. Every emigrant as aforesaid who, from his state of health, is, in the opinion of the Protector, unfit to undertake the journey back to the place where his contract was registered, shall, in addition to being conveyed back at the expense of the Emigration Agent or recruiter, be entitled to continue in the depôt, and to be fed, clothed, lodged and attended to there by and at the expense of the Emigration Agent until such time as the Protector otherwise orders.

Suits against Emigration Agent for breach of contract.

32. In every case in which the Emigration Agent refuses, without the consent of the Protector, to countersign, or be bound by a contract registered under section nineteen, or is chargeable with a breach of any duty which such contract expressly or by implication imposes upon him, the Protector may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of damages for the breach of such contract.

In every such suit the contract entered into by the recruiter shall be deemed to have been entered into by, and to be binding on, the Emigration Agent.

VIII.—EMIGRANT VESSELS.

Emigrants not to be received on board vessels other than those licensed under Native Passengers Act,

33. No Master or other person in charge of a vessel shall receive on board such vessel any emigrant unless such vessel has been licensed, under the law for the time being in force relating to the carriage by sea of Native passengers, to carry passengers from the territories under the Government of Fort Saint George to the Straits of Malacca, and unless the Master of such vessel has obtained a certificate from the Protector of Emigrants authorizing him to receive on board the number of emigrants specified therein.

or without certificate from Protector.

Protector not to grant certificate unless satisfied that vessel has been licensed and has provisions on board.

No such certificate shall be granted by the Protector of Emigrants unless he has satisfied himself that the vessel has been licensed as aforesaid, and that provisions and water for the number of emigrants to be specified in the certificate according to the scale prescribed under such law have been actually put on board such vessel.

Emigrant to give his pass to Master.

34. On embarkation every emigrant shall deliver to the Master of the vessel the embarkation pass granted to him under section twenty-eight, and the Master shall not receive any emigrant on board unless he delivers up such pass.

Emigration Agent to be present at embarkation.

35. The Emigration Agent shall be personally present at the embarkation of all emigrants, and shall see that the Master duly examines the passes of the emigrants, and shall himself also examine such passes.

The Emigration Agent shall not permit any emigrant to remain on board who has not a pass.

Master to deliver list of emigrants.

36. The Master of every vessel carrying emigrants shall, after the embarkation of the emigrants, and before the departure of the vessel, give to the Emigration Agent a list signed by himself of all emigrants on board, and shall retain a counterpart of such list signed by the Emigration Agent.

A copy of such list signed by the Emigration Agent and Master shall be sent to the Protector of Emigrants before the vessel sails.

IX.—SUPPLEMENTARY POWERS.

Power to prohibit emigration to the Straits Settlements.

37. Whenever the Governor General in Council has reason to believe that proper measures have not been taken for the protection of emigrants and the enforcement of the engagements entered into with them immediately upon their arrival at the Straits Settlements, or during their residence therein, the Governor General in Council may, by a notification published in the *Gazette of India*, declare that emigration to the said Settlements shall cease from a day to be specified in such notification.

When any notification has been published under this section, emigration and the making of contracts to emigrate to the Straits Settlements shall be unlawful from the day specified in such notification.

Revocation of prohibition.

38. Such notification may be revoked in like manner at the discretion of the Governor General in Council, and thereupon emigration to the said Settlements shall again be allowed from a day to be specified in the revocation.

From the day so specified all the provisions of this Act authorizing emigration to the said Settlements shall be revived, and have the same effect as if such emigration had not been suspended, except as to acts done, offences committed, and proceedings commenced, during the time of such suspension.

X.—OFFENCES.

Making unlawful contract of labour.

39. Whoever, except under and in conformity with the provisions of this Act, engages or attempts to engage any Native of India to emigrate,

or whoever engages or attempts to engage any Native of India to enter into any such contract as is hereby declared illegal,

Recruiting without being licensed.

or, not being a recruiter duly licensed under this Act, acts or is employed as a recruiter of labourers,

Recruiter omitting to take engaged labourers before Magistrate or Protector.

or being a duly licensed recruiter, removes or attempts to remove any emigrant whom he engages in any district from such district without the contract with such emigrant having been duly registered under section nineteen,

shall be punished with imprisonment, which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Use of force, fraud, &c., to cause a Native to emigrate.

40. Whoever, by means of intoxication, violence, fraud, or false pretences, causes or induces or attempts to cause or induce any Native of India to emigrate or to enter into any contract to emigrate, or into any such contract as is hereby declared illegal, or to proceed to the said Settlements without having entered into any contract, shall be punished with imprisonment, which may extend to three years, or with fine or with both.

False representation of Government authority.

41. Whoever, without lawful authority, issues any written order to the police to assist himself or any other person to procure labourers to proceed to the said Settlements, or falsely represents that such labourers are required by the Government, or are to be engaged on behalf of the Government, shall be liable to a fine not exceeding five hundred rupees.

Receiving emigrants on board without license or certificate.

42. Any Master of a vessel not licensed as provided in section thirty-three who knowingly receives on board, for conveyance to the said Settlements, any emigrant or person who has entered into a contract hereby declared illegal,

and any Master of a vessel licensed as aforesaid, who knowingly receives any emigrant as aforesaid without having previously obtained a certificate under the said section, or in excess of the number specified in such certificate,

shall be liable for each emigrant or person so received to imprisonment for a period not exceeding three months, and also to a fine not exceeding two hundred rupees, and the vessel shall be liable to be forfeited.

43. Any Master of a vessel who receives on board such vessel any emigrant for the said Settlements and fails to comply with the requirements of sections thirty-four and thirty-six, shall be liable to a fine not exceeding two hundred rupees.

Failure to comply with requirements of sections 34 and 36.

44. Any Master of a vessel who having cleared such vessel for the said Settlements, takes on board any emigrant not entered in the list mentioned in section thirty-six, shall be liable to a fine not exceeding two hundred rupees for every emigrant so taken on board.

Taking on board, after clearance, emigrants not entered in list.

45. All the powers vested by law in the officers of Customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention and detection of the illegal embarkation of emigrants on board vessels bound for the said Settlements and of other offences against this Act.

Customs officers may search and detain for purposes of this Act.

46. All prosecutions under this Act shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

Prosecutions under this Act by whom to be instituted.

XI.—MISCELLANEOUS.

47. Nothing in this Act shall apply to any vessel in the service of the Lords Commissioners of the Admiralty, or to any of Her Majesty's vessels.

Act not to apply to certain vessels.

48. Nothing in this Act shall apply to any contract with, or the emigration of, any Native seaman, or other person who of his own free will contracts to navigate or serve on board of any vessel, or who embarks on board such vessel in pursuance of such contract, or any person who contracts to serve as a menial servant only and who embarks as such menial servant.

or to contracts with Native seamen and menial servants.

49. The Emigration Agent and all persons employed by him and the Protector of Emigrants shall be deemed to be public servants within the meaning of the Indian Penal Code.

Emigration Agent and his subordinates and Protector of Emigrants to be deemed public servants.

THE FIRST SCHEDULE.

(*See section* 13.)

Office of the Protector of Emigrants at the Port of Negapatam.

A. B. described in the Roll annexed is hereby licensed under the Straits Settlements Emigration Act, 1876, to be a recruiter of labourers.

[*Here set out the local limits within which the recruiter is licensed to act.*]

This license will be in force for only from this date, unless previously cancelled.

(Sd.) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village and district to which he belongs.

THE SECOND SCHEDULE.

(*See section* 18.)

I hereby certify that I have this day examined *A. B.*, and that he is, to the best of my belief and judgment, in a fit state of health, and able, in point of physical condition, to proceed to the Straits Settlements [and to work there*].

(Sd.) *C. D.*,
(*Here add designation of examining officer.*)

* These words to be omitted in case of women and children not engaging for labour.

STATEMENT OF OBJECTS AND REASONS.

The circumstances which make special legislation necessary to regulate emigration from the Madras Presidency to the Straits Settlements were fully explained in Council on the 6th June 1872, when leave was asked to introduce the Bill which passed as Act XIV of 1872. The Bill then introduced was intended merely to make temporary provision for a pressing emergency, and it was stated that a further measure to make permanent provision, in all requisite detail, for emigration to the Straits was then under preparation in communication with the Colonial Government and would afterwards be introduced. Some time, as might have been expected, has passed in arranging with the Government of the Straits the details of the present Bill and of the corresponding Ordinance intended to be passed by the Straits Legislative Council.

2. The law of the Straits Settlements has either been, or will soon be, placed on a permanent footing, and it is desirable that no further delay should take place in carrying out the legislation requisite here.

3. The present Bill, it will be seen, is based on the Indian Emigration Act, 1871. It differs from that Act, however, in two important respects. In the first place, the provisions it contains regarding the conveyance of emigrants to the depôt, the equipment of emigrant vessels, the embarkation of the emigrants, &c., are of a less detailed and stringent nature than the corresponding provisions of the Act of 1871. As was observed in the discussions which led to the passing of Act XIV of 1872, it would be absurd to hamper emigration to a Colony which may be reached in eight or ten days with regulations designed for a voyage like that to the West Indies.

4. The other point in which the present Bill differs from the Act of 1871 (and on this point it is more stringent than the Act of 1871) is in regard to contracts between recruiters and emigrants. The conditions of emigration from Madras to the Straits Settlements are somewhat different from those which prevail in other Colonies drawing their supplies of labour from India. The law in these other Colonies places upon the Government the responsibility for the fulfilment of the conditions under which the emigrant leaves his home; the immigrants are received by Government Agents on their arrival, and allotted to employers by these Agents; contracts are made on their behalf by Government, and Government undertakes to provide them with a free passage to India on the completion of their term of service, or sooner if they become disabled.

5. In the Straits Settlements, on the other hand, the contract has hitherto been confined to the emigrant and the individual employer; and the function of Government has been merely to watch over its due fulfilment by both parties. It is still intended that contracts shall be made in the first instance between emigrants and individual employers; and therefore it becomes specially necessary in the case of an emigrant to the Straits to make sure that the contract entered into by him before he leaves India distinctly provides for those points on which the Government of India is in the habit of insisting as essential. Hence the additional rules regarding the form and contents of contracts laid down in sections fifteen and sixteen of the present Bill.

6. It is however desired by the Government of India that the Government of the Straits Settlements shall guarantee to emigrants the performance of certain important conditions of their contracts, if the employers fail to perform them. It is also thought expedient to declare expressly that contracts made in Madras by Natives for repayment of money in the Straits Settlements, in consideration of assistance to leave India, shall be void except for the purpose of redeeming their contracts to work.

7. It will be observed that the present Bill proposes to repeal Act XIV of 1872, and thereby, so far as regards all India except Madras, to remit the Straits Settlements to the position they were in before the passing of that Act. That is to say, as regards all India except the Madras Presidency, emigration to the Straits Settlements will not be lawful, and cannot be made lawful except under the provisions of the Emigration Act of 1871. The reason for this state of things will be found stated in the proceedings of Council before referred to. The peculiarities of the labour traffic between Madras and the Straits Settlements are its long duration, the existence of a large Tamil population in the Straits, and the proximity of the two countries. These circumstances do not affect any part of India except Madras.

SIMLA;
The 10th September 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 30, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th September 1876, and was referred to a Select Committee with instructions to make their report thereon in five months :—

No. 11 of 1876.

THE INDIAN RAILWAY BILL, 1876.

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For delivering such goods without notice.
33. For obstructing Railway-officer in his duty.
34. For injuring carriage, &c.
35. For trespass.
For refusing to leave on request.
36. For cattle-trespass within Railway fences.
For wilfully driving cattle on fenced Railway.
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37. For opening or not properly shutting gates.

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40. Apprehension for offences punishable by fine.
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45. Power of Government to make rules as to fences, gates and bars.
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SCHEDULE.

A Bill to consolidate and amend the Law relating to Railways in India.

Whereas it is expedient to consolidate and amend the law relating to Railways in India; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Indian Railway Act, 1876:"

It extends to the whole of British India and, so far as regards subjects of Her Majesty the Empress of India, to the dominions of Princes and States in India in alliance with Her said Majesty:

Local extent.

And it shall come into force on the first day of March 1877.

Commencement.

2. On and from that day, the Acts specified in the schedule hereto annexed shall be repealed.

Repeal of Acts.

All rules made, notifications published, and powers conferred under any of such Acts shall be deemed to have been respectively made, published and conferred under this Act.

3. In this Act, unless there be something repugnant in the subject or context,—

Interpretation-clause.

'Railway.' "Railway" includes—

(*a*) railways belonging to and worked by Companies:

(*b*) railways belonging to Government but worked by Companies:

(*c*) railways worked by Government:

(*d*) land within the fences or other boundary-marks prescribed under section forty-five:

(*e*) all lines of rail, sidings or branches, worked over for the purposes of, or in connexion with, a railway:

(*f*) all stations, offices, warehouses, fixed machinery and other works constructed or being constructed for the purposes of, or in connexion with, a railway:

And in the following sections (namely) 11, 13, 18, 21, 22, 26, 27 and 32 to 39 (both inclusive), "Railway" includes a railway under construction or not used for the public conveyance of passengers or goods.

'Railway officer.' "Railway officer" means any person employed by a Railway Company or the Government to perform any function in connection with a Railway.

'Passenger.' "Passenger" means a passenger by Railway.

'Magistrate.' "Magistrate" means any person lawfully exercising the powers of a Magistrate and includes a Presidency Magistrate.

'Fine.' "Fine" includes a sum of money due upon a forfeited recognizance.

4. Every Railway used for the public conveyance of passengers or goods, shall, until the contrary be proved, be presumed to be a Railway within the meaning of this Act,

All opened Railways presumed within the Act.

and every Company to or by whom any such Railway belongs or is worked shall, until the contrary be proved, be presumed to be a Railway Company within the meaning of this Act.

CHAPTER II.

RULES RELATING TO RAILWAY COMPANIES.

5. A Railway Company and (in the case of a Railway worked by Government) the Government shall in no case be answerable for loss or injury to any

No liability for unbooked luggage.

passenger's luggage, unless it has been booked and separately paid for and made over to the charge of a Railway officer.

6. A Railway Company and (in the case of a Railway worked by Government) the Government shall in no case be answerable for loss of or injury to any of the following articles (namely),—

No liability for loss of gold, silver, &c., unless in case of special engagement.

(*a*) gold or silver, coined or uncoined, manufactured or unmanufactured,

(*b*) plated articles,

(*c*) cloths and tissue of which gold and silver form part,

(*d*) precious stones, jewellery, trinkets,

(*e*) watches, clocks, or time-pieces of any description,

(*f*) Government securities,

(*g*) Government stamp-paper, postage stamps, telegraph stamps,

(*h*) bills of exchange, promissory notes, bank-notes, orders, or other securities for payment of money,

(*i*) maps, writings, title-deeds,

(*j*) paintings, engravings, lithographs, photographs, carvings, sculpture,

(*k*) glass, china,

(*l*) silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with other materials,

(*m*) shawls,

(*n*) lace,

(*o*) opium,

(*p*) ivory, ebony, sandalwood,

(*q*) musical instruments,

contained in any parcel or package delivered to such Company or the Government, either to be carried on a Railway for hire or to accompany the person of any passenger, unless the value and nature of such articles have been declared by the person sending or delivering the same, and an increased charge for the safe conveyance of the same has been accepted by some person specially authorized to enter into such engagements on behalf of the Company or Government.

7. The liability of a Railway Company, or (in the case of a Railway worked by Government) of the Government, for loss of or injury to any articles or goods to be carried by Railway other than those specially provided for by this Act shall not be limited or otherwise affected by any public notice given, or any private contract made, by the Company or the Government;

Public notice or private contract not to limit liability.

but the Company, or (in the case of a Railway worked by Government) the Government, shall be answerable for such loss or injury when it has been caused by gross negligence or misconduct on the part of their agents or servants.

8. If any person fail to pay on demand any sum due for conveyance of any goods by Railway, the Company, or (in the case of a Railway worked by Government) the Government, may detain all or any part of such goods, or, if the same have been removed from the Railway, any other goods of such person then on such Railway or thereafter coming into the possession of the Company or Government;

Lien for money due for carriage of goods.

and may also sell by public auction sufficient of such goods to realize the sum payable as aforesaid, and all charges and expenses of such detention and sale;

and may out of the proceeds of the sale, retain the sum so payable, together with the charges and expenses aforesaid, rendering the overplus, if any, of the money arising by such sale, and such of the goods as remain unsold, to the person entitled thereto.

9. The owner or person having the care of any goods which have been carried upon any Railway, or are brought into any station or warehouse for the purpose of being carried on a Railway, shall, on demand by any Railway officer appointed to receive goods to be carried on that part of the Railway on which such goods have been carried, or are about to be carried, deliver to such officer an exact account in writing signed by him of the number or quantity and description of such goods.

Written account of goods to be given on demand.

10. Any Railway officer may refuse to carry upon a Railway any luggage or parcel which he suspects to contain goods of a dangerous nature, and may require the same to be opened to ascertain the fact previously to carrying the same;

Carriage of goods of a dangerous nature.

and in case any such luggage or parcel is received for the purpose of being carried upon a Railway, any Railway officer may stop the transit thereof until he is satisfied as to the nature of the contents of the luggage or parcel.

11. Every Railway Company, and every officer controlling a Railway worked by Government, shall, within forty-eight hours after the occurrence upon the Railway belonging to such Company or so worked by Government of any accident attended with serious personal injury, give notice thereof to the Local Government.

Accident to be reported.

12. The Local Government may direct any Railway Company or any officer controlling a Railway worked by Government to make up and deliver to the Local Government a return of serious accidents occurring in the course of the public traffic upon the Railway belonging to such Company, or so worked by Government whether attended with personal injury or not, in such form and manner as the Local Government deems necessary and requires for information, with a view to the public safety.

Returns of accidents in course of traffic.

13. Every Railway Company, and every officer controlling a Railway worked by Government, may respectively from time to time, with the previous sanction of the Governor General in Council, make general rules for the use, working and general administration of the Railway belonging to such Company or so worked by Government.

Power to make rules for working Railway.

All such rules shall be published in the *Gazette of India*, and shall be otherwise notified to the Railway officers and the public in such manner as the Governor General in Council, from time to time, directs.

Publication of rules.

Any such rule may contain a provision that any person committing a breach of it shall be liable to a fine not exceeding fifty rupees, or, in default of payment of such fine, to imprisonment for a term which may extend to two months.

Penalty for breach of rules.

The Governor General in Council may at any time cancel any rule so sanctioned.

Power to cancel rules.

14. A copy of this Act, and of the General Rules, Time-tables, and Tariff of charges, which may from time to time be published for any Railway by any Railway Company with the sanction of the Local Government, or (in the case of a Railway worked by Government) by the officer controlling the same, shall be exhibited in some conspicuous place at each station of such Railway, so that they may be easily seen and read.

Copy and translation of Act, &c., to be shown at stations.

All such documents shall be so exhibited in English and in the Vernacular language of the district in which the station is situate, and in such other language, if any, as the Local Government may direct.

CHAPTER III.

RULES RELATING TO PASSENGERS.

15. Every person desirous of travelling on a Railway shall, upon payment of his fare, be furnished with a ticket, specifying the class of carriage and the place from and place to which the fare has been paid, and shall, when required, show his ticket to any Railway officer duly authorized to examine the same, and shall deliver up such ticket upon demand to any Railway officer duly authorized to collect tickets.

Passengers on payment of fares to be furnished with tickets.

Tickets to be shown and given up on demand.

16. At the intermediate stations, the fares shall be deemed to be accepted, and the tickets furnished only upon condition that there be room in the train for which the tickets are furnished.

Fares and tickets at intermediate stations.

In case there is not room for all the passengers to whom tickets have been furnished, those who have obtained tickets for the longest distance shall have the preference; and those who have obtained tickets for the same distance shall have the preference according to the order in which they have received their tickets:

Preferential right to tickets.

Provided that all officers and troops of Her Majesty, on duty, and all other persons on the business of the Government, who by virtue of any contract with the Government are entitled to be conveyed on a Railway in preference to, or in priority over the public, shall be entitled to such preference and priority without reference to the distance for which, or the order in which, they have received their tickets.

Proviso.

17. No person shall enter any carriage used on any Railway, for the purpose of travelling therein, without having first paid his fare and obtained a ticket.

Fares to be prepaid.

18. No person shall carry upon any Railway any dangerous goods, or shall be entitled to require to be carried upon any Railway any luggage or goods which, in the judgment of any Railway officer, is or are of a dangerous nature.

Passengers not to carry dangerous goods.

CHAPTER IV.

PENALTIES.

(A.) As to Companies.

19. Any Railway Company or officer controlling a Railway worked by Government omitting to give notice as required by section eleven, shall forfeit the sum of fifty rupees for every day during which such omission continues.

For omitting to report accident.

20. Any Railway Company or officer controlling a Railway worked by Government failing to deliver any return mentioned in section twelve, within fourteen days after the same has been required, shall forfeit the sum of fifty rupees for every day during which such failure continues.

For not sending return of accidents.

(B.) As to Railway Officers.

21. Any Railway officer who is in a state of intoxication whilst actually employed upon a Railway in the discharge of any duty,

For drunkenness or breach of duty.

or who negligently omits to perform his duty,

or who performs the same in an improper manner,

shall be liable to a fine not exceeding fifty rupees;

and if the duty in any of the cases aforesaid be such that the omission or negligent performance thereof would be likely to endanger the safety of any person travelling or being upon such Railway, such officer shall, on conviction before a Magistrate, be liable to imprisonment for a term not exceeding one year, or to fine, or to both.

22. If any Railway officer endangers the safety of any person—

For endangering the safety of person.

(*a*) by disobeying any general rule sanctioned and notified in the manner prescribed by section thirteen, or

(*b*) by disobeying any rule or order not inconsistent with the general rules aforesaid, and which he was bound by the terms of his service to obey, and of which he had notice, or

(*c*) by any rash or negligent act or omission,

he shall be liable to imprisonment for any term not exceeding three years, or to fine not exceeding five hundred rupees, or to both.

23. Every Railway officer, and every other person employed by or on behalf of a Railway Company to do any act upon the Railway, and every person employed either permanently or temporarily in connection with a Tramway shall be deemed a "public servant" within the meaning of sections 161, 162, 163, 164 and 165 of the Indian Penal Code.

For receiving bribes.

In the definition of legal remuneration contained in the said section 161 the word "Government" shall, for the purposes of this section, be deemed to include—

Amendment of Penal Code, section 161.

(*a*) a Railway Company,

(*b*) the proprietors for the time being of a Tramway, and

(*c*) the lessees, representatives and assigns of such Company or proprietors.

(C.) As to the Public.

24. Any passenger not producing or delivering up his ticket when so required by a Railway officer authorized to require such production or delivery, shall be liable to pay the fare from the place whence the train originally started, unless he can prove that he has travelled a less distance only, in which case he shall be liable to pay the fare only from the place whence he has travelled.

For not producing or delivering ticket.

25. Any person who defrauds, or attempts to defraud any Railway Company or the Government

For evading payment of proper fare.

(*a*) by travelling, or attempting to travel, upon any Railway, without having previously paid his fare; or

(*b*) by riding in or upon a carriage of a higher class than that for which he has paid his fare; or

(*c*) by continuing his journey in or upon any Railway carriage beyond the place for which he has paid his fare, without previously paying the fare for the additional distance, and with intent to avoid payment thereof;

or who knowingly and wilfully refuses or neglects, on arriving at the point to which he has paid his fare, to quit such carriage;

or who, in any other manner whatever, attempts to evade the payment of his fare,

shall be liable to a fine not exceeding fifty rupees for each offence.

26. Any passenger, who gets into or upon, or attempts to get into or upon, or quits, or attempts to quit, any carriage upon any Railway, while such carriage is in motion;

For entering carriage in motion.

or who rides or attempts to ride upon any Railway, on the steps, or any other part of a carriage,

For riding on the steps.

except on those parts which are intended for the accommodation of passengers,

shall be liable to a fine not exceeding twenty rupees for each offence.

27. Any person other than the engine-man, fire-man, and assistant fire-man, who, without the special license of the Superintendent of Locomotives, rides or attempts to ride upon any locomotive engine or tender upon any Railway;

For riding on engine, tender, or luggage-van.

and any person other than the guard or brakesman, who, without such license as aforesaid, rides or attempts to ride upon any Railway, in or upon any luggage-van or goods-wagon, or other vehicle not appropriated to the carriage of passengers,

shall be liable to a fine not exceeding twenty rupees for each offence.

28. Whoever smokes, either in a Railway station, or in or upon any Railway carriage, except in places or carriages specially provided for the purpose, shall be liable to a fine not exceeding twenty rupees for each offence;

For smoking.

and whoever persists in so smoking (except as aforesaid) after being warned to desist by any Railway officer, may, in addition to incurring the liability abovementioned, be removed by any Railway officer from any such carriage, and from the premises of the Railway, and shall forfeit his fare.

29. Any person who is in a state of intoxication, or who commits any nuisance or act of indecency in any Railway carriage, or upon any part of any Railway;

For intoxication or nuisance.

or who wilfully and without lawful excuse interferes with the comfort of any passenger,

shall be liable to a fine not exceeding twenty rupees; and in addition to such liability, the offender may be removed by any Railway officer from any such carriage, and also from the premises of the Railway, and shall forfeit his fare.

30. If any special carriage, or portion of a carriage, or any private room or apartment, be provided by any Railway Company or by Government for the exclusive use of females, any male person, who, without lawful excuse, enters such carriage, or portion of a carriage, or any such room or apartment, knowing the same to be exclusively appropriated as aforesaid, or remains therein after having been informed of its exclusive appropriation, shall be liable to a fine not exceeding one hundred rupees,

For entering private room or carriage.

and may be removed therefrom, and also from the premises of the Railway, by any Railway officer,

and shall forfeit his fare.

31. Any owner or person referred to in section nine, who wilfully fails to give on demand to any Railway officer appointed as therein mentioned an exact account of the number or quantity and description of the goods therein referred to,

For false account.

or who wilfully gives to such Railway officer a false account thereof,

shall, for every such offence, be liable to a fine not exceeding one hundred rupees for every ton of such goods, or for any parcel exceeding one hundredweight, and to a fine not exceeding fifty rupees for any quantity of such goods less than a ton or for any parcel less than one hundredweight.

32. Whoever carries upon a Railway any dangerous goods,

For carrying goods of a dangerous nature.

and whoever delivers to a Railway officer any such goods for the purpose of being carried upon a Railway, without distinctly marking their nature on the outside of the package containing the same,

For delivering such goods without notice.

or otherwise giving notice in writing of the nature thereof to such officer,

shall be liable to a fine not exceeding two hundred rupees for every such offence.

33. Whoever wilfully obstructs or impedes any Railway officer in the discharge of his duty on a Railway, or any of the works, stations, or premises connected therewith, shall be liable to a fine not exceeding fifty rupees.

For obstructing Railway officer in his duty.

34. Whoever unlawfully and wilfully removes or defaces the number-plates, or removes or extinguishes any lamp on any Railway carriage, or wilfully or negligently damages or injures any carriage, engine, wagon, truck, warehouse, building, machine, fence, or any other thing belonging to a Railway Company or (in the case of a Railway belonging to or worked by Government) to Government, shall be liable to a fine not exceeding fifty rupees.

For injuring carriage, &c.

35. Whoever trespasses upon a Railway shall be liable to a fine not exceeding twenty rupees;

For trespass.

and if any person so trespassing refuse to leave such Railway on being requested to do so by any Railway officer, or by any other person on behalf of the Railway Company or the officer controlling a Railway worked by Government, he shall be liable to a fine not exceeding fifty rupees, and may be immediately removed from such Railway by such officer or other person as aforesaid.

For refusing to leave on request.

36. The owner or person in charge of any cattle trespassing or straying on any Railway provided with fences suitable for the exclusion of cattle shall, on conviction before a Magistrate, be liable to a fine not exceeding ten rupees for each animal, in addition to any amount that may be recovered under the Cattle Trespass Act, 1871.

For cattle-trespass within Railway fences.

Whenever cattle are wilfully driven or knowingly permitted to be on any Railway provided with fences suitable for the exclusion of cattle otherwise than for the purpose of crossing the Railway at a gate or bar provided for public use, the person in charge of such cattle, or if he cannot be identified, then the owner of the said cattle shall on conviction before a Magistrate be liable to a fine not exceeding fifty rupees for each animal, in addition to any amount that may be recovered under the said Act.

For wilfully driving cattle on fenced Railway.

All fines imposed under this section may be recovered in manner provided by section 25 of the said Act, and may be appropriated in whole or in part in compensation for loss or damage proved to the satisfaction of the convicting Magistrate.

The expression 'public road' in sections eleven and twenty-six of the said Act shall be deemed to include a Railway. And any Railway officer may exercise the powers of seizure provided by the said section eleven.

Amendment of Act I of 1871, ss. 11 and 26.

Explanation.—In this section the word 'cattle' includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids.

37. Whoever, when any engine or train approaching along a Railway is in sight, opens any gate which has been set up for the use or accommodation of any person by any Railway Company or by Government on either side of the Railway, or passes or attempts to pass, or drives or attempts to drive any carriage, cattle, or other animal or thing across the Railway;

For opening or not properly shutting gates.

and whoever at any time omits to shut and fasten such gate, as soon as he and any carriage, cattle, or other animal or thing under his charge have passed through the same,

shall be liable to a fine not exceeding fifty rupees.

(D.) As to Railway Officers and the Public.

38. Whoever, whether a Railway officer or not, wilfully does any act, or wilfully omits to do what he is legally bound to do, intending by such act or omission to cause, or knowing that he is thereby likely to endanger the safety of any person travelling or being upon any Railway may be sentenced to transportation (or in the case of an European or American to penal servitude) for life or to imprisonment for any term not exceeding seven years.

For wilful act or omission endangering passenger.

39. Whoever, whether a Railway officer or not, rashly or negligently, and without lawful excuse, does any act likely to endanger the safety of any person travelling or being upon a Railway, shall, upon conviction before a Magistrate, be liable to imprisonment for a term not exceeding one year, or to fine, or to both.

For an act not wilful.

Apprehension of Offenders.

40. If any person commit any offence hereby made punishable by fine, and the name and address of such person are unknown, or there be reason to believe that he will abscond, any Railway officer or any police-officer, or other person whom such Railway officer or police-officer may call to his aid, may, without any warrant or written authority, apprehend and detain such offender until he can be taken before a Magistrate or give sufficient security for his appearance before such Magistrate, or is otherwise discharged by due course of law.

Apprehension for offences punishable by fine.

41. Every person guilty of any offence mentioned in sections 18, 21, 22, 38 and 39 may be apprehended without any warrant or written authority by any Railway officer, or by any other person whom such officer may call to his aid, or by any police-officer empowered to arrest without a warrant;

Apprehension for offences against sections 18, 21, 22, 38 and 39.

and every person so apprehended shall, with all convenient despatch, be carried and conveyed before a Magistrate or Justice of the Peace authorized to punish the offender or to commit him for trial.

Jurisdiction.

42. Any person, whether a European British subject or not, who is guilty of any offence for which, under this Act, he is liable to a fine only, shall be punishable

Jurisdiction of Magistrate, &c., to fine.

for such offence by any Magistrate, whether the offence has been committed within the local limits of his jurisdiction or not.

43. Any Justice of the Peace may try a European British subject for an offence under section thirteen and may on conviction award a sentence within the limits thereby prescribed for such offence.

Jurisdiction of Justices to try Europeans for breach of general rules.

44. The heads of district police and amíns of police in the Presidency of Fort Saint George may punish, to the extent of their jurisdiction in petty offences, any offence hereby made punishable by fine not exceeding twenty rupees.

Heads of District Police, &c., in Madras.

CHAPTER V.

MISCELLANEOUS.

45. The Governor General in Council, or the Local Government with the sanction of the Governor General in Council, may, from time to time, make rules for providing

Power of Government to make rules as to fences, gates and bars.

(*a*) boundary-marks or fences for any Railway or any part thereof, and for roads constructed in connexion therewith,

(*b*) gates or bars at places where any Railway crosses a road on the level, and

(*c*) persons to open and shut such gates or bars;

and may by such rules determine what kind of fences shall, for the purposes of section thirty-six, be deemed to be suitable for the exclusion of cattle.

46. The Governor General in Council may from time to time, by notification in the *Gazette of India*, declare what Government or other authority shall be deemed to be, for the purposes of this Act, the Local Government in respect of the whole or any part of a Railway.

Power to declare Local Government in respect of any Railway.

SCHEDULE.

ACTS REPEALED.

Number and year.	Title.
XVIII of 1854 ...	An Act relating to Railways in India.
XXXI of 1867 ...	An Act to render penal certain offences committed by servants of Railway Companies.
XIII of 1870 ...	An Act to apply the provisions of Act No. XVIII of 1854 to Railways belonging to, or worked by, Government.
XXV of 1871 ...	An Act to amend the Railway Act.

STATEMENT OF OBJECTS AND REASONS.

Doubts having arisen as to whether certain sections of the Railway Act (XVIII of 1854) applied to lines under construction or not opened for public conveyance of passengers and goods, the present Bill has been prepared with the primary object of removing these doubts.

At the same time the opportunity has been taken to consolidate four out of the five Acts in which the Railway law of India is now contained, and to make the following amendments therein:

Companies will not be answerable for loss or injury to luggage unless it has been, not only booked and paid for, but made over to the charge of a Railway officer.

The following articles (namely), cloths and tissue of which gold or silver forms part, telegraph stamps, lithographs, photographs, carvings, sculpture, opium, ivory, ebony, sandalwood, and musical instruments, have been added to the list of articles, for losing or injuring which Companies will not be liable except in case of special engagement.

The clause as to receiving bribes has been made to apply, not only to Railway officers, but also to every other person employed by or on behalf of a Railway Company to do any act upon the Railway.

The fines for giving false account of the goods carried, or to be carried on a Railway, have been raised respectively from Rs. 50 and Rs. 20 to Rs. 100 and Rs. 50.

SIMLA,
The 2nd September 1876. } A. CLARKE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th September 1876, and was referred to a Select Committee with instructions to make their report thereon in three months:—

No. 12 of 1876.

THE STRAITS SETTLEMENTS EMIGRATION BILL, 1876.

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THE FIRST SCHEDULE.

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A Bill to regulate the Emigration of Native Labourers from the Presidency of Fort Saint George to the Straits Settlements.

Whereas it is expedient to regulate emigration from the Presidency of Fort Saint George to the Straits Settlements; It is hereby enacted as follows:—

Preamble.

I.—PRELIMINARY.

1. This Act may be called "The Straits Settlements Emigration Act, 1876:"

Short title.

This section and section two extend to the whole of British India: the rest of this Act extends only to the territories under the government of the Governor of Fort Saint George in Council;

Local extent.

And it shall come into force on such date as the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the *Fort Saint George Gazette*, direct.

Commencement.

2. On and from such date Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act*, 1871) shall be repealed, but not so as to revive any right to sue or ground of proceeding taken away by the said Act.

Act XIV of 1872, repealed.

The provisions of Act No. VII of 1871 (*to consolidate the laws relating to the emigration of Native Labourers*) shall not apply to emigration to the Straits Settlements from the said territories, or to any contract for labour to be performed in the Straits Settlements by an emigrant from the said territories.

Act VII of 1871 not to apply to emigration from Madras to the Straits Settlements.

Interpretation-clause.

3. In this Act—

"Emigrate" denotes the departure of any Native of India out of the said territories, under an engagement to labour in the said Settlements:

"Emigrate."

"Emigrant" means a person who "emigrates" within the meaning of the above definition:

"Emigrant."

"Magistrate" means a Magistrate of a District, a Magistrate of a division of a District, or any person appointed by the Local Government to perform the functions of a Magistrate under this Act:

"Magistrate."

"Vessel" includes anything made for the conveyance by water of human beings or property.

"Vessel."

4. It shall not be lawful to emigrate except from the Port of Negapatam, or from such other port as may from time to time be declared by the Local Government, by a notification in the *Fort Saint George Gazette*, to be a port from which emigration under this Act shall be lawful.

From what port emigration lawful.

While any such notification is in force, all the provisions of this Act shall apply to the port mentioned in such notification in like manner as they apply to the Port of Negapatam.

The Local Government may, at any time, by a like notification, revoke any such notification.

II.—EMIGRATION AGENT.

5. The Government of the Straits Settlements may, from time to time, appoint such person as the Local Government approves to act as Emigration Agent at the Port of Negapatam, or such other port as aforesaid.

Appointment of Emigration Agent.

The Emigration Agent so appointed may be suspended or removed by the Government of the Straits Settlements.

III.—PROTECTOR OF EMIGRANTS.

6. The Local Government shall direct the Magistrate of the division of the District in which the Town of Negapatam is situated, or such other Magistrate in Negapatam as it thinks fit, to act as Protector of Emigrants under this Act; and may, with the sanction of the Governor General in Council, assign to such Magistrate such establishment as it thinks fit.

Appointment of Protector of Emigrants.

7. Such Protector of Emigrants, in addition to any special duties assigned to him by this Act, shall, so far as is in his power, protect and aid all emigrants with his advice or otherwise, and cause all the provisions of this Act to be duly complied with.

General duties of Protector.

He shall also inspect on arrival all vessels bringing return emigrants to Negapatam, and inquire into the treatment received by such emigrants both during the period of their service in the Straits Settlements and also during the voyage, and shall make a report thereon to the Local Government.

Inspection of vessels with return emigrants.

He shall aid and advise such return emigrants, so far as he reasonably can, when called upon by them to do so.

IV.—EMIGRATION DEPÔT.

8. The Emigration Agent shall establish a suitable depôt for emigrants at Negapatam and at any such other port as aforesaid. Such depôt may be licensed by the Protector of Emigrants after being inspected and approved of by him.

Establishment and licensing of depôt.

No such license shall be in force for a longer period than a year; and any such license may be cancelled by the Protector of Emigrants, if he considers that the depôt for which it was granted is unhealthy, or in any respect has become unsuitable for the purpose for which it was established, or if the Emigration Agent fails to comply with any of the requirements of this Act.

Duration of license.

For every such license the Emigration Agent shall pay to the Protector of Emigrants a fee of fifteen rupees.

Fee for license.

9. The Protector of Emigrants may, at any time, examine into the state of the depôt and the manner in which the emigrants are therein lodged, fed, clothed, and otherwise provided for and attended to.

Inspection by Protector.

The Emigration Agent and all persons in charge of, or employed in, the depôt shall give the Protector every facility for making such inspections as he may deem necessary or proper, and shall afford him all such information as he may require.

Agent and his subordinates to afford facilities for inspection.

10. The Emigration Agent shall provide at the depôt such medical aid and comforts as the said Protector may from time to time direct.

Supply of medical aid and comforts.

V.—RECRUITERS OF LABOURERS.

11. The Protector of Emigrants shall license so many fit persons, as he deems necessary, to be recruiters of labourers for the Straits Settlements; and no person shall engage or attempt to engage any Native of India to emigrate, or shall otherwise act or be employed as a recruiter of labourers, except under a license from the Protector of Emigrants.

Protector to license recruiters.

12. No such license shall be in force for a longer period than one year, and in case of misconduct on the part of any recruiter, the Protector of Emigrants may cancel his license before the expiration of the period for which it was granted.

Duration and cancelment of license.

18. Every such license shall specify the local limits within which the person licensed may recruit labourers, and shall be in the form set forth in the first Schedule hereto annexed.

Form of license.

For every such license the recruiter shall pay to the Protector a fee of five rupees.

Fee for license.

14. No recruiter shall engage, or attempt to engage, labourers in any district without having first exhibited his license to a Magistrate in such district, and obtained the countersignature of such Magistrate thereupon.

Recruiter to obtain Magistrate's countersignature to license.

VI.—CONTRACTS WITH EMIGRANTS.

15. A contract made by a recruiter with a Native of India to emigrate shall not be enforceable by the recruiter or his principal unless it—

Conditions of validity of emigration contracts.

(*a*) is expressed in writing;

(*b*) purports to be executed by the recruiter on behalf of some principal in the Straits Settlements;

(*c*) states the terms, if any, agreed on as to the redemption of the recruit's engagement for employment, or of the unexpired term of such engagement;

(*d*) is registered in the manner provided in section nineteen.

But nothing contained in this section shall be deemed to prevent such Native from insisting, if he thinks fit, that such contract shall be performed.

16. Every such contract shall—

Contents of such contracts.

(*a*) contain an engagement for employment to be provided by such principal for a definite term not exceeding three years; and

(*b*) specify the nature of the services to be performed by such recruit and the rates of wages (not less than twelve cents a day for an able-bodied male adult) payable in respect of the same.

17. Save as provided by section fifteen, clause (*c*), every agreement entered into by a Native of India in the territories subject to the Governor of Fort Saint George in Council, to pay money to any person in the Straits Settlements, in consideration of pecuniary or other assistance given to such Native to emigrate, shall be illegal and void.

Certain agreements declared void.

Every contract not containing the particulars required by section sixteen shall be illegal and void.

18. Every recruit who has entered into such a contract as aforesaid shall be brought by the recruiter before the Civil Surgeon of the District, or such other Medical Officer as the Local Government appoints in this behalf, or in default of such appointment, before such Medical Officer as the Magistrate directs.

Medical examination of intending emigrants.

The Medical Officer shall thereupon examine the recruit, and shall either reject him or shall certify that he is in a fit state of health and able in point of physical condition to proceed to the Straits Settlements and to work there.

If it is intended that any persons shall accompany the recruit as his dependents, the recruiter shall also bring them before the Medical Officer for the purpose of obtaining certificates that they are in a fit state of health and able in point of physical condition to perform the journey to the Straits Settlements; and the Medical Officer shall examine such persons and shall give or refuse certificates according to his opinion as to their fitness and ability.

Dependents.

Certificates shall be in the form set forth in the second Schedule hereto annexed; and the recruiter shall pay to the Medical Officer such fee for each person so examined as the Local Government may from time to time prescribe.

Form of Certificates.

19. Every certified recruit and every accompanying dependent shall appear with the recruiter before a Magistrate in the district within which the contract with the recruit was entered into.

Emigrant to appear before Magistrate,

The Magistrate shall thereupon inspect the instrument of contract and the medical certificate of the recruit, and shall, apart from the recruiter, examine the recruit with reference to his contract.

and be examined.

If it appears on such examination that the recruit understands the nature of the contract he has entered into as regards the particulars specified in section sixteen, and that he is willing to fulfil the same, the Magistrate shall register

(*a*) the name, the father's name and the age of such recruit:

(*b*) the name of the village or place in which he resides:

(*c*) the port of embarkation to which it is intended he shall proceed:

(*d*) the particulars specified in section sixteen.

The recruit shall thereupon be deemed an emigrant under this Act.

If the Magistrate thinks that the recruit does not understand the nature of his contract, or has been induced to enter into it by fraud or misrepresentation, he shall refuse to register him, and record his reasons for such refusal.

Registration when to be refused.

20. On the appearance of any person claiming to be dependent on an emigrant, the Magistrate, after inspecting the medical certificate, shall, apart from the recruiter, examine such person if able to give intelligent answers to questions as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

Examination of dependents.

If the Magistrate is satisfied that such dependence and willingness exist, he shall register the dependent as a dependent on such emigrant.

But if the Magistrate sees reason to doubt the existence of such dependence or willingness, he may refuse to register the alleged dependent, and, if so, shall record his reasons for such refusal.

21. The Magistrate shall furnish to every emigrant an authenticated copy on substantial paper of the matters registered under sections nineteen and twenty.

Copies of registered matters.

22. A copy of every entry made in the registry book by a Magistrate shall be forthwith forwarded by such Magistrate to the Emigration Agent and to the Protector of Emigrants.

Copy of entry in register to be sent to Emigration Agent and Protector.

23. Registration under section nineteen and section twenty of emigrants recruited in the division of the district in which the town of Negapatam is situated, and of persons dependent on such emigrants, shall be effected before the Protector of Emigrants in the manner hereinbefore prescribed for registration before a Magistrate; and such Protector shall deliver one copy of the contract to the emigrant and another copy of the contract to the Emigration Agent.

Registration at Negapatam.

24. For the registration of every contract under section nineteen, the recruiter shall pay to the Magistrate or to the Protector of Emigrants, as the case may be, such fee as may be from time to time directed by the Local Government, not exceeding one rupee.

Fee for registration.

VII.—ARRIVAL AT DEPÔT AND PROCEDURE THEREON.

25. The arrival of each emigrant at the depôt shall immediately be reported by the person in charge of the depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

Arrival at depôt to be reported.

26. The Emigration Agent shall, within forty-eight hours after the arrival of each emigrant at the depôt, question such emigrant as to the mode of his recruitment, and shall at the same time examine the copy of the contract furnished to the emigrant under section twenty-three.

Duty of Emigration Agent on arrival of emigrants.

If, for any reason, further inquiry is necessary, he shall make such enquiry forthwith.

27. The Protector of Emigrants shall attend personally at the examination of emigrants by the Emigration Agent under section twenty-six, except in the case of emigrants recruited in the division of the district in which the town of Negapatam is situated, and shall see that the Emigration Agent makes all such enquiries of the emigrants as it may be his duty to make.

Duty of Protector.

28. If in the opinion of the Protector of Emigrants the examination and enquiry made under section twenty-six disclose no valid reason against the fulfilment of the contract, and the emigrant has not become physically unfit for emigration, the Protector and the Emigration Agent shall countersign the emigrant's copy of the contract, and the Emigration Agent shall make out and deliver to the emigrant an embarkation pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant and the name of his father, and certifying that he has been duly registered for emigration to the Straits Settlements.

Countersignature of contract.

Grant of embarkation pass.

29. If the Protector of Emigrants considers that any emigrant, not being an emigrant recruited in the division of the district in which the town of Negapatam is situated, is physically unfit to emigrate, and that he has not dishonestly represented himself as physically fit;

When the emigrant to be sent back to the place of registration.

or that any such irregularity has occurred in the recruitment of any such emigrant, as makes it just to vacate the contract;

or if the Emigration Agent refuses without the consent of the Protector to countersign the emigrant's copy of the contract as required by section twenty-eight, or to be bound by the contract;

the Protector of Emigrants may order the Emigration Agent, or the recruiter with whom the contract was made, forthwith to pay to him such reasonable sum as is necessary to enable such emigrant to return to the place where his contract was registered; and may take any steps he thinks necessary for the conveyance of such emigrant to such place.

Payment of expenses of sending him back.

30. On failure of the Emigration Agent or of such recruiter for twenty-four hours to comply with an order of the Protector for the payment of any such sum, the Protector may pay the same to, or on behalf of, the emigrant.

Failure of Emigration Agent, &c., to pay such expenses.

Every sum so paid shall be recoverable by the Protector, with six per cent. per annum interest from the date of payment, from the Emigration Agent, or from such recruiter, as money paid to the use of such Emigration Agent or recruiter.

No further proof shall be required by any Court in any such case than that the Protector gave such Emigration Agent or recruiter an order to pay such money, and that the Emigration Agent or recruiter for a space of twenty-four hours made default in complying therewith.

31. Every emigrant as aforesaid who, from his state of health, is in the opinion of the Protector, unfit to undertake the journey back to the place where his contract was registered, shall, in addition to being conveyed back at the expense of the Emigration Agent or recruiter, be entitled to continue in the depôt, and to be fed, clothed, lodged and attended to there by and at the expense of the Emigration Agent until such time as the Protector otherwise orders.

Emigrant unfit from illness to return to the place of registration.

32. In every case in which the Emigration Agent refuses, without the consent of the Protector, to countersign, or be bound by a contract registered under section nineteen, or is chargeable with a breach of any duty which such contract expressly or by implication imposes upon him, the Protector may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of damages for the breach of such contract.

Suits against Emigration Agent for breach of contract.

In every such suit the contract entered into by the recruiter shall be deemed to have been entered into by, and to be binding on, the Emigration Agent.

VIII.—EMIGRANT VESSELS.

Emigrants not to be received on board vessels other than those licensed under Native Passengers Act,

33. No Master or other person in charge of a vessel shall receive on board such vessel any emigrant unless such vessel has been licensed, under the law for the time being in force relating to the carriage by sea of Native passengers, to carry passengers from the territories under the Government of Fort Saint George to the Straits of Malacca, and unless the Master of such vessel has obtained a certificate from the Protector of Emigrants authorizing him to receive on board the number of emigrants specified therein.

or without certificate from Protector.

Protector not to grant certificate unless satisfied that vessel has been licensed and has provisions on board.

No such certificate shall be granted by the Protector of Emigrants unless he has satisfied himself that the vessel has been licensed as aforesaid, and that provisions and water for the number of emigrants to be specified in the certificate according to the scale prescribed under such law have been actually put on board such vessel.

Emigrant to give his pass to Master.

34. On embarkation every emigrant shall deliver to the Master of the vessel the embarkation pass granted to him under section twenty-eight, and the Master shall not receive any emigrant on board unless he delivers up such pass.

Emigration Agent to be present at embarkation.

35. The Emigration Agent shall be personally present at the embarkation of all emigrants, and shall see that the Master duly examines the passes of the emigrants, and shall himself also examine such passes.

The Emigration Agent shall not permit any emigrant to remain on board who has not a pass.

Master to deliver list of emigrants.

36. The Master of every vessel carrying emigrants shall, after the embarkation of the emigrants, and before the departure of the vessel, give to the Emigration Agent a list signed by himself of all emigrants on board, and shall retain a counterpart of such list signed by the Emigration Agent.

A copy of such list signed by the Emigration Agent and Master shall be sent to the Protector of Emigrants before the vessel sails.

IX.—SUPPLEMENTARY POWERS.

Power to prohibit emigration to the Straits Settlements.

37. Whenever the Governor General in Council has reason to believe that proper measures have not been taken for the protection of emigrants and the enforcement of the engagements entered into with them immediately upon their arrival at the Straits Settlements, or during their residence therein, the Governor General in Council may, by a notification published in the *Gazette of India*, declare that emigration to the said Settlements shall cease from a day to be specified in such notification.

When any notification has been published under this section, emigration and the making of contracts to emigrate to the Straits Settlements shall be unlawful from the day specified in such notification.

Revocation of prohibition.

38. Such notification may be revoked in like manner at the discretion of the Governor General in Council, and thereupon emigration to the said Settlements shall again be allowed from a day to be specified in the revocation.

From the day so specified all the provisions of this Act authorizing emigration to the said Settlements shall be revived, and have the same effect as if such emigration had not been suspended, except as to acts done, offences committed, and proceedings commenced, during the time of such suspension.

X.—OFFENCES.

Making unlawful contract of labour.

39. Whoever, except under and in conformity with the provisions of this Act, engages or attempts to engage any Native of India to emigrate,

or whoever engages or attempts to engage any Native of India to enter into any such contract as is hereby declared illegal,

Recruiting without being licensed.

or, not being a recruiter duly licensed under this Act, acts or is employed as a recruiter of labourers,

Recruiter omitting to take engaged labourers before Magistrate or Protector.

or being a duly licensed recruiter, removes or attempts to remove any emigrant whom he engages in any district from such district without the contract with such emigrant having been duly registered under section nineteen,

shall be punished with imprisonment, which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Use of force, fraud, &c., to cause a Native to emigrate.

40. Whoever, by means of intoxication, violence, fraud, or false pretences, causes or induces or attempts to cause or induce any Native of India to emigrate or to enter into any contract to emigrate, or into any such contract as is hereby declared illegal, or to proceed to the said Settlements without having entered into any contract, shall be punished with imprisonment, which may extend to three years, or with fine or with both.

False representation of Government authority.

41. Whoever, without lawful authority, issues any written order to the police to assist himself or any other person to procure labourers to proceed to the said Settlements, or falsely represents that such labourers are required by the Government, or are to be engaged on behalf of the Government, shall be liable to a fine not exceeding five hundred rupees.

Receiving emigrants on board without license or certificate.

42. Any Master of a vessel not licensed as provided in section thirty-three who knowingly receives on board, for conveyance to the said Settlements, any emigrant or person who has entered into a contract hereby declared illegal,

and any Master of a vessel licensed as aforesaid, who knowingly receives any emigrant as aforesaid without having previously obtained a certificate under the said section, or in excess of the number specified in such certificate,

shall be liable for each emigrant or person so received to imprisonment for a period not exceeding three months, and also to a fine not exceeding two hundred rupees, and the vessel shall be liable to be forfeited.

Failure to comply with requirements of sections 34 and 36.

43. Any Master of a vessel who receives on board such vessel any emigrant for the said Settlements and fails to comply with the requirements of sections thirty-four and thirty-six, shall be liable to a fine not exceeding two hundred rupees.

Taking on board, after clearance, emigrants not entered in list.

44. Any Master of a vessel who having cleared such vessel for the said Settlements, takes on board any emigrant not entered in the list mentioned in section thirty-six, shall be liable to a fine not exceeding two hundred rupees for every emigrant so taken on board.

Customs officers may search and detain for purposes of this Act.

45. All the powers vested by law in the officers of Customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention and detection of the illegal embarkation of emigrants on board vessels bound for the said Settlements and of other offences against this Act.

Prosecutions under this Act by whom to be instituted.

46. All prosecutions under this Act shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

XI.—MISCELLANEOUS.

Act not to apply to certain vessels,

47. Nothing in this Act shall apply to any vessel in the service of the Lords Commissioners of the Admiralty, or to any of Her Majesty's vessels.

or to contracts with Native seamen and menial servants.

48. Nothing in this Act shall apply to any contract with, or the emigration of, any Native seaman, or other person who of his own free will contracts to navigate or serve on board of any vessel, or who embarks on board such vessel in pursuance of such contract, or any person who contracts to serve as a menial servant only and who embarks as such menial servant.

Emigration Agent and his subordinates and Protector of Emigrants to be deemed public servants.

49. The Emigration Agent and all persons employed by him and the Protector of Emigrants shall be deemed to be public servants within the meaning of the Indian Penal Code.

THE FIRST SCHEDULE.

(*See section* 13.)

Office of the Protector of Emigrants at the Port of Negapatam.

A. B. described in the Roll annexed is hereby licensed under the Straits Settlements Emigration Act, 1876, to be a recruiter of labourers.

[*Here set out the local limits within which the recruiter is licensed to act.*]

This license will be in force for only from this date, unless previously cancelled.

(Sd.) *C. D.*,

Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village and district to which he belongs.

THE SECOND SCHEDULE.

(*See section* 18.)

I hereby certify that I have this day examined *A. B.*, and that he is, to the best of my belief and judgment, in a fit state of health, and able, in point of physical condition, to proceed to the Straits Settlements [and to work there*].

(Sd.) *C. D.*,

(*Here add designation of examining officer.*)

* These words to be omitted in case of women and children not engaging for labour.

STATEMENT OF OBJECTS AND REASONS.

The circumstances which make special legislation necessary to regulate emigration from the Madras Presidency to the Straits Settlements were fully explained in Council on the 6th June 1872, when leave was asked to introduce the Bill which passed as Act XIV of 1872. The Bill then introduced was intended merely to make temporary provision for a pressing emergency, and it was stated that a further measure to make permanent provision, in all requisite detail, for emigration to the Straits was then under preparation in communication with the Colonial Government and would afterwards be introduced. Some time, as might have been expected, has passed in arranging with the Government of the Straits the details of the present Bill and of the corresponding Ordinance intended to be passed by the Straits Legislative Council.

2. The law of the Straits Settlements has either been, or will soon be, placed on a permanent footing, and it is desirable that no further delay should take place in carrying out the legislation requisite here.

3. The present Bill, it will be seen, is based on the Indian Emigration Act, 1871. It differs from that Act, however, in two important respects. In the first place, the provisions it contains regarding the conveyance of emigrants to the depôt, the equipment of emigrant vessels, the embarkation of the emigrants, &c., are of a less detailed and stringent nature than the corresponding provisions of the Act of 1871. As was observed in the discussions which led to the passing of Act XIV of 1872, it would be absurd to hamper emigration to a Colony which may be reached in eight or ten days with regulations designed for a voyage like that to the West Indies.

VIII.—EMIGRANT VESSELS.

33. No Master or other person in charge of a vessel shall receive on board such vessel any emigrant unless such vessel has been licensed, under the law for the time being in force relating to the carriage by sea of Native passengers, to carry passengers from the territories under the Government of Fort Saint George to the Straits of Malacca, and unless the Master of such vessel has obtained a certificate from the Protector of Emigrants authorizing him to receive on board the number of emigrants specified therein.

Emigrants not to be received on board vessels other than those licensed under Native Passengers Act,

or without certificate from Protector.

No such certificate shall be granted by the Protector of Emigrants unless he has satisfied himself that the vessel has been licensed as aforesaid, and that provisions and water for the number of emigrants to be specified in the certificate according to the scale prescribed under such law have been actually put on board such vessel.

Protector not to grant certificate unless satisfied that vessel has been licensed and has provisions on board.

34. On embarkation every emigrant shall deliver to the Master of the vessel the embarkation pass granted to him under section twenty-eight, and the Master shall not receive any emigrant on board unless he delivers up such pass.

Emigrant to give his pass to Master.

35. The Emigration Agent shall be personally present at the embarkation of all emigrants, and shall see that the Master duly examines the passes of the emigrants, and shall himself also examine such passes.

Emigration Agent to be present at embarkation.

The Emigration Agent shall not permit any emigrant to remain on board who has not a pass.

36. The Master of every vessel carrying emigrants shall, after the embarkation of the emigrants, and before the departure of the vessel, give to the Emigration Agent a list signed by himself of all emigrants on board, and shall retain a counterpart of such list signed by the Emigration Agent.

Master to deliver list of emigrants.

A copy of such list signed by the Emigration Agent and Master shall be sent to the Protector of Emigrants before the vessel sails.

IX.—SUPPLEMENTARY POWERS.

37. Whenever the Governor General in Council has reason to believe that proper measures have not been taken for the protection of emigrants and the enforcement of the engagements entered into with them immediately upon their arrival at the Straits Settlements, or during their residence therein, the Governor General in Council may, by a notification published in the *Gazette of India*, declare that emigration to the said Settlements shall cease from a day to be specified in such notification.

Power to prohibit emigration to the Straits Settlements.

When any notification has been published under this section, emigration and the making of contracts to emigrate to the Straits Settlements shall be unlawful from the day specified in such notification.

38. Such notification may be revoked in like manner at the discretion of the Governor General in Council, and thereupon emigration to the said Settlements shall again be allowed from a day to be specified in the revocation.

Revocation of prohibition.

From the day so specified all the provisions of this Act authorizing emigration to the said Settlements shall be revived, and have the same effect as if such emigration had not been suspended, except as to acts done, offences committed, and proceedings commenced, during the time of such suspension.

X.—OFFENCES.

39. Whoever, except under and in conformity with the provisions of this Act, engages or attempts to engage any Native of India to emigrate,

Making unlawful contract of labour.

or whoever engages or attempts to engage any Native of India to enter into any such contract as is hereby declared illegal,

or, not being a recruiter duly licensed under this Act, acts or is employed as a recruiter of labourers,

Recruiting without being licensed.

or being a duly licensed recruiter, removes or attempts to remove any emigrant whom he engages in any district from such district without the contract with such emigrant having been duly registered under section nineteen,

Recruiter omitting to take engaged labourers before Magistrate or Protector.

shall be punished with imprisonment, which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

40. Whoever, by means of intoxication, violence, fraud, or false pretences, causes or induces or attempts to cause or induce any Native of India to emigrate or to enter into any contract to emigrate, or into any such contract as is hereby declared illegal, or to proceed to the said Settlements without having entered into any contract, shall be punished with imprisonment, which may extend to three years, or with fine or with both.

Use of force, fraud, &c., to cause a Native to emigrate.

41. Whoever, without lawful authority, issues any written order to the police to assist himself or any other person to procure labourers to proceed to the said Settlements, or falsely represents that such labourers are required by the Government, or are to be engaged on behalf of the Government, shall be liable to a fine not exceeding five hundred rupees.

False representation of Government authority.

42. Any Master of a vessel not licensed as provided in section thirty-three who knowingly receives on board, for conveyance to the said Settlements, any emigrant or person who has entered into a contract hereby declared illegal,

Receiving emigrants on board without license or certificate.

and any Master of a vessel licensed as aforesaid, who knowingly receives any emigrant as aforesaid without having previously obtained a certificate under the said section, or in excess of the number specified in such certificate,

shall be liable for each emigrant or person so received to imprisonment for a period not exceeding three months, and also to a fine not exceeding two hundred rupees, and the vessel shall be liable to be forfeited.

43. Any Master of a vessel who receives on board such vessel any emigrant for the said Settlements and fails to comply with the requirements of sections thirty-four and thirty-six, shall be liable to a fine not exceeding two hundred rupees.

Failure to comply with requirements of sections 34 and 36.

44. Any Master of a vessel who having cleared such vessel for the said Settlements, takes on board any emigrant not entered in the list mentioned in section thirty-six, shall be liable to a fine not exceeding two hundred rupees for every emigrant so taken on board.

Taking on board, after clearance, emigrants not entered in list.

45. All the powers vested by law in the officers of Customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention and detection of the illegal embarkation of emigrants on board vessels bound for the said Settlements and of other offences against this Act.

Customs officers may search and detain for purposes of this Act.

46. All prosecutions under this Act shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

Prosecutions under this Act by whom to be instituted.

XI.—MISCELLANEOUS.

47. Nothing in this Act shall apply to any vessel in the service of the Lords Commissioners of the Admiralty, or to any of Her Majesty's vessels.

Act not to apply to certain vessels,

48. Nothing in this Act shall apply to any contract with, or the emigration of, any Native seaman, or other person who of his own free will contracts to navigate or serve on board of any vessel, or who embarks on board such vessel in pursuance of such contract, or any person who contracts to serve as a menial servant only and who embarks as such menial servant.

or to contracts with Native seamen and menial servants.

49. The Emigration Agent and all persons employed by him and the Protector of Emigrants shall be deemed to be public servants within the meaning of the Indian Penal Code.

Emigration Agent and his subordinates and Protector of Emigrants to be deemed public servants.

THE FIRST SCHEDULE.

(*See section* 13.)

Office of the Protector of Emigrants at the Port of Negapatam.

A. B. described in the Roll annexed is hereby licensed under the Straits Settlements Emigration Act, 1876, to be a recruiter of labourers.

[*Here set out the local limits within which the recruiter is licensed to act.*]

This license will be in force for only from this date, unless previously cancelled.

(Sd.) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village and district to which he belongs.

THE SECOND SCHEDULE.

(*See section* 18.)

I hereby certify that I have this day examined *A. B.*, and that he is, to the best of my belief and judgment, in a fit state of health, and able, in point of physical condition, to proceed to the Straits Settlements [and to work there*].

(Sd.) *C. D.*,
(*Here add designation of examining officer.*)

* These words to be omitted in case of women and children not engaging for labour.

STATEMENT OF OBJECTS AND REASONS.

The circumstances which make special legislation necessary to regulate emigration from the Madras Presidency to the Straits Settlements were fully explained in Council on the 6th June 1872, when leave was asked to introduce the Bill which passed as Act XIV of 1872. The Bill then introduced was intended merely to make temporary provision for a pressing emergency, and it was stated that a further measure to make permanent provision, in all requisite detail, for emigration to the Straits was then under preparation in communication with the Colonial Government and would afterwards be introduced. Some time, as might have been expected, has passed in arranging with the Government of the Straits the details of the present Bill and of the corresponding Ordinance intended to be passed by the Straits Legislative Council.

2. The law of the Straits Settlements has either been, or will soon be, placed on a permanent footing, and it is desirable that no further delay should take place in carrying out the legislation requisite here.

3. The present Bill, it will be seen, is based on the Indian Emigration Act, 1871. It differs from that Act, however, in two important respects. In the first place, the provisions it contains regarding the conveyance of emigrants to the depôt, the equipment of emigrant vessels, the embarkation of the emigrants, &c., are of a less detailed and stringent nature than the corresponding provisions of the Act of 1871. As was observed in the discussions which led to the passing of Act XIV of 1872, it would be absurd to hamper emigration to a Colony which may be reached in eight or nine days with regulations designed for a voyage like that to the West Indies.

4. The other point in which the present Bill differs from the Act of 1871 (and on this point it is more stringent than the Act of 1871) is in regard to contracts between recruiters and emigrants. The conditions of emigration from Madras to the Straits Settlements are somewhat different from those which prevail in other Colonies drawing their supplies of labour from India. The law in these other Colonies places upon the Government the responsibility for the fulfilment of the conditions under which the emigrant leaves his home; the immigrants are received by Government Agents on their arrival, and allotted to employers by these Agents; contracts are made on their behalf by Government, and Government undertakes to provide them with a free passage to India on the completion of their term of service, or sooner if they become disabled.

5. In the Straits Settlements, on the other hand, the contract has hitherto been confined to the emigrant and the individual employer; and the function of Government has been merely to watch over its due fulfilment by both parties. It is still intended that contracts shall be made in the first instance between emigrants and individual employers; and therefore it becomes specially necessary in the case of an emigrant to the Straits to make sure that the contract entered into by him before he leaves India distinctly provides for those points on which the Government of India is in the habit of insisting as essential. Hence the additional rules regarding the form and contents of contracts laid down in sections fifteen and sixteen of the present Bill.

6. It is however desired by the Government of India that the Government of the Straits Settlements shall guarantee to emigrants the performance of certain important conditions of their contracts, if the employers fail to perform them. It is also thought expedient to declare expressly that contracts made in Madras by Natives for repayment of money in the Straits Settlements, in consideration of assistance to leave India, shall be void except for the purpose of redeeming their contracts to work.

7. It will be observed that the present Bill proposes to repeal Act XIV of 1872, and thereby, so far as regards all India except Madras, to remit the Straits Settlements to the position they were in before the passing of that Act. That is to say, as regards all India except the Madras Presidency, emigration to the Straits Settlements will not be lawful, and cannot be made lawful except under the provisions of the Emigration Act of 1871. The reason for this state of things will be found stated in the proceedings of Council before referred to. The peculiarities of the labour traffic between Madras and the Straits Settlements are its long duration, the existence of a large Tamil population in the Straits, and the proximity of the two countries. These circumstances do not affect any part of India except Madras.

SIMLA;
The 10th September 1876. } A. HOBHOUSE.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First publication.]

The following further Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 21st September 1876:—

We, the undersigned Members of the Select Committee to which the Bill for consolidating and amending the laws relating to the Procedure of the Courts of Civil Judicature in British India was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Despatch from Secretary of State, No. 4, dated 4th February 1875.
From Sheriff of Calcutta, No. 59, dated 15th April 1875.
Office Memo. from Military Department, No. 181J., dated 9th June 1875, and enclosures.
Despatch from Secretary of State, No. 34, dated 3rd June 1875.
From certain inhabitants of Farrukhábád, dated 6th September 1875.
Endorsement, Home Department, No. 1388J., dated 7th September 1875, forwarding—
Translation of an opinion by Ganpat Rao Yeswant of Satára.
Observations by J. Pitt Kennedy, Esq., Standing Counsel, dated 20th September 1875.
From Government, North-Western Provinces, No. 605A., dated 7th October 1875, and enclosure.
" Government of Bengal, No. 3122, dated 4th November 1875, and enclosures.
" Officiating Chief Commissioner, Oudh, No. 5200, dated 9th November 1875, and enclosures.
" Officiating Chief Commissioner, Central Provinces, No. 4071—106, dated 10th November 1875, and enclosure.
" Officiating Chief Commissioner, British Burma, No. 1530 194, dated 20th November 1875, and enclosures.
" Vakils of the Madras High Court, dated 26th November 1875.
" Chief Commissioner of Oudh, No. 5687, dated 7th December 1875.
" Registrar, High Court, Calcutta, dated 22nd December 1875, and enclosures.
" Government of Bombay, No. 144, dated 5th January 1876, and enclosures.
" Registrar, High Court, Calcutta, No. 62, dated 15th January 1876, and enclosure.
Endorsement, Department of Revenue, Agriculture and Commerce, No. 105, dated 8th February 1876, forwarding—
Letter from Government of Bombay, No. 7194, dated 22nd December 1875.
From Government of Bengal, No. 470, dated 11th February 1876, and enclosures.
" Government of Madras, No. 243, dated 12th February 1876, and enclosure.
" Government of Madras, No. 436J., dated 8th March 1876, and enclosures.
" Government, North-Western Provinces, No. 62, dated 13th April 1876, and enclosures.
Remarks by L. P. D. Broughton, Esq.
Note by John Shaw, Esq., Registrar, High Court, Madras, dated 22nd May 1876.
Observations by the District Munsif of Travellore, Madras.
From Government of Bombay, No. 3968, dated 6th July 1876, and enclosures.
" Government of the Panjáb, No. 201C, dated 5th August 1876, and enclosures.
" Government of Bombay, No. 4022, dated 10th July 1876, and enclosure.

PRELIMINARY.

We have amended the definition of 'pleader' so as to make it include an attorney of a High Court, and have modified the definition of 'subordinate' Court so as to give District Courts power to control Courts of

Small Causes, and we have added definitions of 'Judge,' 'judgment-debtor,' 'decree-holder,' 'affidavit' and 'public officer.' With the view of encouraging printing in legal proceedings, we have defined 'written' to include 'printed' and 'lithographed.' We have also amended the definition of 'Foreign Court' so as to exclude the Judicial Committee of the Privy Council. We have saved the Central Provinces Courts Act, 1865, the Panjáb Courts Act, 1865, Act XXVII of 1867, and all local laws prescribing a special procedure between landlord and tenant. We have struck out the obsolete references to trials by military officers of small suits in Madras and to District and Military Panchâyats in that Presidency.

CHAPTER I.—OF THE JURISDICTION OF THE COURTS AND RES JUDICATA.

We have amended the section (13) as to *res judicata* (*a*) by extending it so as to provide for estoppels against defendants, (*b*) by explaining, in accordance with a decision in 10 Bom. 293, that any matter which might and ought to have been made ground of defence in a former suit brought by the defendant against the plaintiff shall be deemed to be a matter substantially in issue in such suit, and (*c*) by providing that decisions alterable on review may be final within the meaning of this section. We have also struck out the clause relating to decisions obtained by arrangement; and we have omitted the illustrations as unnecessary.

CHAPTER II.—OF THE PLACE OF SUING.

We have here provided (section 15) for the venue of suits for compensation for wrongs to immoveable property. In section 19 we have provided for giving notice of motions to stay proceedings where the whole cause of action did not arise within the jurisdiction and all the defendants do not reside therein. Where a Court stays proceedings, we have declared (section 20) that the time required for proceeding from that Court to the Court in which the suit is re-instituted shall be excluded in computing the proper period of limitation.

We have provided (sections 21, 22, 23) for giving notice to the plaintiff where the defendant applies to transfer a suit capable of being instituted in different Courts (*a*) subordinate to the same Appellate Court, or (*b*) not so subordinate.

CHAPTER III.—OF PARTIES, THEIR APPEARANCES, APPLICATIONS AND ACTS.

For sections 27, 28, 29, 30, 40 and 41 of Bill No. III, we have substituted eight sections as to parties, taken, with some modifications, from the Orders framed under the Supreme Court of Judicature Act, 1875.

We have provided (section 37) that certificated mukhtárs holding special powers of attorney may be recognized agents, and declared that in the Panjáb, Oudh and the Central Provinces recognized agents shall be such persons as the Local Government may by notification declare. This will enable the Local Government to keep, if it thinks fit, the special rules on this subject now in force in those territories.

We have amended the section (41) relating to the appointment of agents to receive process.

CHAPTER IV.—OF THE FRAME OF THE SUIT.

For the sections (44, 45, 46, 47) of Bill No. III, as to joinder of causes of action and multifariousness, we have substituted four sections taken from the Orders above mentioned. When the plaint is amended by excluding any cause of action, we have provided (section 47) that the amendment shall be attested by the Judge's signature.

CHAPTER V.—OF THE INSTITUTION OF SUITS.

We have here provided (section 49) that where English is not the language of the Court, the plaint may, with the permission of the Judge and the consent of the defendant, be in English.

Where the plaintiff has allowed a set-off, or relinquished part of his claim, we have required (section 50) that his plaint should state the amount so allowed or relinquished.

We think that, when once issues have been settled, the plaint should not be rejected, returned for amendment or amended; and we have altered section 53 (=52 of Bill No. III) accordingly. We have provided (section 52) for examining the witness to the verification. We have provided (section 54) for the rejection, &c., of the plaint if it is not framed so as to afford ground for a single decision on the whole subject in dispute and for the attestation of the amendments by the signature of the Judge. Where a plaint is returned we have required (section 57) that the endorsement be made by the Judge himself.

When the plaint is admitted we have required (section 58) the plaintiff to present as many copies as there are defendants, unless the Court permits him to file a like number of concise statements of the nature of the claim made, in which case he will file a like number of such statements. We have made provision in the same section for ascertaining the correctness of these copies and statements and of the memoranda of documents filed with the plaint.

Where the plaintiff relies on documents not in his possession, we have provided (section 60) that he shall state in whose possession they are, and where they are in the possession of a stranger to the suit, that he shall take out a summons requiring them to be filed in Court.

From the operation of the section (63) declaring the inadmissibility as evidence for the plaintiff of documents not produced when the plaint is filed, we have excluded documents produced for the examination of the defendant's witnesses or in answer to any case set up by him.

CHAPTER VI.—OF THE ISSUE AND SERVICE OF SUMMONS.

We have provided (section 65) that no summons to the defendant to appear and answer shall be issued when he has appeared at the presentation of the plaint and admitted the plaintiff's claim.

Even where railway communication exists, we think that no party should be ordered to appear in person who resides more than two hundred miles from the Court-house, and we altered section 67 (=section 64 of Bill No. III) accordingly.

Where the defendants are partners, we have provided (section 74) for service of the summons on any person having the management of the partnership business.

For the purpose of the section (76) relating to service on an agent by whom the defendant carries on business, we have declared that the master of a ship is the agent of the owner or charterer.

We think (section 81) that the practice of fixing a copy of the summons on the defendant's house should be discontinued, and that when he refuses to receive the copy or sign the acknowledgment of service, and where the serving-officer cannot find the defendant, and there is no one on whom service can be made, the serving-officer should return the summons with an endorsement that he has been unable to serve it, and we have required (section 82) the Court to examine him on oath touching the non-service. A similar provision, where the summons is sent to another Court to be served, is made in section 85.

We have inserted a section (84 = section 58 of Act VIII of 1859) providing that when service is substituted by order of the Court, a time shall be fixed for the defendant's appearance.

We have provided (section 95) for the service of notices and orders in writing.

CHAPTER VII.—OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

Where neither party appears, we think (section 98) that the suit need not be dismissed when the Judge for reasons recorded under his hand otherwise directs. Where the plaintiff does not appear, but the defendant appears and admits part only of the plaintiff's claim, we have provided (section 102) that the Court shall dismiss the suit so far as relates to the remainder. Where the defendant appears and the suit is wholly or partially dismissed owing to the non-appearance of the plaintiff, and the plaintiff applies for an order to set the dismissal aside, we have provided in the same section that the defendant shall be served with notice of the application.

We have added to this chapter sections corresponding with chapter XXIII of Bill No. III as to setting aside decrees by default and *ex parte*.

CHAPTER VIII.—OF WRITTEN STATEMENTS AND SET-OFF.

To the section corresponding with section 105 of Bill No. III, we have added a few illustrations and a clause expressly providing that where the defendant, for the purpose of bringing the sum to be set-off within the pecuniary limits of the Court's jurisdiction, intentionally relinquishes any portion of his claim against the plaintiff, the provision in section 43, barring subsequent suits for sums so relinquished by plaintiffs, shall not apply.

We have allowed (section 112) written statements to be received, with the permission of the Court, at any time for the purpose of answering written statements made by the opposite party at the first hearing. And we think (section 115) that the Court should be expressly empowered to examine witnesses as to the signatures to written statements.

We have provided (section 117) that allegations of fact in written statements shall, if not denied, or stated to be not admitted, by the opposite party, be taken to be admitted *for the purposes of the suit*. We have here made no exception of minors and persons of unsound mind, and in this respect, and in the insertion of the words italicised, the section differs from the English Order XIX, rule 17.

CHAPTER IX.—OF THE EXAMINATION OF THE PARTIES BY THE COURT.

We have here provided (section 118) that the Court may, if it think fit, put in the course of the examination questions suggested by either party, and (section 119) that the substance of the examination shall be reduced to writing by the Judge and form part of the record.

CHAPTER X.—OF DISCOVERY AND OF THE ADMISSION, INSPECTION, PRODUCTION, IMPOUNDING AND RETURN OF DOCUMENTS.

The first seven sections of this chapter are new. They empower parties to deliver interrogatories in writing and provide for inquiring into the propriety of exhibiting them, for striking out improper interrogatories, for making objections to answering interrogatories, and

for compelling persons to answer sufficiently. They correspond with the English Order XXXI, rules 1 to 10.

As to the admission of documents, we have amended section 128 (=113 of Bill No. III) by requiring the demand for admission to be served through the Court.

We have inserted sections (129, 130) empowering the Court to order production during the suit, and to direct parties to make discovery of documents relating to matters in question. And we have amplified (sections 131, 132, 133) the section (114) of Bill No. III relating to inspection of documents.

Where any discovery or inspection is objected to, and the Court is satisfied that the right to such discovery or inspection depends on the determination of any question in dispute in the suit, we have empowered (section 135) the Court to order that question to be first determined.

We have declared (section 136) that any person disobeying any order to answer interrogatories or for discovery or inspection, which has been served personally upon him, shall be deemed guilty of an offence under section 188 of the Penal Code, and that he shall also, if a plaintiff, be liable to have his suit dismissed, and, if a defendant, to be placed in the same position as if he had not defended.

The power which the Courts now possess under Act VIII of 1859, section 138, of sending for papers from nonjudicial public offices has, we find, been abused. We have therefore withdrawn this power, and persons applying to the Court to send for papers from judicial records will be required (section 137) to show that they cannot obtain the originals or authenticated copies.

We have expressly confined the section (138) requiring documentary evidence to be in readiness at the first hearing to documents in the possession or power of the parties.

We have provided (section 141) that no document shall be placed on the record unless it has been regularly proved or admitted. In the absence of such a provision questions frequently arise on appeal as to whether a document was in evidence or not.

We have provided (section 144) for the return of documents in suits in which an appeal is not allowed, and in all cases we have authorized their return when certified copies are delivered to the proper officer.

CHAPTER XI.—OF THE SETTLEMENT OF ISSUES.

We have exempted (section 146) the Court from the duty of framing and recording issues where the defendant at the first hearing makes no defence. When issues both of law and of fact arise in the same suit, and the Court considers that the case may be disposed of on the issues of law only, we have provided in the same section that the Court shall (not "may") try the issues of law first. This, we think, will save expense, and will prevent cases being remanded for trial of issues of fact which, in the result, prove wholly irrelevant. As to issues by agreement of parties, we have provided (section 150) that, unless with the special permission of the Judge, no such agreement shall be filed after the Court has recorded issues in the suit.

CHAPTER XII.—OF THE DISPOSAL OF THE SUIT AT THE FIRST HEARING.

We have here made no change requiring notice.

CHAPTER XIII.—OF ADJOURNMENTS.

We think that the provision in section 138 of Bill No. III that, when the hearing of evidence has once begun, the hearing of the suit shall not be adjourned, except from day to day, might occasionally have led to great inconvenience. We have therefore in section 156 substituted the following: "Provided that, when the hearing of evidence has once begun, the hearing of the suit shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the hearing to be absolutely necessary for reasons to be recorded by the hand of the Judge."

CHAPTER XIV.—OF THE SUMMONING AND ATTENDANCE OF WITNESSES.

We have omitted the power to insert in a summons the names of any number of persons. We have declared (section 165) that the rules contained in chapter VI as to proof of service shall apply in the case of all summonses served on persons required to give evidence or produce documents. Before attaching the property of a witness alleged to have absconded, we think that the serving officer should be examined on oath touching the non-service, and we have made a provision to this effect in section 167. We have omitted as useless the provision of the present law as to payment by the Collector of the costs of summoning a witness.

We have provided (section 173) that no witness who has been summoned and attended shall depart, unless he has been examined and the Court has risen, or he has obtained the Court's leave to go.

We have empowered (section 174) the Court to inflict a fine of Rs. 500 on persons failing to prove that they had a lawful excuse for not obeying the summons; and we have provided that non-payment or non-tender of reasonable expenses shall be deemed a lawful excuse. When any such person is brought before the Court and cannot, owing to the absence

of parties, give the evidence or produce the document which he has been summoned to produce or give, we have by the same section authorized the Court to release him on bail.

We have declared (section 177) that no witness shall be bound to attend in person unless he resides (*a*) within the local limits of the Court's original jurisdiction, or (*b*) without those limits and less than fifty or (where there is railway communication) two hundred miles from the Court-house. It is obvious that there should be some limit beyond which parties should not be required to travel even by railway.

We have struck out the six sections (157 to 163 of Bill No. III) relating to the examination of parties as witnesses. This matter seems sufficiently provided for by the declaration contained in section 178 (=section 165 of Bill No. III), that when any party to a suit is summoned as a witness, the rules as to witnesses contained in the Code shall apply to him so far as they are applicable.

CHAPTER XV.—OF THE HEARING OF THE SUIT AND EXAMINATION OF WITNESSES.

We have inserted (section 179) rules as to the right to begin.

We have provided (section 184) that any Judge may take down the evidence in English if the Local Government permits him to do so, or if the parties do not object.

Where the Judge taking down any evidence is removed from the Court before the conclusion of the suit, we have empowered (section 191) his successor to deal with the evidence as if he himself had taken it down.

Where a witness about to leave the jurisdiction is examined immediately, we have provided (section 192) that his evidence before being used as such shall be read over to him and, if he admits it to be correct, signed by him.

We have empowered the Court (section 193), at any stage of the suit, to recall and re-examine a witness who has not departed.

CHAPTER XVI.—OF AFFIDAVITS.

This chapter is wholly new. It empowers the Court to order any particular fact to be proved by affidavit: provides that evidence may be given by affidavit on any application or petition: indicates the matters to which affidavits should be confined: and lastly, specifies the officers by whom the oaths of declarants may be administered.

CHAPTER XVII.—OF JUDGMENT AND DECREE.

In accordance with a ruling of the Calcutta High Court, we have authorized (section 199) a Judge to deliver a judgment written by his predecessor but not delivered.

We think that, as a rule, the judgment should be written in the language of the Court, but we have provided (section 200) that if such language be not English or the Judge's mother-tongue, the judgment may be written either in English or his mother-tongue. We think (section 201) that the judgment need not be translated, unless any of the parties so require.

We have provided (section 202) that the judgment shall not be altered or added to, save to correct verbal errors or on review.

We think (section 203) that all judgments (save those of Small Cause Courts) should contain a concise statement of the case in addition to the matters mentioned in section 183 of Bill No. III.

We have provided (section 205) that the Judge before signing the decree shall satisfy himself that it has been drawn up in accordance with the judgment.

We have given power to amend the decree not only when it is at variance with the judgment, but also in case of clerical or arithmetical errors: but in all such cases we have provided (section 206) for notice to the parties or their pleaders.

In money-decrees, we think (section 209) that the interest allowed from the date of the decree should not exceed six per cent. per annum. This, we hope, will abolish the practice of treating such decrees as desirable investments.

We think (section 210) that no application for an order to pay the amount of a decree by instalments should be allowed after six months from the date of the decree, and we have provided for notice to the plaintiff of such applications.

In administering the assets of persons dying after the Code comes into force, we have provided (section 213) that the Courts shall be guided by the same rules as to rights of creditors, proveable debts and valuation of annuities, and future and contingent liabilities, as are in force as to the estates of persons adjudged insolvent, and that all persons who would be entitled to dividends out of the estate of any such deceased person, may come in under the decree and make their claims against the estate. We have declared in the same section that applications under section 265 of the Indian Contract Act, to wind up the business of a partnership, shall be deemed to be administration suits.

We think (section 216) that certified copies of the judgment and decree should not be furnished except at the expense of the parties applying for them.

CHAPTER XVIII.—OF COSTS.

We have here made no substantial change.

CHAPTER XIX.—OF THE EXECUTION OF DECREES.

We have distributed the matter of this long and important chapter under eight heads, namely, (*a*) Courts by which decrees may be executed, (*b*) application for execution, (*c*) staying execution, (*d*) the mode of executing decrees, (*e*) attachment of property, (*f*) sale and delivery of property, (*g*) resistance to execution, and (*h*) arrest and imprisonment.

Courts by which decrees may be executed.

For section 330 of Bill No. III, we have substituted a section (223) as to the Court by which a decree may be executed, and prescribing the procedure for sending a decree for execution to a Court other than that which passed it. When the Court passing the decree is subordinate to a District Court, we think it should send the decree to the District Court to which it is subordinate and that such Court should deal with the decree as if it had been passed by itself.

Application for execution.

When a decree has been transferred by assignment, we have provided (section 232) that notice of any application to execute it shall be given to the transferor and the judgment-debtor, and that it shall not be executed until the Court has heard their objections (if any) to such execution.

When the judgment-debtor dies before the decree is fully executed, and application is made to have it executed against his legal representative to the extent of the assets which are in his hands, we have empowered (section 234) the Court to compel the representative to produce his accounts.

We think (section 235) that applications for the execution of decrees should be verified like plaints, and that they should state whether any and what previous applications have been made, and with what result.

We have provided (section 236) for the verification of the descriptions of immoveable property sought to be attached.

The mode of executing decrees.

In section 244 (=section 329 of Bill No. III) we have omitted the clause as to questions relating to sums alleged to have been paid in discharge or satisfaction of a decree. This will get rid of the ambiguity arising from the provisions of section 206 of Act VIII of 1859 as compared with section 11 of Act XXIII of 1861.

We have directed (section 245) that applications for execution shall be rejected or returned for amendment when the needful particulars or inventories are wanting. Every such amendment will be attested by the Judge's signature. We have provided in the same section that in executing a decree for money, the value of the property attached shall as nearly as possible correspond with the amount of the decree.

We have omitted as useless the clause as to the execution of a decree for the share of a dwelling-house of an undivided Hindú family.

When a decree against a surety is executed, we have provided (section 253) for giving him previous notice.

We have introduced a section (254 = Order xlii, Rule 8) providing for the execution of a decree against partners in the name of the firm.

We have provided (section 258) that, when moneys payable under a decree are paid out of Court to the decree-holder, he shall certify the payment to the Court whose duty it is to execute the decree. We have omitted the proviso in section 203 of Bill No. III that decrees for the recovery of wives were to be declaratory only. We are informed that, in the Panjáb at least, such a rule would have worked unsatisfactorily.

We have provided (section 260) for the enforcement of injunctions, and declared in the same section that no attachment issued to enforce an injunction, or a decree for specific performance, shall remain in force for more than a year.

Attachment of Property.

We have exempted (section 266) from attachment and sale in execution of a decree the following articles:—the necessary wearing apparel of the judgment-debtor's wife and children, the tools of artizans: implements of husbandry: cattle kept *bonâ fide* for agricultural purposes: the materials of houses and other buildings belonging to and occupied by agriculturists: political pensions: the salaries of servants of Railway Companies: the pay and allowances of persons to whom the Native Articles of War apply: the wages of labourers and domestic servants.

We think that general attachments of the moveable property of judgment-debtors should no longer be permitted, and we have accordingly struck out the clauses (210, 235, 236, and part of 231) of Bill No. III relating to this subject. Ample power to obtain discovery as to such property is given by section 267.

We have provided (section 268) that no attachment to enforce a decree for a specific moveable shall remain in force for more than six months, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award the decree-holder such compensation as it thinks fit, and pay the balance to the judgment-debtor.

We have empowered (section 269) the Local Government to make rules for the maintenance and custody of livestock and other moveable property while under attachment, and directed the attaching officer to act in accordance with such rules.

We have provided rules (section 271) for the attachment of moveable property in rooms actually occupied by native women.

We have introduced a section (273) dealing with the attachment of decrees.

We have provided (section 275) for withdrawing an attachment when the decree under which it has been made is set aside or reversed.

We have struck out the section (307 of Bill No. III = section 272 of Act VIII of 1859) empowering the Court to order the proceeds of property attached under a decree obtained fraudulently to be paid in satisfaction of another decree. The power is rarely used, and the case contemplated is, we think, one for a regular suit, not a summary proceeding.

Sale and delivery of Property.

We think (section 288) that the proclamation of execution sales should state the incumbrances (if any) to which the interest about to be sold is liable, and we have provided that no Judge, &c., shall be answerable for error in the proclamation unless it has been committed dishonestly.

We have struck out the clause (section 280 of Bill No. III) allowing process for attachment and sale of moveables to be issued either successively or simultaneously.

We have provided (section 291) for adjournments of execution-sales, and for stopping them on tender of the debt and costs, or on proof that the amount has been paid into the Court which ordered the sale.

We have forbidden (section 292) all officers conducting or otherwise concerned in sales to bid for or purchase the property sold.

In lieu of providing that the attaching creditor shall be first paid out of the assets realized, and that the surplus shall be distributed amongst the other execution-creditors, we have declared (section 295) that such assets shall (after deducting the costs) be divided rateably among all persons who have, prior to the realization, applied for execution of money-decrees against the judgment-debtor and have not obtained satisfaction. We have also provided that when any property liable to be sold in execution is subject to a mortgage, the Court may, with the assent of the mortgagee, order that the property be sold free from the mortgage, giving to the mortgagee, the same right against the proceeds as he had against the property sold.

Courts inferior to District Courts should not, in our opinion (section 303), have power to sell immoveable property in execution of a decree; but when any such inferior Court thinks that such a sale should be made, we have provided (section 304) that such Court shall refer the case to the District Court to which it is subordinate, and declared that the District Court may then sell as if the decree had been made by itself.

We have amended the section (309) empowering the co-sharer in an undivided estate to claim at sale price a share of such estate sold in execution. If the claim be made before sunset on the day of sale and the claimant then repay to the purchaser the amount of his deposit, the claimant will be substituted for the auction-purchaser.

We have fixed (section 312) sixty days as the time within which the purchaser of immoveable property may apply to set aside the sale on the ground that the judgment-debtor had no legally saleable interest therein.

We have by section 316 provided (in accordance with Act XI of 1859, section 28, and Schedule A) that the purchase shall be deemed to take effect from the date of the attachment.

As to sales of land by Collectors, we have substituted for section 276 of Bill No. III a clause (320) providing that the Local Government may, transfer to the Collector of any District the execution of decrees in cases in which a Court has ordered any interest in immoveable property to be sold. And we think (section 321) that whenever the execution of a decree has been so transferred, the Collector, if he thinks that the debts of the judgment-debtor can be discharged without a sale of the whole of the property, should, notwithstanding the order, have power to sell only part, or to mortgage the whole or any part, of the land, or to let or manage it himself for a term not exceeding twenty years from the date of the order. Where the Collector lets or manages we have provided (sections 322, 323) for giving notice to the judgment-creditors to come in; for excluding all other claimants from any right to payment out of the proceeds; for preventing the debtor from incumbering during the term the property so let or managed; and, if at the end of the term the requisite amount has not been raised, for selling such property. Where the Collector sells or exercises the power to mortgage, let or manage, we have required him (section 324) to inform the Court which made the order of sale, to render accounts to such Court and to hold the balance in his hands at its disposal.

Where the sale of immoveable property has been postponed to enable the judgment-debtor to raise the amount of the decree, and the Court authorizes him to sell, mortgage or let the property, we have provided (section 324) that all moneys payable under such sale, mortgage or lease shall be paid into Court and not to the judgment-debtor.

We have omitted (section 325) as unnecessary the power to order security to be taken from the defendant when the Court authorizes the Collector to stay the public sale of land. We have expressly empowered the Local Government (section 326) to make special rules for any territory prohibiting the sale of any class of interests in land in execution of money-decrees.

Arrest and Imprisonment.

We have provided (section 335) that a judgment-debtor may be arrested in execution at any hour and on any day, and that he shall thereupon be brought before the Court, except when the decree is for money and the judgment-debtor pays the amount of the decree and the costs of the arrest. When he is brought before the Court we have directed the Judge to inform him that he may obtain relief under Chapter XX, and if he express his intention so to apply, and if he furnish security for his appearance at any time when called upon, the Court will release him.

When the judgment-debtor fails to pay the amount of principal and interest, we have directed (section 337) the serving-officer to bring him before the Court, and when the serving-officer cannot execute the warrant, we think (section 343) that the Court should examine him on oath as to his inability.

We think (section 339) that no judgment-debtor should be arrested unless and until the decree-holder pays into Court a proper sum for the subsistence of the judgment-debtor from his arrest until he is brought before the Court. We have empowered the Local Government to fix scales of monthly allowances for the subsistence of judgment-debtors in prison.

As to imprisonment in execution of a decree, we have provided (section 341) that a judgment-debtor may be discharged from jail without the order of the Court when the term of his imprisonment is completed; and we think (section 342) that no person should be imprisoned for a longer period than six months, or when the decree is for the payment of a sum not more than Rs. 50, for a longer period than six weeks.

CHAPTER XX.—INSOLVENT JUDGMENT-DEBTORS.

We have here made numerous small amendments, the chief of which are the following:—As to fraudulent transfers, we think (section 351) that the Court need only see that they were not made within two months next before the date of the decree in execution of which the insolvent was arrested or imprisoned. We have provided (section 352) that all creditors, whether mentioned or not in the debtor's application, shall prove their debts. We have provided (section 355) that the receiver of the insolvent's property shall give security, and (section 356) that he may retain as remuneration five per cent. upon the amount of the balance distributed to the creditors. And we have reduced (section 359) from two years to one year the term for which a fraudulent insolvent may be imprisoned.

CHAPTER XXI.—OF THE DEATH, MARRIAGE AND INSOLVENCY OF PARTIES.

We have added two illustrations to the section (361) as to non-abatement by death where the cause of action survives.

We have provided a limitation (sections 364, 366) for applications under this chapter.

When a suit abates or is dismissed under this chapter, we have permitted (section 371) the person claiming to be the plaintiff's representative to apply to set aside the order of abatement or dismissal.

We have provided (section 372) for cases of assignment pending the suit.

CHAPTER XXII.—OF THE WITHDRAWAL AND ADJUSTMENT OF SUITS.

We have provided here (section 373) for the case of abandonment of part of the plaintiff's claim, and (section 375) for the finality of decrees passed in accordance with compromises. We have made no other substantial change.

CHAPTER XXIII.—OF PAYMENT INTO COURT.

We have given the Court (section 376) a discretionary power with regard to the payment of deposits in Court to the plaintiff.

Where the Court decides that the defendant's deposit was a full satisfaction of the plaintiff's claim, we have provided (section 379) that the plaintiff shall pay, not the costs of the suit, but the costs incurred after the deposit and the costs incurred previous thereto, so far as they were caused by excess in the plaintiff's claim.

CHAPTER XXIV.—OF REQUIRING SECURITY FOR COSTS.

We think that the plaintiff should not be required to furnish security for costs unless a defendant so require. We have altered this chapter (section 380) accordingly.

CHAPTER XXVI.—OF COMMISSIONS.

When a Court inferior to a District Court issues a commission to examine a person residing within its jurisdiction, we have provided (section 385) that the selection of the person to execute the commission shall be subject to such rules as the District Court may prescribe.

We have provided (section 386) that any District Court and Court of Small Causes may issue commissions for the examination of officers of Government who cannot attend the Court without detriment to the public service, and of persons who are about to leave the jurisdiction before the date on which the suit in which their evidence is required is set down for hearing.

No Court inferior to a District Court, other than a Court of Small Causes, should, we think, issue commissions for the examination of persons resident beyond its jurisdiction. We have made a provision to this effect in section 386.

We have declared (section 391) that the provisions contained in this chapter as to the execution and return of commissions shall apply to commissions issued by Foreign Courts. We have struck out the section (385 of the Bill No. III) as to taking the evidence of prisoners. The matter is sufficiently provided for by the Prisoners' Testimony Act.

We have extended to proceedings as well as to suits the sections (392, 395) as to commissions for local investigations, and to examine accounts. In the case of the former class of commissions, when the Local Government has made rules as to the persons to be appointed commissioners, we have required the Court to comply with such rules.

CHAPTER XXVI.—SUITS BY PAUPERS.

We have added (section 402) libel to the list of civil injuries in respect of which a pauper should not be allowed to sue as such.

We think (section 407) that a pauper suing on the original side of the High Court should show that he does not possess property worth Rs. 100 except his wearing apparel and the subject-matter of the suit; and as to fraudulent disposals of property by a pauper, we have provided that the Court need only consider whether such disposal was effected within the two months next before the presentation of the pauper's petition.

We have struck out the sections (406, 407 of Bill No. III) authorizing parties to obtain summonses to witnesses and empowering the Court to make local investigations.

We have provided (section 411) that the Court-fees which would have been payable by the plaintiff, if he had not been allowed to sue as a pauper, shall be a first charge on the subject-matter, if any, recovered by him.

We think (section 414) the plaintiff should be dispaupered if he has entered into any agreement under which any other person has obtained an interest in the subject-matter of the suit.

CHAPTER XXVII.—SUITS BY OR AGAINST GOVERNMENT AND PUBLIC OFFICERS.

We think (section 416) that suits against Government and against public officers for acts done in their official capacity should not be instituted in any Court inferior to a District Court (a similar provision is made by the Bombay Civil Courts Act XIV of 1869, section 32); but we have provided that any such suit may be transferred to a subordinate Court.

We think (section 420) that in suits against a public officer, as well as in those against Government, the summons should be served on the Government Pleader, or on some person appointed to receive process in behalf of Government.

We have provided (section 424) that no suit shall be brought against Government or against a public officer as such until two months next after delivery of a notice in writing, stating the cause of action and the name and residence of the intending plaintiff. We have also provided that every suit against a public officer must be commenced within six months next after the accrual of the cause of action. Similar provisions are contained in the Police Act (V of 1861), section 42, and in various Municipal Acts.

CHAPTER XXVIII.—SUITS BY ALIENS AND BY OR AGAINST FOREIGN AND NATIVE RULERS.

We have laid down rules (section 430) as to when aliens may sue in the Courts of British India. We have declared (section 431) that a Foreign State may sue in our Courts, provided that it has been recognized by the Governor General in Council, and that the object of the suit is to enforce the private rights of the head or of the subjects of the Foreign State. We have also declared in the same section that the Courts shall take judicial notice of the fact that a Foreign State has not been recognized by our Government. We have barred suits (section 433) against Sovereign Princes, ruling Chiefs, ambassadors and envoys, except with the consent of Government, and declared that such consent shall not be given except in certain cases. We have exempted their persson from arrest under the Code, and we have declared that no decree shall be executed against their property unless with the permission in writing of a Secretary to Government. We have provided (section 434) for the execution in British India of the decrees of the Courts of Native States in alliance with Her Majesty.

CHAPTER XXIX.—SUITS BY AND AGAINST CORPORATIONS AND COMPANIES,

and

CHAPTER XXX.—SUITS BY AND AGAINST TRUSTEES, EXECUTORS AND ADMINISTRATORS.

We have made no change in either of the above chapters.

CHAPTER XXXI.—SUITS BY AND AGAINST MINORS AND PERSONS OF UNSOUND MIND.

We have provided (section 442) that notice of application to take off the file plaints filed by or on behalf of minors without next friends, shall be given to the person presenting the plaint. We have altered section 445 (= section 439 of Bill No. III) so as to enable married women to act as next friends. We have required (section 443) the Court in every case, on being satisfied of a defendant's minority, to appoint a guardian *ad litem*, and have consequently omitted the sections (453 and 454 of Bill No. III) as to the assignment of a guardian at the instance of the plaintiff. We have taken the opportunity of declaring (section 443), contrary to the recent decision of Pontifex, J., that a guardian *ad litem* is not a guardian of person or property within the meaning of the Indian Majority Act, 1875. We have struck out as unsuited to the Mufassal the rule requiring an order to change a minor's pleader, and the rule against not giving a day to shew cause, when a decree is made against a minor defendant, and as to making payment to the receiver of money, &c., decreed to a minor. We have omitted from section 463, the provision as to the nature of the evidence contained in the corresponding section (462) of Bill No. III. We have exempted (section 464) from several sections of this chapter minors under the jurisdiction of the Court of Wards, and minors for whose persons or property guardians or managers have been appointed by the Civil Courts under any local law.

CHAPTER XXXII.—SUITS BY AND AGAINST MILITARY MEN.

We have here provided (section 463) for the case where the soldier concerned is serving in military staff employment.

CHAPTER XXXIII.—INTERPLEADER.

We have here merely amended the drafting of two of the sections.

CHAPTER XXXIV.—OF ARREST AND ATTACHMENT BEFORE JUDGMENT.

We have expressly stated (section 477) that the suits in which plaintiffs may apply that security be taken for the defendant's appearance, are suits other than suits for the possession of immoveable property. Where the defendant is imprisoned for failing to give security, we think (section 481) that the maximum term of imprisonment should be six months.

We have provided (section 482) that subsistence allowance shall be paid into Court in the case of every arrest under this chapter.

We have provided (section 488) for removing the attachment when the suit is dismissed. Where property is attached under this chapter, and a decree is given in favour of the plaintiff, we have declared (section 490) that it shall not be necessary to re-attach the property in execution of the decree.

We have struck out the section (492 of Bill No. III) empowering the Court to stay the sale of property already under attachment, when execution of a decree fraudulently obtained is applied for. The reasons for omitting section 308 of that Bill are equally applicable to section 492.

CHAPTER XXXV.—OF TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS.

We have empowered (section 492) the Court to grant an injunction to stay a wrongful sale in execution of a decree. We have been informed that the corresponding clause of Act VIII of 1859 (section 92, first sentence,) has been held not to apply to such a case.

We have provided (section 493) that the imprisonment by which injunctions granted under this chapter may be enforced shall not exceed six months.

We have added sections (498, 499, 500) empowering the Court to order the interim sale of perishable articles: the detention, preservation, or inspection of any property forming the subject of the suit: and, for the purposes aforesaid, the entry on or into any land or building in the possession of any party to the suit, the taking of samples, making of observations and trial of experiments. They correspond with the English Order 32, rules 2, 3 and 4.

CHAPTER XXXVI.—APPOINTMENT OF RECEIVERS AND MANAGERS.

We have here expressly provided (section 503) that Receivers and Managers shall pass their accounts, pay the balance due thereon, and be responsible for loss occasioned by their wilful default or gross negligence. We think (section 505) that the powers conferred by this chapter should be exercised only by High Courts and District Courts.

CHAPTER XXXVII.—REFERENCE TO ARBITRATION.

Where an umpire is appointed, we have required (section 509) the Court to fix a reasonable time for the delivery of his award.

We have provided (section 514) for superseding the arbitration where, owing to the fault of the parties, the arbitrator cannot complete his award within the specified period.

We have provided (section 522) that decrees following judgments according to awards shall be final.

When the arbitrator is not named in an agreement to refer, and the parties cannot agree as to the nomination, we have empowered (section 523) the Court to nominate him.

CHAPTER XXXVIII.—OF PROCEEDINGS ON AGREEMENT OF PARTIES.

We have here merely added a direction (section 527) that cases stated under this chapter shall be divided into consecutively numbered paragraphs, and concisely state such facts and documents as may be necessary to enable the Court to decide the questions raised thereby.

CHAPTER XXXIX.—OF SUMMARY PROCEDURE ON NEGOTIABLE INSTRUMENTS.

This chapter corresponds with 18 & 19 Vic., c. 67 and Act V of 1866, sections 2 to 8. We have here declared (in accordance with decisions of Bramwell B. and Phear J.) that the defendant shall not be required to pay into Court the sum mentioned in the summons, unless the Court thinks his defence not to be *primâ facie* sustainable or feels reasonable doubt as to its good faith. And we have taken the opportunity of declaring (contrary to the decision of the latter Judge) that the clause corresponding with Act V of 1866, section 2, is not confined to cases in which the bill sued upon, together with mere lapse of time, is sufficient to establish a *primâ facie* right to recover.

Act V of 1866 is now in force in the Charter High Courts, the Chief Court of the Panjáb, the Rangoon Recorder's Court, and the Small Cause Court of Madras. We propose (section 538) to extend the corresponding chapter of the Code also to the Small Cause Courts of Calcutta and Bombay and to the Court of the Judge of Karáchi.

We have omitted chapter XLI of Bill No III (Bar of Appeals not expressly permitted) as unnecessary. No appeal can lie unless it is allowed by the Code or some other law for the time being in force.

CHAPTER XL.—OF APPEALS FROM ORIGINAL DECREES.

We have struck out the clause requiring appeals to the High Court to be heard by two or more Judges. It would limit the discretion expressly conferred by Act of Parliament and Royal Charter.

We have provided (section 540) that the memorandum of appeal shall be presented by the appellant or his pleader, and shall be accompanied by a copy not only of the decree, but also of the judgment on which the decree is founded.

We have struck out, as likely to work unsatisfactorily, the provisions contained in sections 548—553 of Bill No. III, which authorize the appellant merely to state generally his dissatisfaction with the decree appealed against, and to file his grounds of objection separately.

Where a memorandum of appeal is amended, we have required (section 543) the Judge to attest the amendment.

We have empowered (section 550) the appellate Court, after hearing the appellant, if he appears, to confirm the decision appealed against without sending notice of the appeal to the lower Court or serving such notice on the respondent. A similar rule exists in the Panjáb (Act IX of 1873, section 7), and has been found to work well.

We have laid down rules (section 556) as to the right to begin (*a*) where the appeal is from the whole decree, (*b*) where there are cross-appeals, and (*c*) where the appeal is from only a portion of the decree and there is no cross-appeal.

We have provided (section 560) a period of limitation for applications to re-hear, where judgment has been given *ex-parte* against the respondent.

Where a case is remanded with direction to take specified evidence, we have authorized (section 563) the Court to receive evidence tendered to contradict evidence so taken.

We have redrawn the section (575 = section 589 of Bill No. III) as to decisions of appeals heard by Benches of two or more Judges who differ. When there is no majority on the Appellate Bench which concurs in reversing or varying the decree appealed against, we think that decree should stand.

We have omitted as useless the provision as to sealing the decree in appeal.

CHAPTER XLI.—OF APPEALS FROM APPELLATE DECREES.

We have struck out the clause requiring the pleader presenting an appeal to certify that the grounds are reasonable, and forbidding him to give such certificate unless he has been authorized by the High Court. We have also omitted the clause declaring that an application for a second appeal shall be argued only by the pleader signing such certificate.

CHAPTER XLII.—OF APPEALS FROM ORDERS.

We have declared (section 588) that an appeal shall lie from orders determining whether immoveable property is or is not within the local limits, from orders striking out or adding the names of persons as plaintiffs or defendants, from orders under section 44 adding a cause of action, from orders under section 47 excluding a cause of action, from orders under section 234 as to questions relating to the execution of decrees, from orders under section 176 where a party refuses to give evidence called for by the Court, from orders rejecting applications under section 371, from orders disallowing objections under section 373, and from orders under section 518 modifying an award.

Appeals from orders in insolvency will in all cases lie (section 589) directly to the High Court.

CHAPTER XLIII.—OF PAUPER APPEALS.

Except some trifling omissions, we have made no change in this chapter.

CHAPTER XLIV.—OF APPEALS TO THE QUEEN IN COUNCIL.

We have here provided (section 610) for estimating in Indian currency sums expressed in orders of Her Majesty in Council to be payable in British currency, and we have authorized (section 613) the High Courts to make rules as to the recovery of costs incurred in British India in connection with appeals to Her Majesty in Council.

CHAPTER XLV.—OF REFERENCE TO THE HIGH COURT.

We have extended (section 617) this chapter to questions arising before or in the hearing of a suit and in the execution of a decree. We have struck out the clause providing that references shall be heard by not less than two Judges of the High Court. We have provided (section 621) that when a case is referred, the High Court may alter, cancel or set aside any decree which the Court making the reference may have passed in the suit. We have omitted as useless the section requiring the High Court to fix an early day for hearing references. Our other changes here are merely verbal.

CHAPTER XLVI.—OF REVIEW OF JUDGMENT.

We think (section 622) that powers similar to those given by this chapter to High Courts may usefully be given to District Courts as to cases decided by subordinate Courts, including Courts of Small Causes.

We have struck out the clause empowering an appellant to abandon his appeal and apply for a review. We have extended the clause (624) forbidding (except in certain cases) applications for review of judgments to be made to Judges other than those who delivered them, to cases in which a clerical error has been discovered on the face of the decree. Where the business of the Court whose judgment is sought to be reviewed has been transferred to another Court, we have authorized (section 626) the application to be made to the latter Court. But we think (section 624) that except on the discovery of some new and important matter or evidence or of some clerical error apparent on the face of the decree, no application for the review of a judgment should be made to any Judge other than the Judge who delivered it. Where a review is granted, we have required (section 626) the Judge to record with his own hand his reasons for so doing.

We have omitted the clauses forbidding subordinate Courts to grant reviews without permission of the higher Court.

We think (section 629) that the order granting a review or rejecting an application for a review should be final except where the review has been granted without jurisdiction. Where the application has been rejected in consequence of the failure of the parties to appear, we have provided for restoring in proper cases the application to the file. We have also expressly forbidden the Courts to entertain applications to review orders passed on review or on applications for review.

CHAPTER XLVII.—SPECIAL RULES RELATING TO THE HIGH COURTS.

We have here omitted the following sections of Bill No. III for the reasons respectively appended thereto—

665 (as to the extraordinary original jurisdiction of the High Court): provided for by the Charters,

666 (power to High Court to provide for the exercise of its jurisdiction): ditto,

668 (decision when Judges differ): provided for in the prior part of the Bill,

670 (declaring that acts required to be done by a pleader may be done by an attorney): ditto,

672, 673 (power to refer matters for investigation in chambers): provided for by the Charters,

37, 674 (signature of the Registrar): provided for by the former part of the Bill,

675 (language): unnecessary,

676 (assessors): ditto,

677 (interlocutory orders): ditto,

678 (appearance of vakíls on the original side): can be provided for under the Charters,

681 (obtaining summonses from Registrar): unnecessary,

684 (procedure in testamentary and intestate cases): provided for by rule.

We have empowered the High Court to declare by rule what shall be deemed to be "acts not of a judicial nature," which may be done by the Registrar.

We have declared (section 640) that the following portions of the Code shall not apply to the High Court in the exercise of its ordinary and extraordinary original civil jurisdictions, *viz.*:—

37, recognized agents;

54, clause (*a*), rejection of plaint where relief sought is under-valued;

160, payment into Court of expenses of witnesses;

206, contents of decree;

263, decree for execution of conveyances or endorsement of negotiable instruments.

We have expressly empowered (section 641) the High Court to prescribe forms for its own use.

CHAPTER XLVIII.—MISCELLANEOUS.

We have struck out as now unnecessary the clause (section 686 of Bill No. III) declaring that where the highest Civil Court of appeal consists of a single Judge, he shall have the powers which were (but are not now) vested by this Code in two or more Judges.

We have amended (section 643) the rules as to the names of persons exempt from appearance in Court. We have omitted the following sections of Bill No. III—

687, 688, as to assessors (obsolete and useless),

697, as to verifying false plaints (provided for by the Penal Code),

705, as to ministerial officers (can be provided for executively),

708, as to deposits in lieu of bail (useless).

We have also struck out the clause empowering the Government of India to invest a Chief Commissioner with the powers of a Local Government under the Code. This matter is sufficiently provided for by Act XXXII of 1867.

We have redrawn the section (644) relating to exemption from arrest. It now provides that no judicial officer shall be liable to arrest under the Code while going to, presiding in, or returning from, his Court, and that the parties to a suit and their pleaders, recognized agents and witnesses shall be similarly exempt while going to or attending a Civil Court for the purpose of such suit, and while returning from such Court.

We have struck out the section (698 of Bill No. III) as to certain offences in Court not relating to documents. The matter seems sufficiently provided for by the Code of Criminal Procedure.

We have introduced a section (648 = Act XI of 1865, section 42) enabling registrars of Mufassal Courts of Small Causes to state cases for the opinion of the Judge.

We have provided (section 650) for attaching property situate outside the local limits of the jurisdiction of the Court making the order of attachment.

We have provided (section 653) a punishment for escape from civil custody.

We have empowered (section 654) the High Court to make rules to regulate any matter connected with the procedure of the Courts of Civil Judicature.

SCHEDULE I.—REPEALS.

We have added to this schedule the Lords Day Act (29 Car. II, c. 7): sections 8, 9, 10, 11, the second clause of section 19, sections 22 to 28 (inclusive), 42, and part of 32 of the Mufassal Small Cause Courts Act XI of 1865, parts of Acts XIV and XIX of 1865, and the unrepealed part of Act XXIV of 1866, the whole of Act X of 1867, and so much of sections 15 and 16 of Act XV of 1869 as relates to process issued by a Civil Court. We have also added Act IX of 1873, sections 7, 9 and 10, and Madras Regulation XIV of 1816, section 27.

SCHEDULE II.—SECTIONS EXTENDING TO MUFASSAL COURTS OF SMALL CAUSES.

We have made a few changes in this schedule, the most important of which is the addition of the chapters on interpleader and on reference to the High Court.

SCHEDULE IV.—FORMS.

We have added a few forms—concise statements of claim: statements of defence: temporary injunctions; and we have amended some of the forms of decrees.

We have also made numerous small changes in the wording and arrangement of the Bill, and we think that it has been so altered that it should be republished with this report in the *Gazette of India* and the local Gazettes, and that its further consideration should be stayed till the Council re-assembles in Calcutta.

We desire, in conclusion, to express our acknowledgments of the learning, acuteness and industry evinced by many of the communications respecting the Bill. We would in particular mention those by Mr. Pitt Kennedy the Standing Counsel, Mr. Belchambers the Registrar of the High Court at Fort William, Mr. Plowden the Government Advocate, Panjáb, Mr. Nelson of the Madras Civil Service, Messrs. Field, Maclean, Crosthwaite, and J. W. Smyth, all of the Bengal Civil Service, and Hukm Chand, Extra Assistant Commissioner, Montgomery.

A. HOBHOUSE.
E. C. BAYLEY.
J. INGLIS.
F. R. COCKERELL.
T. C. HOPE.

SIMLA;
The 13th September 1876.

No. IV.

THE CODE OF CIVIL PROCEDURE.

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A Bill to consolidate and amend the Laws relating to the Procedure of the Courts of Civil Judicature.

Preamble. Whereas it is expedient to consolidate and amend the laws relating to the procedure of the Courts of Civil Judicature; It is hereby enacted as follows:—

PRELIMINARY.

Short title. Commencement. 1. This Act may be cited as "The Code of Civil Procedure:" and it shall come into force on the day of 1876.

Local extent. This section and section 3 extend to the whole of British India. The other sections extend to the whole of British India except the Scheduled Districts as defined in Act No. XIV of 1874.

Interpretation-clause. 2. In this Act, unless there be something repugnant in the subject or context—

"chapter." "chapter" means a chapter of this Code:

"district." "District Court." "district" means the local limits of the jurisdiction of a principal civil Court of original jurisdiction, (hereinafter called a 'District Court') and includes the local limits of the ordinary original civil jurisdiction of a High Court: every Court of a grade inferior to that of a District Court and every Court of Small Causes shall, for the purposes of this Code, be deemed to be subordinate to the High Court and the District Court.

"jail." "jail" means the civil jail of the district, or any place appointed by the Local Government for the confinement of persons under civil process:

"pleader." "pleader" means every person entitled to appear and plead for another in Court, and includes an Advocate, a vakil and an attorney of a High Court:

"Collector." "Collector" means every officer performing the duties of a Collector of land-revenue:

"the cause of action." "a part of the cause of action." "the cause of action" means the whole of the circumstances which a plaintiff must allege in order to shew a right to sue, and "a part of the cause of action" means some one of those circumstances:

"judgment." "judgment" means the statement given by the Judge as the grounds of the order or decision by which a suit or appeal is determined:

"decree." "decree" means the formal order of the Court in which the result of the decision of the suit or appeal is embodied. An order on appeal, remanding a suit for re-trial, is not within this definition:

"Judge." "Judge" means the presiding officer of a Court:

"judgment-debtor." "judgment-debtor" means any person against whom a decree or order has been made:

"decree-holder." "decree-holder" means any person in whose favour a decree has been made, and includes any person to whom such decree is transferred:

"affidavit." "affidavit" means a declaration in writing sanctioned by the oath of the declarant administered by a Court or person duly authorized for that purpose:

"written." "written" includes printed and lithographed, and "writing" includes print and lithography:

"foreign Court." "foreign court" means a court situate beyond the limits of British India and not having authority in British India nor established by the Governor General in Council:

"foreign judgment." "foreign judgment" means the judgment of a foreign Court:

"public officer" defined. "public officer" means a person falling under any of the following descriptions, (namely)—

Every Judge;

Every covenanted servant of Her Majesty;

Every commissioned officer in the military or naval forces of Her Majesty while serving under Government;

Every officer of a Court of Justice whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate, or keep any document, or to take charge or dispose of any property, or to execute any judicial process, or to administer any oath, or to interpret, or to preserve order in the Court, and every person specially authorized by a Court of Justice to perform any of such duties;

Every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;

Every officer of Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or convenience;

Every officer whose duty it is, as such officer, to take, receive, keep, or expend any property on behalf of Government, or to make any survey, assessment, or contract on behalf of Government, or to execute any revenue process, or to investigate, or to report on any matter affecting the pecuniary interests of Government, or to make, authenticate, or keep any document relating to the pecuniary interests of Government, or to prevent the infraction of any law for the protection of the pecuniary interests of Government, and

every officer in the service or pay of Government, or remunerated by fees or commission for the performance of any public duty.

"Government." And in any part of British India in which this Code operates, "Government" includes the Government of India as well as the Local Government.

Enactments repealed. **3.** The enactments specified in the first schedule hereto annexed are hereby repealed to the extent mentioned in the third column of the same schedule.

Refereaces in previous Acts. But when in any Act, Regulation or Notification passed or issued prior to the day on which this Code comes into force, reference is made to Act VIII of 1859, Act XXIII of 1861, or the 'Code of Civil Procedure,' or to any other Act hereby repealed, such reference shall, so far as may be practicable, be read as applying to this Code or the corresponding part thereof;

Saving of certain Acts affecting Oudh, Panjáb, Central Provinces and Burma. **4.** Save as provided in section 3, nothing herein contained shall be deemed to affect the following enactments (namely)—

The Central Provinces Courts Act, 1865:
The Panjáb Courts Act, 1865:
Act No. XXVII of 1867:
The Oudh Civil Courts Act, 1871:
The Panjáb Appeals Act, 1873:
The Burma Courts Act, 1875:

or any local law prescribing a special procedure for suits between landlord and tenant.

Sections extending to Mufassal Small Cause Courts. **5.** The chapters and sections specified in the second schedule hereto annexed, extend (so far as they are applicable) to Courts of Small Causes constituted under Act No. XI of 1865. The other chapters and sections do not extend to such Courts. But nothing herein contained shall be deemed to enlarge the powers which such Courts now possess for the purposes of effecting attachments or executing decrees.

Saving of jurisdiction and procedure— **6.** Nothing in this Code affects the jurisdiction or procedure—

(a) of Military Courts of Request; (*a*) of Military Courts of Request;

(b) of a single officer duly appointed in the Presidency of Bombay to try small suits in military bázárs at Cantonments and Stations occupied by the troops of that Presidency; or

(b) of officers appointed to try small suits in Bombay;

(c) of Village Munsifs or Village Panchávats under the provisions of the Madras Code.

(c) of Village Munsifs and Village Panchávats in Madras.

7. With respect to—

Saving of certain Bombay laws. (*a*) the jurisdiction exercised by certain jágírdárs and other authorities invested with powers under the provisions of Bombay Regulation XIII of 1830 and Act XV of 1840 in the cases therein mentioned; and

(*b*) cases of the nature defined in the enactments specified in the third schedule hereto annexed,

the procedure in such cases and in the appeals to the civil Courts allowed therein, shall beaccording to the rules laid down in this Code, except where these rules are inconsistent with any specific provisions contained in the enactments mentioned or referred to in this section.

Code not to apply to Presidency Small Cause Courts, till specially extended. **8.** Save as provided in sections 25, 86, 225 and Chapter XXXIX, this Code shall not extend to any suit or proceeding in any Court of Small Causes established in the towns of Calcutta, Madras and Bombay.

But the Local Government may, by notification published in the official Gazette, extend to any such Court this Code or any part thereof, except so far as relates to appeals and reviews of judgment.

Division of Code. **9.** This Code is divided into ten Parts as follows:—

The first Part:	Suits in General.
The second Part:	Incidental Proceedings.
The third Part:	Suits in Particular Cases.
The fourth Part:	Provisional Remedies.
The fifth Part:	Special Proceedings.
The sixth Part:	Appeals.
The seventh Part:	References to the High Court.
The eighth Part:	Review of Judgment.
The ninth Part:	Special Rules relating to the High Court.
The tenth Part:	Certain Miscellaneous Matters.

PART I.

OF SUITS IN GENERAL.

CHAPTER I.

OF THE JURISDICTION OF THE COURTS AND RES JUDICATA.

No person exempt from jurisdiction by reason of descent or place of birth. **10.** No person shall, by reason of his descent or place of birth, be in any civil proceeding exempted from the jurisdiction of any of the Courts.

Courts to try all civil suits unless specially barred. **11.** The Courts shall (subject to the provisions herein contained) have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is barred by any enactment for the time being in force.

Pending suits. **12.** Except where a suit has been stayed under section 19, the Court shall not try any suit in which the matter in issue is also substantially in issue in a previously instituted suit between the same parties, or between parties under whom they or any of them claim, pending in the same or any other Court, whether superior or inferior, in British India, or in any Court beyond the limits of British India established by the Governor General in Council, or before Her Majesty in Council.

Explanation.—The pendency of a suit in a foreign Court does not preclude the Courts in

British India from trying a suit founded on the same cause of action.

Res judicata. **13.** No Court shall take cognizance of any suit, nor shall it try any issue, in which the matter substantially in issue has been heard and finally decided by a Court of competent jurisdiction, in a former suit between the same parties, or between parties under whom they or any of them claim, litigating under the same title.

Explanation I.—The matter above referred to must in the former suit have been alleged by one party and either denied or confessed, expressly or impliedly, by the other.

Explanation II.—Any matter which might and ought to have been made ground of defence in a former suit brought by the defendant against the plaintiff, shall be deemed to have been a matter substantially in issue in such suit.

Explanation III.—Where a foreign judgment is relied on, the production of the judgment duly authenticated is presumptive evidence that the Court which made it had competent jurisdiction, unless the contrary appear on the record; but such presumption may be removed by proving the want of jurisdiction.

No foreign judgment shall operate as a bar to a suit in British India—

(*a*) if it has not been given on the merits of the case:

(*b*) if it appears on the face of the proceedings to be founded on an incorrect view of international law or of any law in force in British India:

(*c*) if it is in the opinion of the Court before which it is produced contrary to natural justice:

(*d*) if it has been obtained by fraud:

(*e*) if it sustains a claim founded on a breach of any law in force in British India.

Explanation IV.—A decision is final within the meaning of this section when it is such as the Court making it could not alter (except on review) on the application of either party or reconsider of its own motion. A decision liable to appeal may be final within the meaning of this section until the appeal is made.

CHAPTER II.

OF THE PLACE OF SUING.

Court in which suit to be instituted. **14.** Every suit shall be instituted in the Court of the lowest grade competent to try it.

Suits to be instituted where subject-matter situate. **15.** Subject to the pecuniary or other limitations prescribed by any law, suits

(*a*) for the recovery of immoveable property,

(*b*) for the partition of immoveable property,

(*c*) for the foreclosure or redemption of a mortgage of immoveable property,

(*d*) for the determination of any other right to or interest to or in immoveable property,

(*e*) for compensation for wrong to immoveable property,

(*f*) for the recovery of moveable property distrained or attached,

shall be instituted in the Court within the local limits of whose jurisdiction the property is situate:

Provided that suits to obtain relief respecting immoveable property held by or on behalf of the defendant may, when the relief sought can be entirely obtained through his personal obedience, be instituted either in the Court within the local limits of whose jurisdiction the property is situate, or in the Court within the local limits of whose jurisdiction he actually or voluntarily resides, or carries on business, or personally works for gain.

Explanation.—In this section 'property' means property situate in British India.

Suits to be instituted where defendants reside or cause of action arose. **16.** Subject to the limitations aforesaid, all other suits shall be instituted in a Court within the local limits of whose jurisdiction—

(*a*) all the defendants, at the time of the commencement of the suit, actually and voluntarily reside, or carry on business, or personally work for gain; or

(*b*) any of the defendants, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works for gain: provided that either the leave of the Court is given, or the defendants who do not reside, or carry on business, or personally work for gain as aforesaid acquiesce in such institution; or

(*c*) the cause of action arises; or

(*d*) a part of the cause of action arises.

Explanation I.—Where a person has a permanent dwelling at one place and also a lodging at another place for a temporary purpose only, he shall be deemed to reside at both places in respect of any cause of action arising at the place where he has such temporary lodging.

Explanation II.—A Corporation or Company shall be deemed to carry on business at its sole or principal office in British India or, in respect of any cause of action arising at any place where it has also a subordinate office, at such place.

Illustrations.

(*a.*) A is a tradesman in Calcutta. B carries on business in Dehli. B, by his agent in Calcutta, buys goods of A, and requests A to deliver them to the East Indian Railway Company. A delivers the goods accordingly in Calcutta. A may sue B for the price of the goods either in Calcutta, where the cause of action has arisen, or in Dehli, where B carries on business

(*b.*) A, resides at Simla, B at Calcutta, and C at Dehli A, B and C being together at Benares, B and C make a joint promissory note payable on demand, and deliver it to A. A may sue B and C at Beneras, where the cause of action arose. He may also sue them at Calcutta, where B resides, or at Delhi, where C resides; but in each of these cases, if the non-resident defendant objects, the suit cannot be maintained without the leave of the Court.

(*c.*) A draws in Simla, a bill on B, who accepts the bill in Calcutta, and returns it by post to A. The bill does not mention any place of payment. It is presented to B in Calcutta, and he fails to pay. One part of the cause of action has arisen at Simla and others at Calcutta. The suit may therefore be brought either in Simla or in Calcutta.

(*d.*) A signs a contract in Calcutta for the delivery of rice to B at Dehli, and delivers it accordingly. B does not pay the price, and A sues him for it. One part of the cause of action has arisen in Calcutta and another in Dehli. The suit may therefore be brought either in Calcutta or in Dehli.

(*e.*) A, lets a house in Howrah to B, at a monthly rent payable in Howrah. A dies intestate. C obtains in Calcutta, a grant of letters of administration to A's estate. B allows the rent to fall into arrear. One part of the cause of action has arisen in Calcutta and another in Howrah, and C may therefore sue B for the arrears either in Calcutta or in Howrah.

17. In suits for compensation for wrong done to person or moveable property, if the wrong was done within the local limits of the jurisdiction of one Court and the defendant resides, or carries on business, or personally works for gain within the local limits of the jurisdiction of another Court, the plaintiff may at his option sue in either of the said Courts.

Forum in suits for compensation for wrongs.

Illustrations.

(*a.*) A, residing in Dehli, beats B in Calcutta. B may sue A either in Calcutta or in Dehli.

(*b.*) A, residing in Dehli, publishes in Calcutta statements defamatory of B. B may sue A either in Calcutta or in Dehli.

(*c.*) A, travelling on the line of a Railway Company whose principal office is at Howrah, is upset and injured at Allahabad by negligence imputable to the Company. He may sue the Company either at Howrah or at Allahabad.

18. If the suit be for immoveable property situate within the limits of a single district, but within the jurisdiction of different Courts, the suit may be instituted in the Court within whose jurisdiction any portion of the property is situate; provided that, in respect of the value of the subject-matter of the suit, the entire claim be cognizable by such Court.

Suits for immoveable property situate in single districts, but within jurisdictions of different Courts.

If the immoveable property be situate within the limits of different districts, the suit may be instituted in any Court, otherwise competent to try it, within whose jurisdiction any portion of the property is situate.

Suits for immoveable property situate in different districts.

19. If a suit which may be instituted in more than one Court is instituted in a Court within the local limits of whose jurisdiction only part of the cause of action arose, and where the defendant or all the defendants does not or do not actually and voluntarily reside, or carry on business, or personally work for gain, the defendant or any defendant may, after giving notice in writing to the other parties of his intention to apply to the Court to stay proceedings, apply to the Court accordingly;

Power to stay proceedings where the whole cause of action did not arise and all defendants do not reside within jurisdiction.

and if the Court, after hearing such of the parties as desire to be heard, is satisfied that justice is more likely to be done by the suit being instituted in some other Court, it may stay proceedings either finally or till further order, and make such order as it thinks fit as to the costs already incurred by the parties or any of them.

In such case, if the plaintiff so requires, the Court shall return the plaint with an endorsement thereon of the order staying proceedings.

Every such application shall be made at the earliest possible opportunity, and in all cases before the issues are settled; and any defendant not so applying shall be deemed to have acquiesced in the institution of the suit.

Application when to be made.

20. Where the Court, under section 19, stays proceedings, and the plaintiff re-institutes his suit in another Court, the plaint shall not be chargeable with any court-fee: provided that the proper fee has been levied on the institution of the suit in the former Court, and that the plaint has been returned by such Court.

Remission of Court-fee where suit instituted in another Court.

The interval between the institution of the suit and the date of so staying proceedings and the time requisite for proceeding from the Court in which proceedings are stayed to the Court in which the suit is re-instituted shall be excluded in computing the period of limitation prescribed for such suit.

Computation of period of limitation for such suits.

21. Where a suit may be instituted in more Courts than one, and such Courts are subordinate to the same appellate Court, any defendant, after giving notice in writing to the other parties of his intention to apply to such Court to transfer the suit to another Court, may apply accordingly; and the appellate Court, after hearing the other parties if they desire to be heard, shall determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where Courts in which suit may be instituted are subordinate to the same appellate Court.

22. Where such Courts are subordinate to different appellate Courts, but are subordinate to the same High Court, any defendant, after giving notice in writing to the other parties of his intention to apply to the High Court to transfer the suit to another Court having jurisdiction, may apply accordingly. If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate. The High Court may, after considering the objections, if any, of the other parties, determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where they are not so subordinate.

23. Where such Courts are subordinate to different High Courts, any defendant may, after giving notice in writing to the other parties of his intention to apply to the High Court within whose jurisdiction the Court in which the suit is brought is situate, apply accordingly.

Procedure where they are subordinate to different High Courts.

If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate,

and such High Court shall, after considering the objections, if any, of the other parties, determine in which of the several Courts having jurisdiction the suit shall proceed.

24. If, in a suit for immoveable property, the defendant object to the hearing of the suit on the ground that no part of the property is situate within the local limits of the jurisdiction of the Court in which the suit is instituted, or to which it has been transferred, the Court may by order determine the point;

Suit for immoveable property alleged to be within another local jurisdiction.

and if the Court find that the property or any part thereof is situate within such limits, it shall proceed to try the suit.

25. The High Court or the District Court may, either of its own motion or on the application of any of the parties, after giving notice to the parties and hearing such of them as desire to be heard, withdraw any suit instituted in any Court subordinate to such High Court or District Court, as the case may be, and try the suit itself, or transfer it for trial to any other such subordinate Court competent to try the same in respect of its nature and the amount or value of its subject-matter.

Transfer of suits.

For the purposes of this section the Courts of Additional and Assistant Judges shall be deemed to be subordinate to the District Court.

The Court trying any suit withdrawn under this section from a Court of Small Causes shall, for the purposes of such suit, be deemed to be a Court of Small Causes.

CHAPTER III.

OF PARTIES AND THEIR APPEARANCES, APPLICATIONS AND ACTS.

26. All persons may be joined as plaintiffs in whom the right to any relief claimed is alleged to exist, whether jointly, severally, or in the alternative, in respect of the same cause of action. And judgment may be given for such one or more of the plaintiffs as may be found to be entitled to relief, for such relief as he or they may be entitled to, without any amendment. But the defendant, though unsuccessful, shall be entitled to his costs occasioned by so joining any person who is not found entitled to relief, unless the Court in disposing of the costs of the suit otherwise directs.

Persons who may be joined as plaintiffs.

27. Where a suit has been instituted in the name of the wrong person as plaintiff, or where it is doubtful whether it has been instituted in the name of the right plaintiff, the Court may, if satisfied that the suit has been so commenced through a *bonâ fide* mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person or persons to be substituted or added as plaintiff or plaintiffs upon such terms as may seem just.

Court may substitute or add plaintiff for or to plaintiff suing.

28. All persons may be joined as defendants against whom the right to any relief is alleged to exist, whether jointly, severally or in the alternative, in respect of the same cause of action. And judgment may be given against such one or more of the defendants as may be found to be liable, according to their respective liabilities, without any amendment.

Persons who may be joined as defendants.

29. The plaintiff may, at his option, join as parties to the same suit all or any of the persons severally, or jointly and severally, liable on any one contract, including parties to bills of exchange, hundís and promissory notes.

Joinder of parties liable on same contract.

30. Where there are numerous parties having the same interest in one suit, one or more of such parties may sue or be sued, or may be authorized by the Court to defend in such suit, on behalf or for the benefit of all parties so interested.

One party may sue or defend on behalf of all in same interest.

31. No suit shall be defeated by reason of the misjoinder of parties, and the Court may in every suit deal with the matter in controversy so far as regards the rights and interests of the parties actually before it.

[illegible] by reason of misjoinder.

32. The Court may, at any time before the issues are settled, either upon or without the application of either party, and on such terms as may appear to the Court to be just, order that the name of any party whether as plaintiff or as defendant, improperly joined, be struck out; and that the name of any party whether plaintiff or defendant, who ought to have been joined, or whose presence before the Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and settle all the questions involved in the suit, be added.

Court may dismiss or add parties.

No person shall be added as a plaintiff, or as the next friend of a plaintiff, without his own consent thereto.

No one to be added as plaintiff or as next friend without his consent.

All parties whose names are so added as defendants shall be served with a summons in manner hereinafter mentioned, and the proceedings as against them shall be deemed to have begun only on the service of such summons.

Defendants added to be served.

33. Where a defendant is added, the plaint, if previously filed, shall, unless the Court direct otherwise, be amended in such manner as may be necessary, and an amended copy of the summons shall be served on the new defendant and the original defendants.

Where defendant added, plaintiff to amend.

34. All objections for want of parties, or for misjoinder of parties who have no interest in the suit, or for misjoinder as co-plaintiffs or co-defendants, shall be taken at the earliest possible opportunity, and in all cases before the issues are settled; and any such objection not taken before the issues are settled shall be deemed to have been waived by the defendant.

Time for taking objections as to non-joinder or misjoinder of parties.

35. When there are more plaintiffs than one, any one or more of them may be authorized by any other of them to appear, plead, or act for such other in any proceeding under this Code: and in like manner when there are more defendants than one, any one or more of them may be authorized by any other of them to appear, plead or act for such other in any such proceeding.

Each of several plaintiffs or defendants may authorize any other to appear, &c., for him.

The authority shall be in writing, signed by the party giving it, and shall be filed in Court.

Authority to be in writing signed and filed.

Recognized Agents and Pleaders.

36. Any appearance, application or act in or to any Court, required or authorized by law to be made or done by a party to a suit in such Court, may, except when otherwise expressly provided by this Code, be made or done by the party in person, or by his recognized agent, or by a pleader duly appointed to act on his behalf:

Appearances &c., may be in person, by recognized agent or by pleader.

Provided that any such appearance shall be made by the party in person if the Court so direct.

37. The recognized agents of parties by whom such appearances, applications and acts may be made or done are—

Recognized agents.

(*a*). persons holding general powers-of-attorney from parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, authorizing them to make and do such appearances, applications and acts on behalf of such parties.

Persons holding powers-of-attorney from parties out of jurisdiction.

(*b*). mukhtárs certificated under any law for the time being in force, and holding special powers of attorney authorising them to do, on behalf of their principals, such acts as may legally be done by mukhtárs.

Certificated mukhtárs.

(*c*). persons carrying on trade or business for and in the names of parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, in matters connected with such trade or business only, where no other agent is expressly authorized to make and do such appearances, applications and acts.

Persons carrying on trade or business for parties out of jurisdiction.

Nothing in the former part of this section applies to the territories now administered respectively by the Lieutenant-Governor of the Panjáb, and the Chief Commissioners of Oudh and the Central Provinces; but in those territories the recognized agents of parties by whom such appearances, applications and acts may be made and done shall be such persons as the Local Government may from time to time, by notification in the official Gazette, declare in this behalf.

Recognized agents in Panjáb, Oudh and Central Provinces.

38. Processes served on the recognized agent of a party to a suit shall be as effectual as if the same had been served on the party in person, unless the Court otherwise directs.

Service of process on recognized agent.

The provisions of this Code for the service of process on a party to a suit shall apply to the service of process on his recognized agent.

39. The appointment of a pleader to make or do any appearance, application or act as aforesaid shall be in writing under the hand of his client and shall be filed in Court.

Appointment of pleader.

When so filed, it shall be considered to be in force until revoked with the permission of the Court, by a writing signed by the client and filed in Court, or until the client or the pleader dies, or the decree or final order is drawn up.

No advocate of any High Court established by Royal Charter shall be required to file or present any document empowering him to act.

40. Processes served on the pleader of any party or left at the office or ordinary residence of such pleader, relative to a suit, and whether the same be for the personal appearance of the party or not, shall be presumed to be duly communicated and made known to the party whom the pleader represents; and, unless the Court otherwise directs, shall be as effectual for all purposes in relation to the suit as if the same had been given to or served on the party in person.

Service of process on pleader.

41. Besides the recognized agents described in section 37, any person residing within the jurisdiction of the Court may be appointed an agent to accept service of process.

Agent to receive process.

Such appointment may be special or general, and shall be made by an instrument in writing signed by the principal, and such instrument, or, if the appointment be general, a duly attested copy thereof, shall be filed in Court.

His appointment to be in writing and to be filed in Court.

CHAPTER IV.

OF THE FRAME OF THE SUIT.

42. Every suit shall, as far as practicable, be so framed as to afford ground for a final decision upon the subjects in dispute, and so to prevent further litigation concerning them.

Suit how to be framed.

43. Every suit shall include the whole of the claim arising out of the cause of action; but a plaintiff may relinquish any portion of his claim in order to bring the suit within the jurisdiction of any Court.

Suit to include the whole claim.

If a plaintiff omit to sue for, or intentionally relinquish, any portion of his claim, a suit for the portion so omitted or relinquished shall not afterwards be entertained.

Relinquishment of part of claim.

44. *rule a.*—No cause of action shall, unless by order of the Court, be joined with a suit for the recovery of land, except claims in respect of mesne profits or arrears of rent in respect of the premises claimed, and damages for breach of any contract under which the same or any part thereof are or is held.

Only certain claims to be joined with suit for recovery of land.

rule b.—Claims by or against husband and wife may be joined with claims by or against either of them separately.

Claims by or against husband and wife.

rule c.—Claims by or against an executor or administrator as such, may be joined with claims by or against him personally, provided the last mentioned claims are alleged to arise with reference to the estate in respect of which the plaintiff or defendant sues or is sued as executor or administrator.

Claims by or against executor.

rule d.—Rules *b* and *c* shall be subject to the provisions of sections 45, 46 and 47.

45. The plaintiff may unite in the same suit several causes of action, and any plaintiffs having causes of action against the same defendant or defendants may unite such causes of action in the same suit.

Plaintiff may join several causes of action.

But if it appear to the Court that any such causes of action cannot be conveniently tried or disposed of together, the Court may, at any time before the issues are settled, of its own motion or on the application of the defendant, order separate trials of any such causes of action

Court may order separation.

to be had, or may make such other order as may be necessary or expedient for the separate disposal thereof.

When causes of action are so united, the jurisdiction of the Court to hear the suit shall depend on the amount or value of the aggregate subject-matters.

46. Any defendant alleging that the plaintiff has united in the same suit several causes of action which cannot be conveniently disposed of in one suit, may at any time before the issues are settled apply to the Court for an order confining the suit to such of the causes of action as may be conveniently disposed of in one proceeding.

Defendant may apply to confine suit.

47. If, on the hearing of such application, it appears to the Court that the causes of action are such as cannot all be conveniently disposed of in one suit, the Court may order any of such causes of action to be excluded, and may direct the plaint to be amended accordingly, and may make such order as to costs as may be just.

Court on hearing application may exclude some causes an order amendment.

Every amendment made under this section shall be attested by the signature of the Judge.

CHAPTER V.

OF THE INSTITUTION OF SUITS.

48. Every suit shall be instituted by presenting a plaint to the Court or such officer as it appoints in this behalf.

Suits to be commenced by plaint.

49. The plaint must be distinctly written in the language of the Court: provided that if such language is not English, the plaint may (with the permission of the Court and the consent of the defendant) be written in English.

Language of plaint.

50. The plaint must contain the following particulars:—

Particulars to be contained in plaint.

(*a*) the name of the Court in which the suit is brought;

(*b*) the name, description and place of abode of the plaintiff;

(*c*) the name, description and place of abode of the defendant, so far as they can be ascertained;

(*d*) a plain and concise statement of the circumstances constituting the cause of action, and where and when it arose;

(*e*) a demand of the relief which the plaintiff claims; and

(*f*) if the plaintiff has allowed a set-off or relinquished a portion of his claim, the amount so allowed or relinquished.

If the plaintiff seek the recovery of money, the plaint must state the precise amount, so far as the case admits.

In money-suits.

Illustration.

A sues for mesne profits:

A sues for the amount which will be found due to him on taking unsettled accounts between him and B.

In each of these cases the plaint need only state approximately the amount sued for.

When the plaintiff sues in a representative character, the plaint should shew, not only that he has an actual existing interest in the subject-matter, but that he has taken the steps necessary to enable him to institute a suit concerning it.

Where plaintiff sues as a representative.

Illustrations.

(*a*.) A sues as B's executor. The plaint must state that A has proved B's will.

(*b*.) A sues as C's administrator. The plaint must state that A has taken out administration to C's estate.

(*c*.) A sues as guardian of D, a Muhammadan minor. A is not D's guardian according to Muhammadan law and usage. The plaint must state that A has been specially appointed D's guardian.

The plaint must shew that the defendant is or claims to be interested in the subject-matter, and that he is liable to be called upon to answer the plaintiff's demand.

Defendant's interest and liability to be shewn.

Illustration.

A dies leaving B his executor, C his legatee, and D a debtor to A's estate. C sues D to compel him to pay his debt in satisfaction of C's legacy. The plaint must shew that B has causelessly refused to sue D, or that B and D have colluded for the purpose of defrauding C, or other such circumstances rendering D liable to C.

If the cause of action arose beyond the period ordinarily allowed by any law for instituting the suit, the plaint must shew the ground upon which exemption from such law is claimed.

Grounds of exemption from limitation-law.

51. The plaint shall be subscribed by the plaintiff and his pleader (if any), and shall be verified at the foot by the plaintiff or, with the permission of the Court, by some person acquainted with the facts of the case.

Plaint to be subscribed and verified.

52. The verification must be to the effect that the same is true to the knowledge of the person making it, except as to matters stated on information and belief, and that as to those matters he believes it to be true.

Contents of verification.

When the plaint is verified by any person other than the plaintiff, such person shall set forth his knowledge or the grounds of his belief on the subject, and the reason why the verification was not made by the plaintiff.

The verification shall be signed by the person making it in the presence of a witness, who shall also sign it.

Verification to be signed and attested.

The Court may in any case examine such witness as to the fact of the signature, and shall so examine him when the person making the verification does not appear.

53. The plaint may, at the discretion of the Court, and at any time before the issues are settled, be rejected, returned for amendment within a time to be fixed by the Court, or amended then and there, upon such terms as to the payment of costs occasioned by the amendment as the Court thinks fit,

When the plaint may be rejected, returned for amendment, or amended.

(*a*) if it do not state correctly and without prolixity the several particulars hereinbefore required to be specified therein; or

(*b*) if it contain any particulars other than those so required; or

(*c*) if it be not subscribed and verified as hereinbefore required; or

(*d*) if it do not disclose a cause of action; or

(*e*) if it is not framed in accordance with section 42.

Proviso. Provided that a plaint cannot be altered so as to convert a suit of one character into a suit of another and inconsistent character.

Attestation of amendment. When a plaint is amended, the amendment shall be attested by the signature of the Judge.

When the plaint shall be rejected. **54.** The plaint shall be rejected in the following cases:—

(*a.*) If the relief sought is undervalued, and the plaintiff, on being required by the Court to correct the valuation within a time to be fixed by the Court, fails to do so:

(*b.*) If the relief sought is properly valued, but the plaint is written upon paper insufficiently stamped, and the plaintiff, on being required by the Court to supply the requisite stamp-paper within a time to be fixed by the Court, fails to do so:

(*c.*) If, in the case mentioned in section 381, the plaintiff fail to furnish security for the payment of the costs that may be incurred by the defendant:

(*d.*) If the suit appear from the statement in the plaint to be barred by any positive rule of law.

Procedure on rejecting a plaint. **55.** When a plaint is rejected, the Judge shall record with his own hand an order to that effect with the reason for such order.

When rejection of plaint does not preclude presentation of fresh plaint. **56.** The rejection of the plaint on any of the grounds hereinbefore mentioned shall not of its own force preclude the plaintiff from presenting a fresh plaint in respect of the same cause of action.

When the plaint shall be returned to be presented to the proper Court. **57.** The plaint shall be returned to be presented to the proper Court in the following cases:—

(*a.*) If a suit has been instituted in a Court whose grade is lower or higher than that of the Court competent to try it, where such Court exists, or where no option as to the selection of the Court is allowed by law:

(*b.*) If, in a suit relating to immoveable property, but not coming under the proviso to section 15, it appear that no part of such property is situate within the local limits of the Court's jurisdiction:

(*c.*) If, in any other case, it appear that the cause of action, or a material part thereof, did not arise, and that none of the defendants are dwelling or carrying on business, or personally working for gain, within such local limits.

Procedure on returning plaint. On returning a plaint, the Judge shall, with his own hand, endorse thereon the date of its presentation and return, the name of the party presenting it, and a brief statement of the reason for returning it.

Procedure on admitting plaint. **58.** If the Court consider the plaint admissible, it shall cause the plaintiff to endorse thereon, or to annex thereto, a memorandum of the documents (if any) which he has filed along with it; and the plaintiff shall present as many copies on plain paper of the plaint as there are defendants, unless the Court by reason of the length of the plaint or the number of the defendants, or for any other sufficient reason, permit him to file a like number of concise statements of the nature of the claim made, or of the relief or remedy required in the suit, in which case he shall file such statements.

Concise statements.

If the plaintiff sues, or the defendant or any of the defendants is sued, in a representative capacity, the statement shall show in what capacity the plaintiff or defendant sues or is sued.

The plaintiff may, by leave of the Court, amend any such statement so as to make it correspond with the plaint.

The chief ministerial officer of the Court shall sign such endorsement and copies or statements if, on examination, he finds them to be correct.

The Court shall also cause the particulars mentioned in section 50 to be entered in a book to be kept for the purpose and called the Register of civil suits. Such entries shall be numbered in every year according to the order in which the plaint is admitted.

Production of document on which plaintiff sues. **59.** If a plaintiff sue upon a document in his possession or power, he shall produce it in court when the plaint is presented, and shall at the same time deliver the document or a copy thereof to be filed with the plaint.

Delivery of document or copy.

List of other documents. If he rely on any other documents (whether in his possession or power or not) as evidence in support of his claim, he shall enter such documents in a list to be added or annexed to the plaint.

Procedure in case of documents not in his possession or power. **60.** In the case of any document not in his possession or power he shall, if possible, state in whose possession or power it is, and, when it is in the possession or power of a person not a party to the suit, shall take out a summons against such person, requiring him to file the document in court within such time after the service of the summons as the Court in each case directs, and stating the time so directed.

Suits on lost negotiable instruments. **61.** In case of any suit founded upon a bill of exchange or other negotiable instrument, if it be proved that the instrument is lost, and if an indemnity be given by the plaintiff, to the satisfaction of the Court, against the claims of any other person upon such instrument, the Court may make such decree as it would have made if the plaintiff had produced the instrument in court when the plaint was presented, and had at the same time delivered a copy of the instrument to be filed with the plaint.

Production of shop-book. **62.** If the document on which the plaintiff sues be an entry in a shop-book or other book in his possession or power, the plaintiff shall produce

the book at the time of filing the plaint, together with a copy of the entry on which he relies.

Original entry to be marked and returned. The Court, or such officer as it appoints in this behalf, shall forthwith mark the document for the purpose of identification; and after examining and comparing the copy with the original and attesting the copy if found correct, shall return the book to the plaintiff.

Inadmissibility of document not produced when plaint filed. **63.** A document which ought to be produced in court by the plaintiff when the plaint is presented, or to be entered at the foot of the plaint, and which is not produced or entered accordingly, shall not, without the leave of the Court, be received in evidence on his behalf at the hearing of the suit.

Nothing in this section applies to documents produced for cross-examination of the defendant's witnesses, or in answer to any case set up by the defendant, or handed to a witness merely to refresh his memory.

CHAPTER VI.

OF THE ISSUE AND SERVICE OF SUMMONS.

Issue of Summons.

Summons. **64.** When the plaint has been registered, and the copies or statements required by section 58 have been filed, a summons may be issued to the defendant to appear and answer the claim on a day to be therein specified, or as soon thereafter as may be practicable,

(*a*) in person, or

(*b*) by a pleader duly instructed and able to answer all material questions relating to the suit, or

(*c*) by a pleader accompanied by some other person able to answer all such questions.

Every such summons shall be signed by the Judge or such officer as he appoints, and shall be sealed with the seal of the Court:

Provided that no such summons shall be issued when the defendant has appeared at the presentation of the plaint and admitted the plaintiff's claim.

Indorsement of claim. **65.** Every such summons shall be accompanied with one of the copies or statements mentioned in section 58.

Court may order defendant or plaintiff to appear in person. **66.** If the Court see reason to require the personal appearance of the defendant, the summons shall order him to appear in person in court on the day therein specified.

If the Court see reason to require the personal appearance of the plaintiff on the same day, it may make an order for such appearance.

No party to be ordered to appear in person unless resident within 50 or, where there is a railway, 200, miles. **67.** No party shall be ordered to appear in person unless he resides—

(*a*) within the local limits of the Court's ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty, or, where there is railway communication between the place where he resides and the place where the Court is situate, two hundred, miles from the court-house.

Summons to be either to settle issues or for final disposal. **68.** The Court shall determine, at the time of issuing the summons, whether it shall be for the settlement of issues only, or for the final disposal of the suit; and the summons shall contain a direction accordingly:

Provided that, in every suit cognizable by Courts of Small Causes, the summons shall be for the final disposal of the suit.

Fixing day for appearance of defendant. **69.** The day for the appearance of the defendant shall be fixed by the Court with reference to its current business, the place of residence of the defendant and the time necessary for the service of the summons; and the day shall be so fixed as to allow the defendant sufficient time to enable him to appear and answer on such day.

What shall be deemed 'sufficient time' must be determined with reference to the circumstances of the case.

Summons to order defendant to produce documents required by plaintiff or relied on by defendant. **70.** The summons to appear and answer shall order the defendant to produce any document in his possession or power, containing evidence relating to the merits of the plaintiff's case, or upon which the defendant intends to rely in support of his case.

On issue of summons or final disposal, parties to be directed to produce their witnesses. **71.** When the summons is for the final disposal of the suit, it shall direct the defendant to produce, on the day fixed for his appearance, the witnesses upon whose evidence he intends to rely in support of his case.

Service of Summons.

Delivery of summons for service. **72.** The summons shall be delivered to the proper officer of the Court, to be served by him or one of his subordinates.

Mode of service. **73.** Service of the summons shall be made by delivering or tendering a copy thereof signed by the Judge or such officer as he appoints in this behalf, and sealed with the seal of the Court.

Service on several defendants. **74.** When there are more defendants than one, service of the summons shall be made on each defendant:

Provided that, if the defendants are partners, and the suit relates to a partnership-transaction, the service may be made, unless the Court directs otherwise, either (*a*) on one defendant for himself and for the other defendants, or (*b*) on any person having the management of the business of the partnership at the principal place, within the local limits of the Court's ordinary original civil jurisdiction, of such business.

Service to be on defendant in person, when practicable, or on his agent. **75.** Whenever it may be practicable, the service shall be on the defendant in person, unless he have an agent empowered to accept the service, in which case service on such agent shall be sufficient.

76. In a suit relating to any business or work against a person who does not reside within the local limits of the jurisdiction of the Court from which the summons issues, service on any manager or agent, who, at the time of service, personally carries on such business or work for such person within such limits, shall be deemed good service.

Service on agent by whom defendant carries on business.

For the purpose of this section, the master of a ship is the agent of his owner or charterer.

77. In a suit for immoveable property, if the summons cannot be served on the defendant in person, and the defendant have no agent empowered to accept the service of the summons, it may be served on any agent of the defendant in charge of the property.

Service on agent in charge, in suits for immoveable property.

78. If in any suit the defendant cannot be found and if he have no agent empowered to accept the service of the summons on his behalf, the service may be made on any adult male member of the family of the defendant who is residing with him.

When service may be on male member of defendant's family.

Explanation.—A servant is not a member of the family within the meaning of this section.

79. When the serving-officer delivers or tenders the copy of the summons to the defendant personally, or to an agent or other person on his behalf, the serving-officer shall require the signature of the person to whom the copy is so delivered or tendered to an acknowledgment of service endorsed on the original summons or on a copy thereof signed and sealed as aforesaid.

Person served to sign acknowledgment.

80. The serving-officer shall, in all cases in which the summons has been served under section 79, endorse or cause to be endorsed on the original summons, or on a copy thereof signed and sealed as aforesaid, the time when and the manner in which the summons was served.

Endorsement of time and manner of service.

81. If the defendant or other person refuse to sign the acknowledgment or to receive the copy of the summons,

Procedure when defendant refuses to accept service,

or if the serving officer cannot find the defendant and there is no agent empowered to accept the service of the summons on his behalf, nor any other person on whom the service can be made,

or cannot be found.

the serving-officer shall return the summons to the Court from which it issued, with an endorsement thereon that he has been unable to serve it.

82. When a summons is returned without having been served, the Court shall examine the serving-officer on oath touching the non-service; and if the Court is satisfied that there is reason to believe that the defendant is keeping out of the way for the purpose of avoiding the service, or that for any other reason the summons cannot be served in the ordinary way, the Court shall order the summons to be served by affixing a copy thereof in some conspicuous place in the court-house, and also upon some conspicuous part of the house, if any, in which the defendant is known to have last resided, or in such other manner as the Court thinks fit.

Substituted service.

83. The service substituted by order of the Court, shall be as effectual as if it had been made on the defendant personally.

Effect of substituted service.

84. Whenever service is substituted by order of the Court, the Court shall fix such time for the appearance of the defendant as the case may require.

When service is substituted, time for appearance to be fixed.

85. If the defendant resides within the jurisdiction of any Court other than the Court in which the suit is instituted, and has no agent resident within the local limits of the jurisdiction of the latter Court empowered to accept the service of the summons, such Court shall send the summons, either by one of its officers or by post, to any Court, not being a High Court, having jurisdiction at the place where the defendant resides, by which it can be most conveniently served, and shall fix such time for the appearance of the defendant as the case may require.

Service of summons when defendant resides within jurisdiction of another Court and has no agent to accept service.

The Court to which the summons is sent shall, upon receipt thereof, deliver it to the proper officer of such Court, to be served, endorsed and returned in the manner hereinbefore directed.

Upon the return of the summons by the serving-officer, if it has not been served, the Court to which it has been sent shall examine him on oath touching the non-service and record the result; and the summons shall be sent back to the Court from which it originally issued, together with the record (if any) made under this paragraph.

86. Whenever any process issued by any Court established beyond the limits of the towns of Calcutta, Madras, Bombay and Rangoon is to be served within any such town, it shall be sent to the Court of Small Causes within whose jurisdiction the process is to be served,

Service within Presidency towns and Rangoon of process issued by Mufassal Courts.

and such Court of Small Causes shall cause it to be served in the same manner as if it had issued from such Court,

and, after having been so served, the process shall be returned to the Court from which it issued.

87. If the defendant be in jail, the summons shall be delivered to the officer in charge of the jail in which the defendant is confined, and such officer shall cause the summons to be served upon the defendant.

Service on defendant in jail.

The summons shall be returned to the Court from which it is sued, with a statement of the service endorsed thereon and signed by the officer in charge of the jail and by the defendant.

88. If the jail in which the defendant is confined is not in the district in which the suit is instituted, the summons may be sent by post or otherwise to the officer in charge of such jail, and such officer shall cause the summons to be served upon the defendant, and shall return the summons to the Court from which it

Procedure if jail be in a different district.

issued, with a statement of the service endorsed thereon, and signed as provided in section 87.

89. If the defendant resides out of British India, and has no agent in British India empowered to accept the service, the summons shall be addressed to the defendant at the place where he is residing, and forwarded to him by post if there be postal communication between such place and the place where the Court is situate.

Service when defendant resides out of British India and has no agent to accept service.

90. If there be a British Resident or Agent of Government in or for the territory in which the defendant resides, the summons may be sent to such Resident or Agent, by post or otherwise, for the purpose of being served upon the defendant; and if the Resident or Agent return the summons with an endorsement under his hand that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be conclusive evidence of the service.

Service through British Resident or Agent of Government.

91. Nothing herein contained shall prevent the Court from substituting for the summons a letter signed by the Judge or such officer as he appoints in this behalf, when the defendant is, in the opinion of the Court, of a rank which entitles him to such mark of consideration.

Substitution of letter for summons.

The letter shall contain all the particulars required to be stated in the summons, and, subject to the provisions contained in section 92, shall be treated in all respects as a summons.

92. When a letter or other communication is substituted for a summons, it may be sent by post or by a special messenger selected by the Court, or in any other manner which the Court thinks fit; unless the person whose appearance is required has an agent empowered to accept the service of the summons, in which case it may be served on such agent.

Mode of sending such letter.

Service of Process.

93. Wherever this Code provides that any notice, summons, letter or other communication may be sent to the person to whom it is addressed by post, proof that the same was correctly addressed to such person at his place of residence, and that it was posted and registered according to the law for the time being regulating the management of the Post Office shall, in the absence of evidence to the contrary, be sufficient proof of the due service and delivery of the notice summons, letter or other communication.

Proof of due service and delivery of process sent by post.

94. Every process required to be issued under this Code shall be served at the expense of the party at whose instance it is issued, unless the Court otherwise directs.

Process to be served at expense of party issuing it.

The sum required to defray the costs of such service shall be paid into Court before the process is issued, within a period to be fixed by the Court for serving the process.

Costs of service.

Provided, where chargeable on any notice, summons, letter or other communication forwarded by post and the fee for registering the same, shall be costs required to be paid as aforesaid within the meaning of this section.

Postage.

In fixing the costs to be paid for service of process, regard shall be had to any law or to any rules issued by the High Court for fixing the amount of such costs.

Fixing of costs of service.

95. All notices and orders required by this Code to be served on any person shall be in writing, and shall be served in the manner hereinbefore provided for the service of summons.

Notices and orders in writing how served.

CHAPTER VII.

OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

96. On the day fixed in the summons for the defendant to appear and answer, the parties shall be in attendance at the Court-house in person or by their respective pleaders, and the suit shall then be heard, unless the hearing be adjourned to a future day fixed by the Court.

Parties to appear on day fixed in summons for defendant to appear and answer.

97. If on the day so fixed for the defendant to appear and answer, it be found that the summons has not been served upon him in consequence of the failure of the plaintiff to deposit, within the period fixed by the Court, the sum required to defray the cost of issuing or serving such summons, the Court may order that the suit be dismissed:

Dismissal of suit where summons not served in consequence of plaintiff's failure to deposit costs of issuing it.

Provided that no such order shall be passed, although the summons has not been served upon the defendant, if, on the day fixed for him to appear and answer, he attends in person or by a duly authorized agent, when he is allowed to appear by agent.

Proviso.

98. If on the day so fixed for the defendant to appear and answer, or on any other subsequent day to which the hearing of the suit may be adjourned, neither party appears, the suit shall be dismissed, unless the Judge, for reasons to be recorded under his hand, otherwise directs.

If neither party appear, suit to be dismissed.

99. Whenever a suit is dismissed under section 97 or section 98, the plaintiff may (subject to the law of limitation) bring a fresh suit; or if, within the period of thirty days from the date of the order dismissing the suit, he satisfies the Court that there was a sufficient excuse for his not making the deposit required within the time allowed or for his non-appearance, as the case may be, the Court shall pass an order to set aside the dismissal and appoint a day for proceeding with the suit.

In such case plaintiff may bring fresh suit; or Court may restore the suit to its file.

100. If the plaintiff appears and the defendant does not appear, the procedure shall be as follows:—

Procedure if only plaintiff appear.

when summons was duly served.

(*a*) if it is proved that the summons was duly served, the Court may proceed *ex parte:*

(*b*) if it is not proved that the summons was duly served, the Court shall direct a second summons to be issued and served on the defendant:

When summons not duly served.

(*c*) if it is proved that the summons was served on the defendant, but not in sufficient time to enable him to appear and answer on the day fixed in the summons, the Court shall postpone the hearing of the suit to a future day to be fixed by the Court, and shall direct notice of such day to be given to the defendant.

When summons served, but not in due time.

101. If the Court has adjourned the hearing of the suit *ex parte*, and the defendant, at or before such hearing, appears and assigns good cause for his previous non-appearance, he may, upon such terms as the Court may direct as to costs or otherwise, be heard in answer to the suit, as if he had appeared on the day fixed for his appearance.

Procedure where defendant appears on day of adjourned hearing, and assigns good cause for previous non-appearance.

102. If the defendant appears and the plaintiff does not appear, the Court shall dismiss the suit, unless the defendant admits the claim, or part thereof, in which case the Court shall pass a decree against the defendant upon such admission, and where part only of the claim has been admitted, shall dismiss the suit so far as it relates to the remainder.

Procedure where defendant only appears.

When a suit is wholly or partially dismissed under this section, the plaintiff shall be precluded from bringing a fresh suit in respect of the same cause of action. But he may apply for an order to set the dismissal aside; and if it be proved that he was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall set aside the dismissal upon such terms as to costs or otherwise as it thinks fit, and shall appoint a day for proceeding with the suit.

Decree against plaintiff by default bars fresh suit.

No order shall be made under the second paragraph of this section unless the plaintiff has served the defendant with notice in writing of his application.

103. If, on the day fixed for the hearing of a suit against a defendant residing out of British India, who has no agent empowered to accept service of summons, or on any day to which the hearing has been adjourned, the defendant does not appear, the plaintiff may apply to the Court for permission to proceed with his suit, and the Court may direct that the plaintiff be at liberty to proceed with his suit in such manner and subject to such conditions as the Court thinks fit.

Procedure where defendant residing out of British India does not appear.

104. If there be more plaintiffs than one, and one or more of them appear, and the others of them do not appear, the Court may, at the instance of the plaintiff or plaintiffs who may appear, permit the suit to proceed in the same way as if all the plaintiffs had appeared, and pass such order as it thinks fit.

Procedure in case of non-attendance of one or more of several plaintiffs.

105. If there be more defendants than one, and one or more of them appear, and the others of them do not appear, the suit shall proceed, and the Court shall, at the time of passing judgment, make such order as it thinks fit with respect to the defendants who do not appear.

Procedure in case of non-attendance of one or more of several defendants.

106. If a plaintiff or defendant, who has been ordered to appear in person under the provisions of section 66 or section 436, does not appear in person, or show sufficient cause to the satisfaction of the Court for failing so to appear, he shall be subject to all the provisions of the foregoing sections applicable to plaintiffs and defendants, respectively, who do not appear.

Consequence of non-attendance, without sufficient cause shown, of party ordered to appear in person.

107. In support of the cause shown by a plaintiff or defendant for failing to appear in person, the Court shall receive any declaration in writing signed by such plaintiff or defendant and verified in manner hereinbefore provided for the verification of plaints.

Court to receive written declaration in support of cause shown for failure to appear.

Of setting aside Decrees ex parte.

108. In any case in which a decree is passed *ex parte* against a defendant under section 100, he may apply to the Court by which the decree was made for an order to set it aside;

Setting aside decree *ex parte* against defendant.

and if it be proved to the satisfaction of the Court that the summons was not duly served, or that the defendant was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall pass an order to set aside the decree upon such terms as to costs, payment into Court, or otherwise, as it thinks fit, and shall appoint a day for proceeding with the suit.

109. No decree shall be set aside on any such application as aforesaid, unless notice thereof in writing has been served on the opposite party.

No decree to be set aside, without notice to opposite party.

CHAPTER VIII.

OF WRITTEN STATEMENTS AND SET-OFF.

110. The parties may, at the first hearing of the suit, tender written statements of their respective cases, and the Court shall receive such statements, place them on the record, and deal with them as if given in evidence.

Written statements.

111. If in a suit for the recovery of money the defendant claims to set-off against the plaintiff's demand any ascertained sum of money legally recoverable by him from the plaintiff, and if in such claim of the defendant against the plaintiff both parties fill the same character as they fill in the plaintiff's suit, the defendant may, at the first hearing of the suit, but not afterwards unless permitted by the Court, tender a written statement containing the particulars of the debt sought to be set-off.

Particulars of set-off to be given in written statement.

The Court shall thereupon enquire into the same, and if it find that the case fulfils the requirements of the former part of this section, and that the amount claimed to be set-off does not exceed the pecuniary limits of its jurisdiction, the Court shall set-off the one debt against the other.

Enquiry.

Such set-off shall have the same effect as a plaint in a cross-suit, so as to enable the Court to pronounce a final judgment in the same suit, both on the original and on the cross-claim.

Effect of set-off.

When the defendant, for the purpose of availing himself of the provisions contained in this section, intentionally relinquishes any portion of his claim against the plaintiff, nothing in section 43 shall apply to the portion so relinquished.

Relinquishment of portion of claim for purpose of set-off.

Illustrations.

(*a*) A bequeaths Rs. 2,000 to B, and appoints C his executor and residuary legatee. B dies and D takes out administration to B's effects. C pays Rs. 1,000 as surety for D. Then D sues C for the legacy. C cannot set-off the debt of Rs. 1,000 against the legacy, for neither C nor D fills the same character with respect to the legacy as they fill with respect to the payment of the Rs. 1,000.

(*b*) A dies intestate and in debt to B. C takes out administration to A's effects, and B buys part of the effects from C. In a suit for the purchase-money by C against B, the latter cannot set-off the debt against the price, for C fills two different characters, one as the vendor to B, in which he sues B, and the other as representative to A, in which B seeks the set-off.

(*c*) A sues B on a bill of exchange. B alleges that A has wrongfully neglected to insure B's goods and is liable to him in compensation which he claims to set-off. The amount not being ascertained cannot be set-off.

(*d*) A sues B on a bill of exchange for Rs. 500. B holds a judgment against A for Rs. 1,000. The two claims being both definite pecuniary demands may be set-off.

(*e*) A sues B for compensation on account of a trespass. B holds a promissory note for Rs. 1,000 from A and claims to set-off that amount against any sum that A may recover in the suit. B may do so, for as soon as A recovers, both sums are definite pecuniary demands.

(*f*) A and B sue C for Rs. 1,000. C cannot set-off a debt due to him by A alone.

(*g*) A sues B and C for Rs. 1,000. B cannot set-off a debt due to him alone by A.

(*h*) A owes the partnership firm of B and C Rs. 1,000. B dies leaving C surviving. A sues C for a debt of Rs. 1,500 due to him in his separate character. C may set-off the debt of Rs. 1,000.

112. Except as provided in the last preceding section, no written statement shall be received after the first hearing of the suit:

No written statement to be received after first hearing unless called for by Court.

Provided the Court may at any time require a written statement, or additional written statement, from any of the parties, and fix a time for presenting the same:

Court may at any time call for written statement.

Provided also that a written statement, or an additional written statement, may, with the permission of the Court, be received at any time for the purpose of answering written statements so required and presented.

113. If any party from whom a written statement is so required fails to present the same within the time fixed by the Court, the Court may pass a decree against him, or make such other order in relation to the suit as it thinks fit.

Procedure when party fails to present written statement called for by Court.

114. Written statements shall be as brief as the nature of the case admits, and shall not be argumentative, but shall be confined as much as possible to a simple narrative of the facts which the party by whom or on whose behalf the written statement is made believes to be material to the case, and which he believes he will be able to prove.

Frame of written statements.

Every such statement shall be divided into paragraphs, numbered consecutively, and each paragraph containing as nearly as may be a separate allegation.

115. Written statements shall be subscribed and verified in the manner hereinbefore provided for subscribing and verifying plaints, and no written statement shall be received unless it be so subscribed and verified.

Written statements to be subscribed and verified.

The provisions of section 52 as to examining witnesses as to the fact of signature shall apply in the case of written statements.

116. If it appear to the Court that any written statement, whether called for by the Court or spontaneously tendered, is argumentative or prolix, or contains matter irrelevant to the suit, the Court may amend it then and there, or may, by an order to be endorsed thereon, reject the same, or return it to the party by whom it was made for amendment within a time to be fixed by the Court, imposing such terms as to costs or otherwise as the Court thinks fit.

Rejection of argumentative, prolix or irrelevant written statements.

When any amendment is made under this section, the Judge shall attest it by his signature.

When a statement has been rejected under this section, the party making it shall not present another written statement, unless it be expressly called for or allowed by the Court.

117. Every allegation of fact in any written statement, if not denied specifically or by necessary implication, or stated to be not admitted by the opposite party, shall be taken to be admitted for the purposes of the suit.

Allegation of fact not denied admitted for purpose of suit.

CHAPTER IX.

OF THE EXAMINATION OF THE PARTIES BY THE COURT.

118. At the first hearing of the suit, or at any subsequent hearing, any party appearing in person or present in Court, or any person able to answer any material questions relating to the suit by whom he or his pleader is accompanied, may be examined orally by the Court; and the Court may, if it thinks fit, put in the course of such examination questions suggested by either party.

Oral examination of party, or companion of himself or his pleader.

119. The substance of the examination shall be reduced to writing by the Judge, and shall form part of the record.

Substance of examination to be written.

120. If the pleader of any party who appears by a pleader refuses or is unable to answer any material question relating to the suit which the Court is of opinion that the party whom

Consequence of refusal or inability of pleader to answer.

Provided that, if the document be an entry in a shop-book or other book, the party on whose behalf such book is produced may furnish a copy of the entry, which may be endorsed as aforesaid, and shall be filed as part of the record, and the Court shall mark the entry and shall then return the book to the person producing it.

Entries in shop-books.

142. When a document is rejected by the Court, it shall be endorsed in the manner specified in the last preceding section with the addition of the word "rejected," and the endorsement shall be signed by the Judge.

Rejected documents to be marked,

The document shall then be returned to the party who produced it.

and returned; unless detained by Court.

143. Notwithstanding anything contained in sections 62, 141 and 142, the Court may, if it see sufficient cause, direct any document or book produced before it in any suit to be impounded and kept in the custody of an officer of the Court, for such period and subject to such conditions as the Court thinks fit.

Court may order any document to be impounded.

144. In suits in which an appeal is not allowed, when the suit has been disposed of, and in suits in which an appeal is allowed, when the time for preferring an appeal from the decree has elapsed, or, if an appeal has been preferred, then after the appeal has been disposed of, any person, whether a party to the suit or not, desirous of receiving back any document produced by him in the suit, and placed on the record, shall, unless the document is impounded under section 143, be entitled to receive back the same:

After lapse of time for appeal, document admitted in evidence may be returned.

Provided that a document may be returned at any time before either of such events, if the person applying for such return delivers to the proper officer a certified copy of such document to be substituted for the original:

When document may be returned before time limited.

Provided also that no document shall be returned which, by force of the decree, has become void or useless.

Document not to be returned in certain cases.

145. On the return of a document which has been admitted in evidence, a receipt shall be given by the party receiving it, in a receipt-book to be kept for the purpose.

Receipt to be given for returned document.

CHAPTER XI.

OF THE SETTLEMENT OF ISSUES.

146. Issues arise when a proposition of fact or law is affirmed by the one party and denied by the other.

Framing of issues.

They are of two kinds: (1) issues of fact, (2) issues of law.

At the first hearing of the suit, the Court shall, after reading the plaint and the written statements, if any, and after such examination of the parties as may appear necessary, ascertain upon what propositions of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues on which the right decision of the case appears to the Court to depend.

When issues both of law and of fact arise in the same suit, and the Court is of opinion that the case may be disposed of on the issues of law only, it shall try those issues first.

Nothing in this section shall be deemed to require the Court to frame and record issues when the defendant at the first hearing of the suit makes no defence.

147. The Court may frame the issues from any of the following materials:—

Allegations from which issues may be framed.

(*a*) allegations made on oath by the parties, or by any persons present on their behalf, or made by the pleaders of such parties or persons;

(*b*) allegations made in the plaint or in the written statements (if any) tendered in the suit;

(*c*) the contents of documents produced by either party and placed on the record.

148. If the Court be of opinion that the issues cannot be correctly framed without the examination of some person not before the Court, or without the inspection of some document not produced in the suit, it may adjourn the framing of the issues to a future day, to be fixed by the Court, and may compel the attendance of any person or the production of any document by the person in whose hands it may be, by summons or other process.

Court may examine witnesses or documents before framing issues.

149. The Court may at any time before passing a decree amend the issues or frame additional issues on such terms as it thinks fit, and all such amendments or additional issues as may be necessary for determining the controversy between the parties shall be so made or framed.

Power to amend, add and strike out issues.

The Court may also, at any time before passing a decree, strike out any issues that appear to it to be wrongly framed or introduced.

150. When the parties to a suit are agreed as to the question of fact or of law to be decided between them, they may state the same in the form of an issue, and enter into an agreement in writing,

Questions of fact or law may by agreement be stated in the form of an issue.

(*a*) that upon the finding of the Court in the affirmative or the negative of such issue, a sum of money specified in the agreement, or to be ascertained by the Court, or in such manner as the Court may direct, shall be paid by one of the parties to the other of them, or that one of them be declared entitled to some right or subject to some liability specified in the agreement,

(*b*) that upon such finding some property specified in the agreement and in dispute in the suit shall be delivered by one of the parties to the other of them, or as that other may direct, or

(*c*) that upon such finding one or more of the parties shall do or abstain from doing some particular act, specified in the agreement, and relating to the matter in dispute.

No such agreement shall be filed after the Court has recorded issues in the suit, unless the Judge, for some reason to be recorded under his hand, otherwise directs.

Court if satisfied that the agreement was executed in good faith may give judgment.

151. If the Court be satisfied, after making such enquiry as it deems proper,

(*a*) that the agreement was duly executed by the parties,

(*b*) that they have a substantial interest in the decision of such question as aforesaid, and

(*c*) that the same is fit to be tried and decided,

it may proceed to record and try the issue, and deliver its finding or opinion thereon in the same manner as if the issue had been framed by the Court;

and may, upon the finding or decision on such issue, give judgment according to the terms of the agreement;

and upon the judgment so given, decree shall follow and may be executed in the same way as if the judgment had been pronounced in a contested suit.

CHAPTER XII.

DISPOSAL OF THE SUIT AT THE FIRST HEARING.

If parties are not at issue on any question of law or fact.

152. If at the first hearing of a suit it appears that the parties are not at issue on any question of law or of fact, the Court may at once give judgment.

If one of several defendants be not at issue with the plaintiff.

153. Where there are more defendants than one, and any one of the defendants is not at issue with the plaintiff on any question of law or fact, the Court may at once give judgment for or against such defendant, and the suit shall proceed only against the other defendants.

If parties are at issue on questions of law or fact.

154. When the parties are at issue on some question of law or of fact, and issues have been framed by the Court as hereinbefore provided, if the Court be satisfied that no further argument or evidence than the parties can at once supply is required upon such of the issues as may be sufficient for the decision of the suit, and that no injustice will result from proceeding with the suit forthwith, the Court may proceed to determine such issue,

and if the finding thereon is sufficient for the decision, may pronounce judgment accordingly, whether the summons has been issued for the settlement of issues only or for the final disposal of the suit:

Court may determine issue and give judgment.

Provided that, where the summons has been issued for the settlement of issues only, the parties or their pleaders are present and none of them object.

If the finding is not sufficient for the decision, the Court shall postpone the further hearing of the suit, and shall fix a day for the production of such further evidence, or for such further argument as the case requires.

If either party fails to produce his evidence, Court may give judgment.

155. If the summons has been issued for the final disposal of the suit, and either party fails without sufficient cause to produce the evidence on which he relies, the Court may at once give judgment,

or if it is unable to give judgment by reason of additional evidence being required, or for any other cause, the Court shall frame and record, under section 146, the issues requiring to be determined.

Procedure where Court cannot give judgment at first hearing.

CHAPTER XIII.

OF ADJOURNMENTS.

Court may grant time, or adjourn hearing.

156. The Court may, if sufficient cause be shown, at any stage of the suit, grant time to the parties, or to any of them, and may from time to time adjourn the hearing of the suit.

In all such cases the Court shall fix a day for the further hearing of the suit, and may make such order as it thinks fit with respect to the costs occasioned by the adjournment:

Costs of adjournment.

Provided that, when the hearing of evidence has once begun, the hearing of the suit shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the hearing to be absolutely necessary for reasons to be recorded by the hand of the Judge.

Procedure if parties fail to appear on day fixed.

157. If, on any day to which the hearing of the suit is adjourned, the parties or either of them fail to appear, the Court may proceed to dispose of the suit in one of the modes directed in that behalf by Chapter VII, or make such other order as it thinks fit.

Court may proceed notwithstanding either party fails to produce his evidence.

158. If either party to a suit to whom time has been granted fails to produce his evidence, or to cause the attendance of his witnesses, or to perform any other act necessary to the further progress of the suit, for which time has been allowed, the Court may, notwithstanding such default, proceed to decide the suit forthwith.

CHAPTER XIV.

OF THE SUMMONING AND ATTENDANCE OF WITNESSES.

Summons to attend to give evidence or produce documents.

159. The parties may, after the summons has been delivered for service on the defendant, if the summons be for the final disposal of the suit;

or after the issues have been recorded, if the summons to the defendant be for the settlement of issues only,

obtain, on application to the Court or to such officer as it appoints in this behalf, before the day fixed for such disposal or settlement, as the case may be, summonses to persons whose attendance is required either to give evidence or to produce a document.

Expenses of witnesses to be paid into Court on applying for summons.

160. The person applying for a summons shall pay into court such a sum of money as appears to the Court to be sufficient to defray the travelling and other expenses of the person summoned, in passing to and from the

court in which he is required to attend, and for one day's attendance.

If the Court be subordinate to a High Court, regard shall be had, in fixing the scale of such expenses, to the rules (if any) laid down by competent authority.

Scale of expenses.

161. The sum so paid into court shall be tendered to the person summoned, at the time of serving the summons if it can be served personally.

Tender of expenses to witness.

162. If it appear to the Court or to such officer as it appoints in this behalf that the sum paid into court is not sufficient to cover such expenses, the Court may direct such further sum to be paid to the person summoned as appears to be necessary on that account; and, in case of default in payment, may order such sum to be levied by attachment and sale of the moveable property of the person obtaining the summons; or the Court may discharge the person summoned without requiring him to give evidence.

Procedure where insufficient sum paid in.

If it be necessary to detain the person summoned for a longer period than one day, the Court may from time to time order the party at whose instance he was summoned, to pay into court such sum as is sufficient to defray the expenses of his detention for such further period, and in default of such deposit being made, may order such sum to be levied by attachment and sale of the moveable property of the party at whose instance he was summoned; or the Court may discharge the person summoned without requiring him to give evidence.

Expenses if witness detained more than one day.

163. Every summons for the attendance of a person to give evidence or produce a document shall specify the time and place at which he is required to attend, and also whether his attendance is required for the purpose of giving evidence or to produce a document, or for both purposes; and any particular document which the person summoned is called on to produce, shall be described in the summons with reasonable accuracy.

Time, place, and purpose of attendance to be specified in summons.

164. Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons, if he cause such document to be produced instead of attending personally to produce the same.

Summons to produce document.

165. Any person present in court may be required by the Court to give evidence or to produce any document then and there in his actual possession or power.

Power to require persons present in Court to give evidence.

Service of Summons on Persons required to give Evidence or produce Documents.

166. Every summons to a person to give evidence or produce a document shall be served as nearly as may be in manner hereinbefore prescribed for the service of summons on the defendant; and the rules contained in Chapter VI as to proof of service shall apply in the case of all summonses served under this section.

Summons how served.

167. The service shall in all cases be made a sufficient time before the time specified in the summons for the attendance of the person summoned, to allow him a reasonable time for preparation and for travelling to the place at which his attendance is required.

Time for serving summons.

168. If the serving officer certify to the Court that the summons for the attendance of a person, either to give evidence or to produce a document, cannot be served, the Court shall examine the serving-officer on oath touching the non-service:

Attachment of property of absconding witness.

and upon being satisfied that such evidence or production is material, and that the person for whose attendance the summons has been issued is absconding or keeping out of the way for the purpose of avoiding the service of the summons, may cause a proclamation requiring him to attend to give evidence, or produce the document, at a time and place to be named therein.;

and a copy of such proclamation shall be affixed on some conspicuous place of the house in which he is dwelling.

If he does not attend at the time and place named in such proclamation, the Court may in its discretion, at the instance of the party on whose application the summons was issued, make an order for the attachment of the property of the person whose attendance is required, to such amount as the Court thinks fit, not exceeding the amount of the costs of attachment and of the fine which may be imposed under section 170.

Provided that no Court of Small Causes shall make an order for the attachment of immoveable property.

169. If, on the attachment of his property, such person appears and satisfies the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court shall direct that the property be released from attachment, and shall make such order as to the costs of the attachment as it thinks fit.

If witness appears, attachment may be withdrawn.

170. If such person does not appear, or appearing, fails to satisfy the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court may impose upon him such fine not exceeding five hundred rupees as the Court thinks fit, having regard to his condition in life and all the circumstances of the case, and may order the property attached, or any part thereof, to be sold for the purpose of satisfying all costs incurred in consequence of such attachment, together with the amount of the said fine, if any:

Procedure if witness fails to appear.

Provided that if the person whose attendance is required pays into Court the costs and fine as aforesaid, the Court shall order the property to be released from attachment.

Attendance of Witnesses and Consequence of Non-attendance.

171. Subject to the rules of this Code as to attendance and appearance and to the provisions of the Indian Evidence Act, if the Court at any time thinks it necessary to examine any person other than a party to the suit, and not named as a witness by a party to the suit, the Court may, of its own motion, cause such person to be summoned as a witness to give evidence, or to produce any document in his possession, on a day to be appointed, and may examine him as a witness or require him to produce such document.

Court may of its own accord summon as witnesses strangers to suit.

172. Subject as last aforesaid, whoever is summoned to appear and give evidence in a suit must attend at the time and place named in the summons for that purpose, and whoever is summoned to produce a document must either attend to produce it, or cause it to be produced, at such time and place.

Persons summoned to give evidence must attend.

173. No person so summoned and attending shall depart unless and until (*a*) he has been examined or has produced the document and the Court has risen, or (*b*) he has obtained the Court's leave to depart.

When they may depart.

174. If any person on whom a summons to give evidence or produce a document has been served fails to comply with the summons, or if any person so summoned and attending departs in contravention of section 173, the Court may order him to be arrested and brought before the Court.

Consequences of non-attendance.

Provided that no such order shall be made when the Court has reason to believe that the person so failing had a lawful excuse for such failure.

When any person so brought before the Court fails to satisfy it that he had a lawful excuse for not complying with the summons, the Court may sentence him to fine not exceeding five hundred rupees.

Explanation.—Non-payment or non-tender of a reasonable sum for expenses shall be deemed a lawful excuse within the meaning of this section.

If any person so apprehended and brought before the Court cannot, owing to the absence of the parties or any of them, give the evidence or produce the document which he has been summoned to give or produce, the Court may require him to give reasonable bail for his appearance at such time and place as it thinks fit, and on such bail being given, may release him.

Consequences of refusal to give evidence or produce documents.

175. If any person so failing to comply with a summons absconds or keeps out of the way, so that he cannot be apprehended and brought before the Court, the provisions of sections 168, 169 and 170 shall, *mutatis mutandis*, apply.

Procedure when witness absconds.

176. If any party present in Court refuses, without lawful excuse, when required by the Court, to give evidence, or to produce such document then and there in his actual possession or power, the Court may in its discretion either pass a decree against him, or make such other order in relation to the suit as the Court thinks fit.

Consequence of refusal of party to give evidence when called on by the Court.

Nothing in this section enables the Court to decree a claim which on the face of the record is not warranted by law.

Explanation.—"Lawful excuse" means in this section such an excuse as, under the Indian Evidence Act, 1872, justifies a refusal to give the evidence or produce the document required.

177. No one shall be bound to attend in person to give evidence in Court unless he resides—

Person summoned to attend in person if so required.

(*a*) within the local limits of its ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty or (where there is railway communication between the place where he resides and the place where the Court is situate) two hundred miles distant from the Court-house.

178. Whenever any party to a suit is required to give evidence or to produce a document, the rules as to witnesses contained in this Code shall apply to him so far as they are applicable.

Rules as to witnesses to apply to parties summoned.

CHAPTER XV.

OF THE HEARING OF THE SUIT AND EXAMINATION OF WITNESSES.

Proceedings on the Hearing.

179. On the day fixed for the hearing of the suit, or on any other day to which the hearing is adjourned, the party having the right to begin shall state his case and produce his evidence in support of the issues which he is bound to prove.

Statement and production of evidence by party having right to begin.

Explanation.—The plaintiff has the right to begin unless where the defendant admits the facts alleged by the plaintiff and contends that on those facts the plaintiff is not entitled to any part of the relief which he seeks, in which case the defendant has the right to begin.

Rules as to right to begin.

180. The other party shall then state his case and produce his evidence (if any).

Statement and production of evidence by other party.

The party beginning is then entitled to reply.

Reply by party beginning.

Where there are several issues, the burden of proving some of which lies on the other party, the party beginning may, at his option, either produce his evidence on those issues or reserve it by way of answer to the evidence produced by the other party. In the latter case the party beginning may produce fresh evidence on those issues after the other party has produced all his evidence, and the other party may then reply specially on such fresh evidence; but the party beginning will then be entitled to reply generally on the whole case.

181. The evidence of the witnesses in attendance shall be taken orally in open court in the presence and hearing, and under the personal direction and superintendence of the Judge.

Witnesses to be examined in open court.

182. In cases in which an appeal is allowed the evidence of each witness shall be taken down in writing, in the language of the Court, by or in the presence and under the personal direction and superintendence of the Judge, not ordinarily in the form of question and answer, but in that of a narrative, and, when completed, shall be read over in the presence of the Judge and of the witness, and also in the presence of the parties or their pleaders, and shall, if necessary, be corrected, and shall be signed, by the Judge.

How evidence shall be taken in appealable cases.

183. In cases in which the evidence is not taken down in writing by the Judge, he shall be bound, as the examination of each witness proceeds, to make a memorandum of the substance of what each witness deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

Memorandum when evidence is not taken down by Judge.

184. Notwithstanding anything contained in section 182, the Local Government may by notification in the official Gazette permit the evidence of witnesses in any Court or class of Courts to be taken down by the Judge with his own hand in English, and may withdraw such permission,

and any Judge may take down the evidence with his own hand in English, if the parties to the suit who appear in person, and the pleaders of such as appear by pleaders, do not object.

Local Government may direct evidence to be taken down by Judge with his own hand.

185. If the evidence is taken down in a language different from that in which it was given, and the witness does not understand the language in which it is taken down, the evidence as taken down in writing shall be interpreted to him in the language in which it was given.

When witness may require his deposition to be interpreted.

186. The Court may of its own motion or on the application of any party or his pleader take down, or cause to be taken down, any particular question and answer, or any objection to any question, if there appear any special reason for so doing.

Any particular question and answer may be taken down.

187. If any question put to a witness be objected to by a party or his pleader, and the Court allows the same to be put, the Judge shall take down the question, the answer, the objection and the name of the person making it, together with the decision of the Court upon the objection.

Questions objected to.

188. The Court may record such remarks as it thinks material respecting the demeanour of any witness while under examination.

Remarks on demeanour of witnesses.

189. In cases in which an appeal is not allowed, it shall not be necessary to take down the evidence of the witnesses in writing at length; but the Judge, as the examination of each witness proceeds, shall make a memorandum of the substance of what he deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

Memorandum of evidence in unappealable cases.

190. If the Judge be rendered unable to take down evidence, or to make a memorandum as above required by this Chapter, he shall cause the reason of such inability to be recorded, and shall cause the evidence to be taken down, or the memorandum to be made in writing from his dictation in open Court.

Every memorandum so made shall form part of the record.

Judge unable to make such memorandum to record reason of his inability.

191. Where the Judge taking down any evidence, or causing any memorandum to be made under this Chapter, dies or is removed from the Court before the conclusion of the suit, his successor may, if he thinks fit, deal with such evidence or memorandum as if he himself had taken it down or caused it to be made.

Power to deal with evidence taken down by Judge removed before conclusion of suit.

192. If a witness be about to leave the jurisdiction of the Court, or if other sufficient cause be shown to the satisfaction of the Court why his evidence should be taken immediately, the Court, may, upon the application of either party or of the witness, at any time after the institution of the suit, take the evidence of such witness in manner hereinbefore provided.

Power to examine witness immediately.

Where such evidence is not taken forthwith and in the presence of the parties, such notice as the Court thinks sufficient of the day fixed for the examination shall be given to the parties.

The evidence so taken shall be read over to the witness, and, if he admits it to be correct, shall be signed by him, and may then be read at any hearing of the suit.

193. The Court may at any stage of the suit recall any witness who has been examined and who has not departed in accordance with section 173, and may (subject to the provisions of the Indian Evidence Act) put such questions to him as the Court thinks fit.

Court may recall and examine witness.

CHAPTER XVI.

OF AFFIDAVITS.

194. The Court may at any time for sufficient reason order that any particular fact or facts may be proved by affidavit, or that the affidavit of any witness may be read at the hearing, on such conditions as the Court thinks reasonable:

Power to order any point to be proved by affidavit.

Provided that where it appears to the Court that the other party *bonâ fide* desires the production of a witness for cross-examination, and that such witness can be produced, an order shall not be made authorizing the evidence of such witness to be given by affidavit.

195. Upon any application evidence may be given by affidavit, but the Court may on the application of either party order the attendance for cross-examination of the declarant.

When evidence may be given by affidavit.

196. Affidavits shall be confined to such facts as the declarant is able of his own knowledge to prove, except on interlocutory applications, on which statements of his belief may be admitted, provided that reasonable grounds thereof be set forth.

Matters to which affidavits shall be confined.

The costs of every affidavit which shall unnecessarily set forth matters of hearsay or argumentative matter, or copies of or extracts from documents, shall be paid by the party filing the same.

197. In the case of any affidavit under this Code—

Oath of declarant by whom to be administered.

(*a*) any Court or Magistrate, or

(*b*) any officer whom a High Court may appoint in this behalf, or

(*c*) any officer appointed by any other Court which the Local Government has generally or specially empowered in this behalf,

may administer the oath of the declarant.

CHAPTER XVII.

OF JUDGMENT AND DECREE.

198. The Court, after inspecting the documentary evidence on the record, and examining or hearing the witnesses examined by the parties or their pleaders, and hearing the parties in person or by their respective pleaders or recognized agents, shall pronounce judgment in open Court, either at once or on some future day, of which due notice shall be given to the parties or their pleaders.

Judgment when pronounced.

199. A Judge may pronounce a judgment written by his predecessor, but not pronounced, and in such case he shall not be bound by section 198, except as to giving notice.

Power to pronounce judgment written by Judge's predecessor.

200. The judgment shall be written in the language of the Court:

Judgment to be written in language of Court.

Provided that, if such language is not English or the Judge's mother-tongue, the judgment may be written in English or his mother-tongue.

Proviso.

201. Whenever the judgment is written in any language other than that of the Court, the judgment shall, if any of the parties so require, be translated into the language of the Court, and the translation shall also be signed by the Judge or such officer as he appoints in this behalf.

Translation of judgment.

202. The judgment shall be dated and signed by the Judge in open Court at the time of pronouncing it, and shall not be altered or added to, save to correct verbal errors or on review.

Judgment to be dated and signed.

203. The judgments of the Courts of Small Causes need not contain more than the points for determination and the decision thereupon.

Judgments of Small Cause Courts.

The judgments of all other Courts shall contain a concise statement of the case, the points for determination, the decision thereon, and the reasons for such decision.

Judgments of other Courts.

204. In suits in which issues have been framed, the Court shall state its finding or decision, with the reasons thereof, upon each separate issue, unless the finding upon any one or more of the issues be sufficient for the decision of the suit.

Court to state its decision on each issue.

Exception.

205. The decree shall bear date the day on which the judgment was pronounced; and when the Judge has satisfied himself that the decree has been drawn up in accordance with the judgment, he shall sign the decree.

Date of decree.

206. The decree must agree with the judgment: it shall contain the number of the suit, the names and descriptions of the parties, and particulars of the claim, as stated in the register, and shall specify clearly the relief granted or other determination of the suit.

Contents of decree.

The decree shall also state the amount of costs incurred in the suit, and by what parties and in what proportions such costs are to be paid.

If the decree is found to be at variance with the judgment, or if any clerical or arithmetical error be found in the decree, the Court shall, of its own motion or on that of any of the parties, amend the decree so as to bring it into conformity with the judgment or to correct such error: provided that reasonable notice have been given to the parties or their pleaders of the proposed amendment.

Power to amend decree.

207. When the subject-matter of the suit is immoveable property, and such property is identified by boundaries or numbers in a record of settlement or survey, if the decree be for the recovery of a portion only of such property, it shall specify the boundaries or number of such portion.

Decree for recovery of portion of immoveable property.

208. When the suit is for moveable property, if the decree be for the delivery of such property, it shall also state the amount of money to be paid as an alternative if delivery cannot be had.

Decree for delivery of moveable property.

209. When the suit is for a sum of money due to the plaintiff, the Court may, in the decree, order interest at such rate as the Court thinks proper to be paid on the principal sum adjudged, from the date of the suit to the date of the decree, in addition to any interest adjudged on such principal sum for any period prior to the institution of the suit, with further interest not exceeding six per centum per annum on the aggregate sum so adjudged, and on the costs of the suit, from the date of the decree to the date of payment, or to such earlier date as the Court thinks fit.

In suits for money, decree may order certain interest to be paid on principal sum adjudged.

210. In all decrees for the payment of money, the Court may for any sufficient reason order that the amount shall be paid by instalments, with or without interest.

Payment by instalments.

And on the application of the defendant at any time not more than six months after decree, the Court may order that the amount of the decree be paid by instalments on such terms as to the payment of interest, the attachment of the property of the defendant, or the taking of security from him, or otherwise, as it thinks fit: provided that, before granting such application, reasonable notice in writing has been given to the plaintiff or his pleader, and that the Court has heard the objections, if any, made by the plaintiff or on his behalf.

Court may order payment by instalments.

Save as provided in this section and section 206, no decree shall be altered at the request of parties.

211. When the suit is for land or other property yielding rent or other profit, the Court may provide in the decree for the payment of rent or mesne profits in respect of such property from the institution of the suit until the delivery of possession to the party in whose favour the decree is made, or until the expiration of one year from the date of the decree (whichever event first occurs), with interest thereupon at such rate as the Court thinks fit.

In suits for land, Court may decree payment of mesne profits with interest.

Explanation.—'mesne profits' of property mean those profits which the person in wrongful possession of such property actually received, or might with ordinary diligence have received, therefrom.

212. When the suit is for immoveable property and for mesne profits which have accrued on the property during a period prior to the institution of the suit, and the amount of such profits is disputed, the Court may either determine the amount by the decree itself, or may pass a decree for the property and direct an enquiry into the amount of mesne profits, and dispose of the same on further orders.

Court may determine amount of mesne profits prior to passing decree, or may reserve enquiry.

213. When the suit is for an account of any property and for its due administration under the decree of the Court, the Court, before making the decree, shall order such accounts and enquiries to be taken and made, and give such other directions as it thinks fit.

Administration-suit.

In the administration by the Court of the property of any person who dies after this Code comes into force, if such property proves to be insufficient for the payment in full of his debts and liabilities, the same rules shall be observed as to the respective rights of secured and unsecured creditors and as to debts and liabilities provable, and as to the valuation of annuities and future and contingent liabilities respectively, as may be in force for the time being with respect to the estates of persons adjudged insolvent;

and all persons who in any such case would be entitled to be paid out of such property may come in under the decree for its administration, and make such claims against the same as they may respectively be entitled to by virtue of this Code.

Explanation.—Applications under section 265 of the Indian Contract Act, 1872, shall be deemed to be suits within the meaning of this section.

214. When the suit is for the dissolution of a partnership, the Court, before making its decree, may pass an order fixing the day on which the partnership shall stand dissolved, and directing such accounts to be taken and other acts to be done as it thinks fit.

Suit for dissolution of partnership.

215. If the defendant has set-off the amount of a debt against the claim of the plaintiff, and such set-off has been allowed, the decree shall state what amount is due to the plaintiff and what amount (if any) is due to the defendant, and shall be for the recovery of any sum which appears to be due to either party.

If set-off be allowed.

The decree of the Court with respect to any sum awarded to the defendant shall have the same effect, and be subject to the same rules in respect of appeal or otherwise, as if such sum had been claimed by the defendant in a separate suit against the plaintiff.

Effect of decree.

216. Certified copies of the judgment and decree shall be furnished to the parties on application to the Court, and at their expense.

Certified copies of decree and judgment to be furnished.

CHAPTER XVIII.

OF COSTS.

217. When disposing of any application under this Code the Court may give to either party the costs of such application, or may reserve the consideration of such costs for any future stage of the proceedings.

Costs of applications.

218. The judgment shall direct by whom the costs of each party are to be paid, whether by himself or by any other party to the suit, and whether in whole or in what part or proportion.

Judgment to direct by whom costs are to be paid.

219. The Court shall have full power to give and apportion costs of every application and suit in any manner it thinks fit, and the fact that the Court has no jurisdiction to try the case is no bar to the exercise of such power:

Power of Court as to costs.

Provided if the Court directs that the costs of any application or suit shall not follow the event, the Court shall state its reasons in writing.

220. The Court may direct that the costs payable to one party by another shall be set-off against a sum which is admitted or is found in the suit to be due from the former to the latter.

Costs may be set-off against sum admitted or found to be due.

221. The Court may give interest on costs at any rate not exceeding six per cent. per annum, and may direct that costs, with or without interest, be paid out of or charged upon the subject-matter of the suit.

Interest on costs.

Costs may be paid out of or charged on subject-matter of suit.

222. There shall be no appeal on a question solely relating to costs except on either of the following grounds (namely)

Questions of costs when appealable.

(*a*) that the costs are payable out of or chargeable on some property; or

(*b*) that the mode in which the costs have been given is inconsistent with some enactment for the time being in force.

Illustration.

A, an incumbrancer upon a certain estate, sues to compel the payment of his charge. The Court decrees him his principal and interest, but refuses his costs. A may appeal against this refusal, for every incumbrancer has a lien for his costs on the property charged.

CHAPTER XIX.

OF THE EXECUTION OF DECREES.

A.—Of the Court by which Decrees may be executed.

223. A decree may be executed either by the Court which passed it or by the Court to which it is sent for execution under the provisions hereinafter contained.

Court by which decree may be executed.

The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court,

(*a*) if the person against whom the decree is passed actually and voluntarily resides or carries on business, or personally works for gain, within the local limits of the jurisdiction of such other Court, or

(*b*) if such person has not property within the local limits of the jurisdiction of the Court which passed the decree sufficient to satisfy such decree and has property within the local limits of the jurisdiction of such other Court, or

(*c*) if the Court which passed the decree considers for any other reason, which it shall record in writing, that the decree should be executed by such other Court.

Notice of every such application shall be served on the judgment-debtor, and the Court after hearing the objections which he or his pleader may urge against the application, may send the decree for execution accordingly.

And the Court to which a decree is sent for execution shall certify to the Court which passed it, the fact of such execution, or where the former Court fails to execute the same, the circumstances attending such failure.

If the decree has been passed in a case cognizable by a Court of Small Causes and the Court making it wishes it to be executed in Calcutta, Madras, Bombay or Rangoon, the Court making it may send to the local Court of Small Causes the copies and certificate respectively mentioned in clauses (*a*), (*b*) and (*c*) of section 225; and such Court shall thereupon execute the decree as if it had been passed by itself.

Provided that if the Court passing the decree is subordinate to a District Court, it shall send the decree to the District Court to which it is subordinate, and such Court shall deal with the decree as if it had been passed by itself.

224. A decree of any Court established by the authority of the Governor General in Council in the territories of any Native Prince or State in India, which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in manner hereinafter provided within the jurisdiction of any Court in British India.

Decrees of Courts established by Government of India in Native States.

225. The Court desiring that a decree passed by itself shall be executed by another Court shall send such other Court,—

Procedure when Court desires that its own decree shall be executed by another Court.

(*a*) a copy of the decree;

(*b*) a certificate setting forth that satisfaction of the decree has not been obtained by execution within the jurisdiction of the Court by which it was passed, or, where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unexecuted; and

(*c*) a copy of any order for the execution of the decree, and if no such order has been made, a certificate to that effect.

Provided that if the Court passing the decree is subordinate to a District Court, it shall send such copies and certificate to the District Court to which it is subordinate, and such Court shall forward them to the Court by which the decree is to be executed.

226. The Court executing a decree so sent shall cause such copies and certificate to be filed, without any further proof of the decree or order for execution, or of the copies thereof, or of the jurisdiction of the Court which passed it, unless the Court, for any special reasons to be recorded under the hand of the Judge, requires such proof.

Court receiving copies of decree, &c., to file same without proof.

227. The copy of the decree and of any order for execution, when filed in the Court to which such copy has been sent for the purpose of being executed as aforesaid, shall for such purpose have the same effect as a decree or order for execution made by such Court.

Transmitted copy of decree or order to have same effect as decree of Court to which it is sent for execution.

228. If the Court to which the decree is sent for execution be a High Court, the decree shall be executed by such Court in the same manner as if it had been made by such Court in the exercise of its ordinary original civil jurisdiction.

Execution by High Court, of decree transmitted by other Court.

229. The Court executing a decree sent to it under this chapter shall have the same powers in executing such decree as if it had been passed by itself. All persons disobeying or obstructing the execution of the decree shall be punishable by such Court in the same manner as if it had passed the decree. And its orders in executing such decree shall be subject to the same rules in respect of appeal, as if the decree had been passed by itself.

Appeal from orders for execution of decrees of other Courts.

B.—Of Application for Execution.

230. When the holder of a decree desires to enforce it, he shall apply to the Court which passed the decree or to the officer, if any, appointed in this behalf, or if the decree has been sent under the provisions hereinbefore contained to another Court, then to such Court.

Application for execution.

And on the application of the defendant at any time not more than six months after decree, the Court may order that the amount of the decree be paid by instalments on such terms as to the payment of interest, the attachment of the property of the defendant, or the taking of security from him, or otherwise, as it thinks fit: provided that, before granting such application, reasonable notice in writing has been given to the plaintiff or his pleader, and that the Court has heard the objections, if any, made by the plaintiff or on his behalf.

Court may order payment by instalments.

Save as provided in this section and section 206, no decree shall be altered at the request of parties.

211. When the suit is for land or other property yielding rent or other profit, the Court may provide in the decree for the payment of rent or mesne profits in respect of such property from the institution of the suit until the delivery of possession to the party in whose favour the decree is made, or until the expiration of one year from the date of the decree (whichever event first occurs), with interest thereupon at such rate as the Court thinks fit.

In suits for land, Court may decree payment of mesne profits with interest.

Explanation.—'mesne profits' of property mean those profits which the person in wrongful possession of such property actually received, or might with ordinary diligence have received, therefrom.

212. When the suit is for immoveable property and for mesne profits which have accrued on the property during a period prior to the institution of the suit, and the amount of such profits is disputed, the Court may either determine the amount by the decree itself, or may pass a decree for the property and direct an enquiry into the amount of mesne profits, and dispose of the same on further orders.

Court may determine amount of mesne profits prior to passing decree, or may reserve enquiry.

213. When the suit is for an account of any property and for its due administration under the decree of the Court, the Court, before making the decree, shall order such accounts and enquiries to be taken and made, and give such other directions as it thinks fit.

Administration-suit.

In the administration by the Court of the property of any person who dies after this Code comes into force, if such property proves to be insufficient for the payment in full of his debts and liabilities, the same rules shall be observed as to the respective rights of secured and unsecured creditors and as to debts and liabilities provable, and as to the valuation of annuities and future and contingent liabilities respectively, as may be in force for the time being with respect to the estates of persons adjudged insolvent;

and all persons who in any such case would be entitled to be paid out of such property may come in under the decree for its administration, and make such claims against the same as they may respectively be entitled to by virtue of this Code.

Explanation.—Applications under section 265 of the Indian Contract Act, 1872, shall be deemed to be suits within the meaning of this section.

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Suit for dissolution of partnership.

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If set-off be allowed.

The decree of the Court with respect to any sum awarded to the defendant shall have the same effect, and be subject to the same rules in respect of appeal or otherwise, as if such sum had been claimed by the defendant in a separate suit against the plaintiff.

Effect of decree.

216. Certified copies of the judgment and decree shall be furnished to the parties on application to the Court, and at their expense.

Certified copies of decree and judgment to be furnished.

CHAPTER XVIII.

OF COSTS.

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Costs of applications.

218. The judgment shall direct by whom the costs of each party are to be paid, whether by himself or by any other party to the suit, and whether in whole or in what part or proportion.

Judgment to direct by whom costs are to be paid.

219. The Court shall have full power to give and apportion costs of every application and suit in any manner it thinks fit, and the fact that the Court has no jurisdiction to try the case is no bar to the exercise of such power:

Power of Court as to costs.

Provided if the Court directs that the costs of any application or suit shall not follow the event, the Court shall state its reasons in writing.

220. The Court may direct that the costs payable to one party by another shall be set-off against a sum which is admitted or is found in the suit to be due from the former to the latter.

Costs may be set-off against sum admitted or found to be due.

221. The Court may give interest on costs at any rate not exceeding six per cent. per annum, and may direct that costs, with or without interest, be paid out of or charged upon the subject-matter of the suit.

Interest on costs.
Costs may be paid out of or charged on subject-matter of suit.

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(*a*) that the costs are payable out of or chargeable on some property; or

(*b*) that the mode in which the costs have been given is inconsistent with some enactment for the time being in force.

Illustration.

A, an incumbrancer upon a certain estate, sues to compe the payment of his charge. The Court decrees him his principal and interest, but refuses his costs. A may appeal against this refusal, for every incumbrancer has a lien for his costs on the property charged.

CHAPTER XIX.

OF THE EXECUTION OF DECREES.

A.—Of the Court by which Decrees may be executed.

223. A decree may be executed either by the Court which passed it or by the Court to which it is sent for execution under the provisions hereinafter contained.

Court by which decree may be executed.

The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court,

(*a*) if the person against whom the decree is passed actually and voluntarily resides or carries on business, or personally works for gain, within the local limits of the jurisdiction of such other Court, or

(*b*) if such person has not property within the local limits of the jurisdiction of the Court which passed the decree sufficient to satisfy such decree and has property within the local limits of the jurisdiction of such other Court, or

(*c*) if the Court which passed the decree considers for any other reason, which it shall record in writing, that the decree should be executed by such other Court.

Notice of every such application shall be served on the judgment-debtor, and the Court after hearing the objections which he or his pleader may urge against the application, may send the decree for execution accordingly.

And the Court to which a decree is sent for execution shall certify to the Court which passed it, the fact of such execution, or where the former Court fails to execute the same, the circumstances attending such failure.

If the decree has been passed in a case cognizable by a Court of Small Causes and the Court making it wishes it to be executed in Calcutta, Madras, Bombay or Rangoon, the Court making it may send to the local Court of Small Causes the copies and certificate respectively mentioned in clauses (*a*), (*b*) and (*c*) of section 225; and such Court shall thereupon execute the decree as if it had been passed by itself.

Provided that if the Court passing the decree is subordinate to a District Court, it shall send the decree to the District Court to which it is subordinate, and such Court shall deal with the decree as if it had been passed by itself.

224. A decree of any Court established by the authority of the Governor General in Council in the territories of any Native Prince or State in India, which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in manner hereinafter provided within the jurisdiction of any Court in British India.

Decrees of Courts established by Government of India in Native States.

225. The Court desiring that a decree passed by itself shall be executed by another Court shall send such other Court,—

Procedure when Court desires that its own decree shall be executed by another Court.

(*a*) a copy of the decree;

(*b*) a certificate setting forth that satisfaction of the decree has not been obtained by execution within the jurisdiction of the Court by which it was passed, or, where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unexecuted; and

(*c*) a copy of any order for the execution of the decree, and if no such order has been made, a certificate to that effect.

Provided that if the Court passing the decree is subordinate to a District Court, it shall send such copies and certificate to the District Court to which it is subordinate, and such Court shall forward them to the Court by which the decree is to be executed.

226. The Court executing a decree so sent shall cause such copies and certificate to be filed, without any further proof of the decree or order for execution, or of the copies thereof, or of the jurisdiction of the Court which passed it, unless the Court, for any special reasons to be recorded under the hand of the Judge, requires such proof.

Court receiving copies of decree, &c., to file same without proof.

227. The copy of the decree and of any order for execution, when filed in the Court to which such copy has been sent for the purpose of being executed as aforesaid, shall for such purpose have the same effect as a decree or order for execution made by such Court.

Transmitted copy of decree or order to have same effect as decree of Court to which it is sent for execution.

228. If the Court to which the decree is sent for execution be a High Court, the decree shall be executed by such Court in the same manner as if it had been made by such Court in the exercise of its ordinary original civil jurisdiction.

Execution by High Court, of decree transmitted by other Court.

229. The Court executing a decree sent to it under this chapter shall have the same powers in executing such decree as if it had been passed by itself. All persons disobeying or obstructing the execution of the decree shall be punishable by such Court in the same manner as if it had passed the decree. And its orders in executing such decree shall be subject to the same rules in respect of appeal, as if the decree had been passed by itself.

Appeal from orders for execution of decrees of other Courts.

B.—Of Application for Execution.

230. When the holder of a decree desires to enforce it, he shall apply to the Court which passed the decree or to the officer, if any, appointed in this behalf, or if the decree has been sent under the provisions hereinbefore contained to another Court, then to such Court.

Application for execution.

The Court may in its discretion refuse execution at the same time against the person and property of the judgment-debtor.

Where an application to execute a decree for the payment of money or delivery of other property has been made under this section and granted, no subsequent application to execute the same decree shall be granted unless the Court is satisfied that on the former application due diligence was used to procure complete satisfaction of the decree; and the order of the Court granting such application shall be conclusive evidence that due diligence was used to procure such satisfaction.

And no such subsequent application shall be granted after the expiration of twelve years from any of the following dates (namely)—

(*a*) the date of the decree sought to be enforced, or

(*b*) where the decree directs the payment of money or the delivery of property by instalments,—the date of the default in paying or delivering the instalment in respect of which the applicant seeks to enforce the decree, or

(*c*) where the decree is for money and the decree-holder and the judgment-debtor have entered into an agreement in writing that the amount decreed, with such interest (if any) as may be therein mentioned, shall be discharged by such instalments as, if duly paid, will discharge the said amount and interest at some time within thirty years from the date of the decree, and such agreement has been filed in Court,—the date of the default in paying the instalment in respect of which the applicant seeks to enforce the decree.

Nothing in this section shall prevent any decree-holder from applying for execution of the same after the expiration of the said term of twelve years, where the judgment-debtor has by fraud or force prevented the execution of the decree at some time within twelve years immediately before the date of the application.

231. If a decree has been passed in favour of more persons than one, any one or more of such persons, or his or their representatives, may apply for the execution of the whole decree for the benefit of them all, or, where any of them has died, for the benefit of the survivors and the representatives in interest of the deceased.

Any one of several decree-holders may apply.

If the Court sees sufficient cause for allowing the decree to be executed on an application so made, it shall pass such order as it deems necessary for protecting the interests of the persons who have not joined in the application.

232. If a decree be transferred by assignment in writing or by operation of law from the decree-holder to any other person, the transferree may apply for its execution to the Court which passed it; and if that Court thinks fit, the decree may be executed in the same manner and subject to the same conditions as if the application were made by such decree-holder:

Application by transferee of decree.

Provided that where the decree has been transferred by assignment, notice in writing of such application shall be given to the transferor and the judgment-debtor, and that the decree shall not be executed until the Court has heard their objections (if any) to such execution:

Provided also that where a decree against several persons has been transferred to one of them, it shall not be executed against the others.

Every transferree of a decree shall hold the same subject to the equities (if any) which the judgment-debtor might have enforced against the original decree-holder.

Transferree to hold subject to equities enforceable against original holder.

233. When the holder of a decree sent under the foregoing provisions for execution by a Court other than the Court which made it, applies for execution of the decree to the Court to which it has been so sent, such Court, or any subordinate Court to which the execution of the decree may be entrusted, shall proceed to execute the decree according to the provisions of this chapter so far as the same are applicable, and, so far as they are not applicable, according to its own rules in the like cases:

Enforcement of execution by Court applied to.

Such Court shall not enquire into the validity of the decree unless it appear upon the face of the decree that the Court by which it was passed had no jurisdiction to pass it.

234. If a judgment-debtor dies before the decree has been fully executed, the holder of the decree may apply for its execution against the legal representative of the deceased.

If judgment-debtor die before execution, application may be made against his representative.

Such representative shall be liable only to the extent of the property of the deceased which has come to his hands and has not been duly disposed of; and for the purpose of ascertaining such liability, the Court executing the decree may of its own motion, or on the application of the decree-holder, compel the said representative to produce such accounts as it thinks fit.

235. The application for the execution of a decree shall be in writing, verified in manner hereinbefore provided for the verification of plaints, and shall contain in a tabular form the following particulars, (namely)—

Contents of application for execution of decree.

(*a*) the number of the suit;

(*b*) the names of the parties;

(*c*) the date of the decree;

(*d*) whether any appeal has been preferred from the decree;

(*e*) whether any and what adjustment of the matter in dispute has been made between the parties subsequently to the decree;

(*f*) whether any and what previous applications have been made for execution of the decree and with what result;

(*g*) the amount of the debt or compensation, with the interest, if any, due upon the decree, or other relief granted thereby;

(*h*) the amount of costs, if any, awarded;

(*i*) the name of the person against whom the enforcement of the decree is sought, and

(*j*) the mode in which the assistance of the Court is required, whether by the delivery of property specifically decreed, by the arrest and imprisonment of the person named in the application, or by the attachment of his property, or otherwise as the nature of the relief sought may require.

236. If the application be for the attachment of any immoveable property belonging to the judgment-debtor, it shall contain at the foot a description of the property sufficient to identify it, and also a specification of the judgment-debtor's share or interest therein to the best of the belief of the applicant and so far as he has been able to ascertain the same.

Further particulars when application is for attachment of immoveable property.

Every such description and specification shall be verified in manner hereinbefore provided for the verification of plaints.

237. If the property be land which, whether it pays revenue to Government or not, is registered in the Collector's office, the application for attachment shall be accompanied by an authenticated extract from the register of such office, specifying the persons registered as proprietors of, or as possessing any transferable interest in, the land or its revenue, or as liable to pay revenue for such land, and the shares of the registered proprietors.

When application must be accompanied by extract from Collector's register.

238. Every decree-holder applying for an attachment of any moveable property of the judgment-debtor shall annex to his application an inventory of the property to be attached, containing a reasonably accurate description of the same.

Application for attachment of moveable property to be accompanied with inventory.

C.—Of staying Execution.

239. The Court to which a decree has been sent for execution under this Chapter, shall upon sufficient cause being shown, stay the execution of such decree for a reasonable time, to enable the judgment debtor to apply to the Court by which the decree was made, or to any Court having appellate jurisdiction in respect of the decree or the execution thereof, for an order to stay the execution, or for any other order relating to the decree or execution which might have been made by such Court of first instance or appellate Court if execution had been issued thereby, or if application for execution had been made thereto;

When Court may stay execution.

and in case the property or person of the judgment-debtor has been seized under an execution, the Court which issued the execution may order the restitution or discharge of such property or the person pending the result of the application for such order.

240. Before passing an order to stay execution, or for the restitution of property or the discharge of the judgment-debtor under section 239, the Court may require such security from, or impose such conditions upon, the judgment-debtor as it thinks fit.

Power to require security from, or impose conditions upon, judgment-debtor.

241. No discharge under section 239 of the property or person of a judgment-debtor, shall prevent it or him from being retaken in execution of the decree.

Liability of judgment-debtor discharged to be retaken.

242. Any order of the Court by which the decree was passed or of such Court of appeal as aforesaid, in relation to the execution of such decree shall be binding upon the Court to which the decree was sent for execution.

Order of Court passing decree or of Appellate Court to be binding upon Court applied to.

243. If a suit be pending in any Court against the holder of a decree of such Court, on the part of the person against whom the decree was passed, the Court may (if it think fit), stay execution on the decree, either absolutely or on such terms as it thinks fit, until the pending suit has been decided.

Stay of execution pending suit between decree-holder and judgment-debtor.

244. The following questions shall be determined by order of the Court executing a decree and not by separate suit (namely)—

Question to be decided by Court executing decree.

(*a*) questions regarding the amount of any mesne profits which by the terms of the decree have been directed to be adjusted in the execution of the decree;

(*b*) questions regarding the amount of any mesne profits or interest which the decree has made payable in respect of the subject-matter of a suit between the date of its institution and the execution of the decree;

(*c*) any other questions arising between the parties to the suit in which the decree was passed, or their representatives, and relating to the execution of the decree.

Nothing in this section shall be deemed to bar a separate suit for mesne profits accruing between the institution of the first suit and the execution of the decree therein, where such profits are not dealt with by the decree.

D.—Of the mode of executing Decrees.

245. The Court, on receiving an application for the execution of a decree, shall ascertain whether it contains the particulars mentioned in section 235, or such of them as may be applicable to the case, and whether it is accompanied by the inventory mentioned in section 238, and if such particulars or inventory are or is wanting, it shall reject the application or return it for amendment or for the addition of the inventory, as the case may be, or amend it then and there. Every amendment made under this section shall be attested by the signature of the Judge.

Procedure on receiving application for execution of decree.

When the application is admitted, the Court shall enter in the register of the suit a note of the application and the date on which it was made, and shall order execution of the decree according to the nature of the application:

Procedure on admitting application.

Provided that, in the case of a decree for money, the value of the property attached shall as nearly as may be correspond with the amount for which the decree has been made.

246. If cross-decrees between the same parties for the payment of money be produced to the Court, execution shall be taken out only by the party who holds a decree for the larger sum, and for so much only as remains after deducting the smaller sum, and satisfaction for the smaller sum shall be entered on the decree for the larger sum as well as satisfaction on the decree for the smaller sum.

Cross-decrees.

If the two sums be equal, satisfaction shall be entered upon both decrees.

Explanation I.—The decrees contemplated by this section are (*a*) decrees made by the same Court, (*b*) decrees sent to the same Court for execution, and (*c*) decrees of which one is made by the Court and the other is sent to the same Court for execution; but not (*d*) decrees of which one is made by one Court and the other is made by another Court, and not sent for execution to the former Court.

Explanation II.—This section applies where either party is an assignee of one of the decrees.

Explanation III.—This section does not apply unless

(*e*) both decrees are capable of execution at the same time;

(*f*) the parties are the same; and

(*g*) the sums due under the decrees are definite.

Illustrations.

(*a*) A holds a decree against B for Rs. 1,000. B holds a decree against A for the payment of Rs. 1,000. In case A fails to deliver certain goods at a future day, B cannot treat his decree as a cross-decree under this section.

(*b*) A and B, co-plaintiffs, obtain a decree for Rs. 1,000 against C, and C obtains a decree for Rs. 1,000 against B. C cannot treat his decree as a cross-decree under this section.

(*c*) A obtains a decree against B for Rs. 1,000. C, who is a trustee for B, obtains a decree on behalf of B against A for Rs. 1,000. B cannot treat C's decree as a cross-decree under this section.

247. When two parties are entitled under the same decree to recover from each other sums of different amounts, the party entitled to the smaller sum shall not take out execution against the other party; but satisfaction for the smaller sum shall be entered on the decree.

Cross-claims under same decree.

When the amounts are equal, neither party shall take out execution, but satisfaction for each sum shall be entered on the decree.

248. The Court shall issue a notice to the party against whom execution is applied for, requiring him to show cause, within a period to be fixed by the Court, why the decree should not be executed against him,

Notice to show cause why decree should not be executed.

(*a*) if more than one year has elapsed between the date of the decree and the application for its execution, or

(*b*) if the enforcement of the decree be applied for against the legal representative of a party to the suit in which the decree was made:

Proviso.

Provided that no such notice shall be necessary

in consequence of more than one year having elapsed between the date of the decree and the application for execution, if the application be made within one year from the date of the last order passed on any previous application for execution, or

in consequence of the application being against the legal representative of the judgment-debtor if upon a previous application for execution against the same person, the Court has ordered execution to issue against him.

Explanation.—In this section the phrase "the Court" means the Court by which the decree was passed, unless the decree has been sent to another Court for execution, in which case it means such other Court.

249. If the person to whom notice is issued under the last preceding section does not appear, or does not show cause to the satisfaction of the Court why the decree should not be executed, the Court shall order the decree to be executed.

Procedure after issue of notice.

If he offers any objection to the enforcement of the decree, the Court shall pass such order as it thinks fit.

250. When the preliminary measures (if any) required by the foregoing provisions have been taken, the Court, unless it sees cause to the contrary, shall issue its warrant for the execution of the decree.

Warrant when to issue.

251. The warrant for the execution of the decree shall bear the date of the day on which it is issued, and shall be signed by the Judge or such officer as the Court appoints in this behalf, and shall be sealed with the seal of the Court, and delivered to the proper officer to be executed.

Date, signature, seal and delivery.

252. If the decree be against a party as the legal representative of a deceased person, and the decree be for money to be paid out of the property of the deceased, it may be executed by the attachment and sale of any such property.

Decree against representative of deceased for money to be paid out of deceased's property.

If no such property can be found, and the judgment-debtor fails to satisfy the Court that he has duly applied such property of the deceased as is proved to have come into his possession, the decree may be executed against the judgment-debtor to the extent of the property not duly applied by him, in the same manner as if the decree had been against him personally.

253. Whenever a person has, before the passing of a decree in an original suit, become liable as surety for the performance of the same or of any part thereof, the decree may be executed against him to the extent to which he has rendered himself liable, in the same manner as a decree may be executed against a defendant:

Decree against surety.

Provided that such notice in writing as the Court in each case thinks sufficient has been given to the surety.

254. Where a decree is against partners in the name of the firm, execution may issue in manner following:—

Decree against partners in name of firm.

(*a*) against any property of the partners as such:

(*b*) against any person who has admitted in the suit that he is or has been adjudged to be a partner:

(*c*) against any person who has been served as a partner, with the summons, and has failed to appear.

If the decree-holder claims to be entitled to issue execution against any other person as being a member of the firm, he may apply to the Court for leave so to do; and the Court may give such leave if notice of the application has been served on such other person and the liability to execution is not disputed, or, if such liability is disputed, may try and determine the same in any manner in which any issue or question in a suit may be tried and determined.

255. Every decree or order directing a party to pay money, whether by way of compensation, or costs, or otherwise, shall be enforced by the imprisonment of the judgment-debtor, or by the attachment and sale of his property in manner hereinafter provided, or by both.

Decree for money.

Explanation.—A decree for mesne profits or any other matter, the amount of which, in money, is to be subsequently determined, is a decree for money within the meaning of this section.

256. When a decree is passed for a sum of money only, and the amount decreed does not exceed the sum of one thousand rupees, the Court may, when passing the decree, on the oral application of the decree-holder, order immediate execution thereof by the issue of a warrant directed either against the person of the judgment-debtor if he is within the local limits of the jurisdiction of the Court, or against his moveable property within the same limits.

Power to direct immediate execution of decree for money not exceeding Rs. 1,000.

257. Payment of a sum of money ordered to be paid as the alternative to some other relief granted by the decree shall be enforced in manner hereinbefore provided for the execution of a decree for money.

Order for payment of money as an alternative.

258. All money payable under a decree shall be paid as follows (namely)—

Modes of paying money under decree.

(*a*) into the Court whose duty it is to execute the decree, or,

(*b*) out of Court to the decree-holder; or

otherwise as the Court which made the decree directs.

If the money is paid out of Court or the Court is otherwise adjusted to the decree-holder, he shall certify the payment or adjustment to the Court whose duty it is to execute the decree; and no satisfaction of a decree in part or in whole by such payment or adjustment shall be recognized by the Court unless the payment or adjustment is certified as aforesaid. Where the decree-holder refuses to certify as aforesaid, the judgment-debtor may, within eight days of the date of payment, apply to such Court for an order directing the decree-holder to certify as aforesaid, and the Court, after hearing the decree-holder or his pleader, may make such order.

259. If the decree be for any specific moveable, or for any share in a specific moveable, or for the recovery of a wife, it shall be enforced by the seizure, if practicable, of the moveable or share, and by the delivery thereof to the party to whom it has been adjudged, or such person as he appoints to receive delivery on his behalf, or by the imprisonment of the judgment-debtor, or by attaching his property and keeping the same under attachment until the further order of the Court, or by both imprisonment and attachment, if necessary.

Decree for specific moveables, or recovery of wives.

No attachment under this section shall remain in force for more than six months, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

260. When the party against whom a decree for the specific performance of a contract, or for restitution of conjugal rights, has been made, has had an opportunity of obeying the decree or injunction and has wilfully failed to obey it, the decree may be enforced by his imprisonment, or by the attachment of his property, or by both.

Decree for specific performance or restitution of conjugal rights.

No attachment under this section shall remain in force for more than one year, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit and may pay the balance, if any, to the judgment-debtor on his application.

261. If the decree be for the execution of a conveyance, or for the endorsement of a negotiable instrument, and the judgment-debtor neglects or refuses to comply with the decree, the decree-holder may prepare the draft of a conveyance or endorsement in accordance with the terms of the decree, and deliver the same to the Court.

Decree for execution of conveyances, or endorsement of negotiable instruments.

The Court shall thereupon cause the draft to be served on the judgment-debtor in manner hereinbefore provided for serving a summons, together with a notice in writing stating that his objections, if any, thereto shall be made within such time (mentioning it) as the Court fixes in this behalf.

The decree-holder may also tender a duplicate of the draft to the Court for execution upon the proper stamp-paper, if a stamp is required by law.

On proof of such service, the Court, or such officer as it appoints in this behalf, shall execute the duplicate so tendered, or may, if necessary, alter the same, so as to bring it into accordance with the terms of the decree, and execute the duplicate so altered:

Provided that if any party object to the draft so served as aforesaid, his objections shall, within the time so fixed, be stated in writing and argued before the Court, and the Court shall thereupon pass such order as it thinks fit, and execute, or alter and execute, the duplicate in accordance therewith.

262. The execution of a conveyance or the endorsement of a negotiable instrument by the Court under the last preceding section may be in the following form: "*C. D.*, Judge of the Court of (*or as the case may be*), for *A. B.*, in a suit by *E. F.*, against *A. B.*," or in such other form as the High Court may from time to time prescribe, and shall have the same effect as the execution of the conveyance or endorsement of the instrument by the party ordered to execute or endorse the same.

Form and effect of execution of conveyance by Court.

263. If the decree be for the delivery of any immoveable property, possession thereof shall be delivered over to the party to whom it has been adjudged, or to such person as he appoints to

Decree for immoveable property.

receive delivery on his behalf, and, if need be, by removing any person bound by the decree who refuses to vacate the property.

Delivery of immoveable property when in occupancy of tenant.

264. If the decree be for any immoveable property in the occupancy of a tenant or other person entitled to occupy the same, the Court shall order delivery to be made by affixing a copy of the warrant in some conspicuous place on the property, and proclaiming to the occupant by beat of drum, or in such other mode as is customary, at some convenient place, the substance of the decree in regard to the property:

Provided that if the occupant can be found, a notice in writing containing such substance shall be served upon him, and in such case no proclamation need be made.

Partition of estate or separation of share.

265. If the decree be for the partition or for the separate possession of a share of an undivided estate, paying revenue to Government, the partition of the estate or the separation of the share shall be made by the Collector.

E.—Of Attachment of Property.

Property liable to attachment and sale in execution of decree.

266. The following property is liable to attachment and sale in execution of a decree, (namely), lands, houses or other buildings, goods, money, bank-notes, cheques, bills of exchange, hundís, promissory notes, Government securities, bonds or other securities for money, debts, shares in the capital or joint-stock of any railway, banking or other public Company or Corporation, and, except as hereinafter mentioned, all other saleable property, moveable or immoveable, belonging to the judgment-debtor, and whether the same be held in the name of the judgment-debtor or by another person in trust for him or on his behalf:

Provided that the following particulars shall not be liable to such attachment or sale (namely)—

(*a*) the necessary wearing apparel of the judgment-debtor, his wife and children:

(*b*) tools of artizans, implements of husbandry and cattle kept *bonâ fide* for agricultural purposes:

(*c*) the materials of houses and other buildings belonging to and occupied by agriculturists:

(*d*) books of account:

(*e*) mere rights to sue for damages:

(*f*) the right to perform the service of an idol:

(*g*) stipends allowed to military and civil pensioners of Government, and political pensions:

(*h*) the salary of a public officer or of the servant of a Railway Company:

(*i*) the pay and allowances of persons to whom the Native Articles of War apply:

(*j*) the wages of labourers and domestic servants:

(*k*) an expectancy of succession by survivorship:

(*l*) a right to future maintenance.

Provided also that nothing in this section shall be deemed to affect the statute for the time being in force for punishing mutiny and desertion and for the better payment of the Army and their quarters.

Power to summon and examine persons as to property liable to be seized.

267. The Court may of its own motion or on the application of the decree-holder, summon any person whom it thinks necessary, and examine him in respect to any property liable to be seized in satisfaction of the decree, and may require the person summoned to produce any document in his possession or power relating to such property.

Attachment of debt, share and other property not in possession of judgment-debtor.

268. In the case of (*a*) a debt not secured by a negotiable instrument, (*b*) a share in the capital of any public company or corporation, (*c*) other moveable property not in the possession of the judgment-debtor, except property deposited in, or in the custody of, any Court, the attachment shall be made by a written order prohibiting,

(*a*) in the case of the debt, the creditor from recovering the debt and the debtor from making payment thereof until the further order of the Court:

(*b*) in the case of the share, the person in whose name the share may be standing, from transferring the same or receiving any dividend thereon:

(*c*) in the case of the other moveable property except as aforesaid, the person in possession of the same from giving it over to the judgment-debtor.

A copy of such order shall be fixed up in some conspicuous part of the Court-house, and another copy of the same shall be sent in the case of the debt to the debtor, in the case of the share to the proper officer of the company or corporation, and in the case of the other moveable property (except as aforesaid) to the person in possession of the same.

A debtor prohibited under clause (*a*) of this section may pay the amount of his debt into Court, and such payment shall discharge him as effectually as payment to the party entitled to receive the same.

No attachment under this section shall remain in force for more than six months, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

Attachment of moveable property in possession of defendant.

269. If the property be moveable property in the possession of the judgment-debtor, other than the property mentioned in the first proviso to section 266, the attachment shall be made by actual seizure, and the attaching officer shall keep the property in his own custody or in the custody of one of his subordinates, and shall be responsible for the due custody thereof:

Provided that when the property seized is subject to speedy and natural decay, the proper officer may sell it at once.

Power to make rules for maintenance of attached livestock.

The Local Government may from time to time make rules for the maintenance and custody, while under attachment, of livestock and other moveable property, and the officers

attaching property under this section shall, notwithstanding the provisions of the former part of this section, act in accordance with such rules.

Attachment of negotiable instruments.

270. If the property be a negotiable instrument not in deposit in a Court, the attachment shall be made by actual seizure, and the instrument shall be brought into Court and held subject to the further orders of the Court.

Seizure of property in house.

271. If the person executing any process under this Code directing or authorising seizure of moveable property, has gained access to a house or other building, he may unfasten and open the door of any room in which he has reason to believe any such property to be:

Seizure of property in zanánás.

Provided that if the room be in the actual occupancy of a woman, who according to the customs of the country does not appear in public, the person executing the process shall give notice to her that she is at liberty to withdraw; and after allowing a reasonable time for such woman to withdraw, and giving her every reasonable facility for withdrawing, he may enter such room for the purpose of seizing the property, using at the same time every precaution, consistent with these provisions, to prevent its clandestine removal.

Attachment of property deposited in Court or with Government officer.

272. If the property be deposited in, or in the custody of, any Court or public officer, the attachment shall be made by a notice to such Court or officer, requesting that such property, and any interest or dividend becoming payable thereon may be held subject to the further orders of the Court from which the notice issues:

Proviso.

Provided that, if such property is deposited in a Court, any question of title or priority arising between the decree-holder and any other person, not being the judgment-debtor, claiming to be interested in such property by virtue of any assignment, attachment or otherwise, shall be determined by the Court in which such property is deposited.

Attachment decree.

273. If the property be a decree passed by the Court which passed the decree sought to be executed, the attachment shall be made by an order of the Court directing the proceeds of the former decree to be applied in satisfaction of the latter decree.

If the property be a decree passed by any other Court, the attachment shall be made by a notice in writing to such Court under the hand of the Judge of the Court which passed the decree sought to be executed, requesting the former Court to execute its decree and to apply the proceeds in satisfaction of the decree sought to be executed. The Court receiving such notice shall comply with such request. And the holder of any decree attached under this clause shall be bound to give the Court executing the same such information and aid as may reasonably be required.

Attachment of immoveable property.

274. If the property be immoveable, the attachment shall be made by a proclamation prohibiting the judgment-debtor from alienating the property in any way, and all persons from receiving the same from him by purchase, gift or otherwise.

The proclamation shall be made at some place on or adjacent to such property by beat of drum or other customary mode, and a copy of the proclamation shall be fixed up in a conspicuous part of the property and of the court-house.

A copy of the proclamation shall also be fixed up in the office of the Collector of the District in which the land is situate.

Order for withdrawal of attachment after satisfaction of decree.

275. If the amount decreed with costs and all charges and expenses resulting from the attachment of any property be paid into Court, or if satisfaction of the decree be otherwise made through the Court, or if the decree is set aside or reversed, an order shall be issued, on the application of any person interested in the property, for the withdrawal of the attachment.

Private alienation of property after attachment to be void.

276. When an attachment has been made by actual seizure or by written order duly intimated and made known in manner aforesaid, any private alienation of the property attached, whether by sale, gift, mortgage, or otherwise, and any payment of the debt or dividend or a delivery of the share to the judgment-debtor during the continuance of the attachment, shall be void as against all claims enforceable under the attachment.

Court may direct coin or currency-notes attached to be paid to party entitled.

277. If the property attached is coin or currency-notes, the Court may, at any time during the continuance of the attachment, direct that such coin or notes, or a part thereof sufficient to satisfy the decree be paid over to the party entitled under the decree to receive the same.

Investigation of claims to and objections to attachment of attached property.

278. If any claim be preferred to, or any objection be made to the attachment of, any property attached in execution of a decree, on the ground that such property is not liable to such attachment, the Court shall proceed to investigate the claim or objection with the like power as regards the examination of the claimant or objector, and in all other respects, as if he was a party to the suit.

Provided that no such investigation shall be made where the Court considers that the claim or objection was designedly or unnecessarily delayed.

Evidence to be adduced by claimant.

279. The claimant or objector must adduce evidence to show that at the date of the attachment he had some interest in, or was possessed of, the property attached.

Release of property from attachment.

280. If upon the said investigation the Court is satisfied for the reason stated in the claim or objection, that the property was not, when attached, in the possession of the judgment-debtor or of some person in trust for him, or in the occupancy of a tenant or other person paying rent to him, or that, being in the possession of the judgment-debtor at such time, it was

so in his possession, not on his own account or as his own property, but on account of or in trust for some other person, or partly on his own account and partly on account of some other person, the Court shall pass an order for releasing the property wholly or to such extent as it thinks fit, from attachment.

Disallowance of claim to release of property attached.

281. If the Court is satisfied that the property was, at the time it was attached, in possession of the judgment-debtor as his own property and not on account of any other person, or was in the possession of some other person in trust for him, or in the occupancy of a tenant or other person paying rent to him, the Court shall disallow the claim.

Continuance of attachment subject to claim of incumbrancer.

282. Of the Court is satisfied that the property is subject to a mortgage or lien in favour of some person not in possession, and thinks fit to continue the attachment, it may do so, subject to such mortgage or lien.

Saving of suits to establish right to attached property.

283. An order under section 280, 281 or 282 shall not preclude the person against whom it is made from instituting a suit to establish the right which he claims to the property in dispute.

Claims and objections to be made without delay.

284. A claim to attached property, or an objection to the attachment of such property, shall be made without delay to the Court which ordered the attachment;

and no such investigation shall be made where the Court considers that the claim or objection was designedly and unnecessarily delayed.

If the property to which the claim or objection applies has been advertised for sale, the Court ordering the sale may postpone it pending the investigation of the claim or objection.

Power to order property attached be sold, and proceeds be paid to person entitled.

285. Any Court may order that any moveable property, and any Court not subordinate to a District Court may direct that any immoveable property, which has been attached, or such portion thereof as may seem necessary to satisfy the decree, shall be sold, and that the proceeds of such sale, or a sufficient portion thereof, shall be paid to the party entitled under the decree to receive the same.

F.—Of Sale and Delivery of Property.

(a)—General Rules.

Sales by whom conducted and how made.

286. Sales in execution of decrees shall be conducted by an officer of the Court or by any other person whom the Court may appoint, and, except as provided in section 296, shall be made by public auction in manner hereinafter mentioned.

Proclamation of sales by public auction.

287. When any interest in property is ordered to be sold by public auction in execution of a decree, the Court shall cause a proclamation of the intended sale to be made in the language of such Court. Such proclamation shall state the time and place of sale; and shall specify as fairly and accurately as possible—

(*a*) the interest to be sold;

(*b*) the revenue assessed upon the estate or part of the estate, when the interest to be sold is an interest in an estate or a part of an estate paying revenue to Government;

(*c*) any incumbrance to which the interest is liable;

(*d*) the amount for the recovery of which the sale is ordered; and

(*e*) every other thing which the Court considers material for the purchaser to know in order to judge of the nature and value of the property.

Rules to be made by High Court.

The High Court shall, as soon as may be after this Code comes into force, make rules for the guidance of the Courts in exercise of their duties under this section. The High Court may from time to time alter any rules so made.

Nothing in this section shall apply to cases in which the execution of the decree has been transferred to the Collector.

Indemnity of judges, &c.

288. No judge or other public officer shall be answerable for any error, misstatement or omission in any proclamation under section 287 unless the same has been committed or made dishonestly.

Mode of making proclamation.

289. The proclamation shall be made, in manner prescribed by section 274, on the spot where the property is attached.

If the Court so direct, such notification shall also be published in the official Gazette and in some local newspaper.

Time of sale.

290. Except in the case of articles subject to speedy and natural decay (which may be sold at once), no sale under this chapter shall take place until after the expiration of at least thirty days in the case of immoveable property, and of at least fifteen days in the case of moveable property, calculated from the date on which the notification has been affixed in the Court-house of the Judge ordering the sale.

Power to adjourn sale.

Stoppage of sale on tender of debt and costs, or on proof of payment.

291. The officer conducting any sale under this chapter may in his discretion adjourn the sale; and every such sale shall be stopped if, before the lot is knocked down, the debt and costs are tendered to such officer, or proof is given to his satisfaction that the amount of such debt and costs has been paid into the Court that ordered the sale.

Officers concerned in execution sales not to bid for or buy property sold.

292. No officer having any duty to perform in connection with any sale under this chapter shall bid for, acquire, or attempt to acquire, any interest in any property sold at such sale.

Defaulting purchaser answerable for loss by re-sale.

293. The deficiency of price (if any) which may happen on a re-sale under this Code, and all expenses attending such re-sale, shall be certified to the Court by the officer holding the sale,

and shall, at the instance of either the judgment-creditor or the judgment-debtor, be recoverable from the defaulter under the rules contained in this chapter for the execution of a decree for money.

294. No holder of a decree in execution of which property is sold, shall, without the express permission of the Court, bid for or purchase the property.

Decree-holder not to bid for or buy property without permission.

When a decree-holder purchases with such permission, the amount due on the decree may be taken as payment in whole or in part, as the case may be, of the purchase-money.

If decree-holder purchase, amount of decree may be taken as payment.

295. Whenever assets are realized by sale or otherwise in execution of a decree, and more persons than one have, prior to the realization, applied for execution of decrees for money against the same judgment-debtor, and have not obtained satisfaction thereof, the proceeds, after deducting the costs of the realization, shall be divided rateably among all such persons:

Proceeds of execution sale to be divided rateably among decree-holders.

Provided that, when any property is sold subject to a mortgage, the mortgagee shall not be entitled to share in any surplus arising from such sale:

Proviso where property is sold subject to mortgage.

Provided also that when any property liable to be sold in execution of a decree is subject to a mortgage, the Court may, with the assent of the mortgagee, order that the property be sold free from the mortgage, giving to the mortgagee the same right against the proceeds of the sale as he had against the property sold.

If all or any of such assets be paid to a person not entitled to receive the same, any person so entitled may sue such person to compel him to refund the assets.

Nothing in this section affects any right of the Government.

(b).—Rules as to Moveable Property.

296. If the property to be sold be a negotiable instrument or a share in any public Company or Corporation, the Court may, instead of directing the sale to be made by public auction, authorize the sale of such instrument or share through a broker at the market-rate of the day.

Rules as to negotiable securities and shares in public Companies.

297. If the property sold be moveable, the price of each lot shall be paid for at the time of sale, or as soon after as the officer holding the sale directs, and in default of payment, the property shall forthwith be again put up and sold.

Payment for moveable property sold.

On payment of the purchase-money, the officer holding the sale shall grant a receipt for the same, and the sale shall become absolute.

298. No irregularity in publishing or conducting the sale of moveable property shall vitiate the sale; but any person sustaining any injury by reason of such irregularity at the hand of any other person may institute a suit against him for compensation, or (if such other person be the purchaser) for the recovery of the specific property sold or for compensation in default of such recovery.

Irregularity not to vitiate sale of moveable property, but any person injured may sue.

299. When the property sold is any moveable property, or a negotiable instrument, of which actual seizure has been made, the property shall be delivered to the purchaser.

Delivery of moveable property belonging to defendant actually seized.

300. When the property sold is any moveable property to which the judgment-debtor is entitled subject to the possession of some other person, the delivery thereof to the purchaser shall be made by giving notice to the person in possession prohibiting him from delivering possession of the property to any person except the purchaser.

Delivery of moveable property to which judgment-debtor is entitled subject to lien.

301. When the property is a debt not secured by a negotiable instrument, or is a share in any public Company, the delivery thereof shall be made by a written order of the Court prohibiting the creditor from receiving the debt or any interest thereon, and the debtor from making payment thereof to any person except the purchaser, or prohibiting the person in whose name the share may be standing from making any transfer of the share to any person except the purchaser, or receiving payment of any dividend or interest thereon, and the Manager, Secretary or other proper officer of the Company from permitting any such transfer or making any such payment to any person except the purchaser.

Delivery of debts and of shares in public Companies.

302. If the endorsement or conveyance of the party in whose name a negotiable instrument or a share in any public Company is standing, is required to transfer such instrument or share, the Judge may endorse the instrument or the certificate of the share, or may execute such other document as may be necessary.

Transfer of negotiable instruments and shares.

The endorsement or execution shall be in the following form or to the like effect:—"*A. B.* by *C. D.*, Judge of the Court of *(or as the case may be)*, in a suit by *E. F.* against *A. B.*"

Until the transfer of such instrument or share, the Court may, by order, appoint some person to receive any interest or dividend due thereon, and to sign a receipt for the same; and any endorsement made or document executed or receipt signed as aforesaid shall be as valid and effectual for all purposes as if the same had been made or executed or signed by the party himself.

(c).—Rules as to Immoveable Property.

303. Sales of immoveable property in execution of a decree may be ordered by any Court not subordinate to a District Court.

Sales of land by Court not inferior to a District Court.

304. Whenever a Court subordinate to a District Court desires that any interest in immoveable property be sold in execution of a decree, it shall send the case to the District Court to which it is subordinate, and such Court shall have the same power of causing the said interest to be sold as if the decree had been made by itself.

Procedure as to sale of land in execution of decree of subordinate Court.

Nothing in this section applies to Courts of Small Causes.

305. When an order for the sale of immoveable property has been made, if the judgment-debtor can satisfy the Court conducting the sale that there is reason to believe

Postponement of sale of land to enable defendant to raise amount of decree.

that the amount of the decree may be raised by mortgage or lease or private sale of such property, or some part thereof, or of any other immoveable property of the judgment-debtor, the Court may on his application postpone the sale of property comprised in the order for sale for such period as it thinks proper, to enable him to raise the amount.

In such case the Court shall grant a certificate to the judgment-debtor authorizing him, within a period to be mentioned therein, to make the proposed mortgage, lease, or sale: provided that all moneys payable under such mortgage, lease or sale shall be paid into Court and not to the judgment-debtor.

Where such certificate has been granted and so long as it remains in force, the provisions of section 248 shall not apply, and the year mentioned in that section, clause (*a*), shall be computed from the date of the expiry of the certificate.

The Court may, on the application of the judgment-debtor, sell any other immoveable property of the judgment-debtor in lieu of the property comprised in such order.

306. On every sale of immoveable property under this chapter, the person declared to be the purchaser shall pay immediately after such declaration a deposit of twenty-five per centum on the amount of his purchase-money to the officer conducting the sale, and, in default of such deposit, the property shall forthwith be put up again and sold.

Deposit by purchaser of immoveable property.

307. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.

Time for payment in full.

308. In default of payment within the period mentioned in the last preceding section, the deposit, after defraying the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may subsequently be sold.

Procedure in default of payment.

309. Every re-sale of immoveable property in default of payment of the purchase-money within the period allowed for such payment, shall be made after the issue of a fresh notification in the manner and for the period hereinbefore prescribed for the sale.

Notification on re-sale of immoveable property.

310. When the property sold in execution of a decree is a share of undivided immoveable property, if the lot has been knocked down to a stranger, any co-sharer may, by application to the officer conducting the sale, claim to take the share sold at the sum at which the lot was so knocked down.

Co-sharer of a share of undivided estate sold in execution may claim share at sale-price.

If the claim be made before sunset on the day of sale, and the claimant then repay to the purchaser the amount of his deposit, the claimant shall be substituted for the person to whom the lot has been so knocked down and shall be bound by all the conditions then binding on the purchaser, and the provisions of the last three preceding sections shall apply.

311. Any person whose interest in immoveable property has been sold under this chapter may apply to the Court to set aside the sale on the ground of a material irregularity in publishing or conducting it;

Sale of land not set aside on ground of irregularity unless in case of substantial injury.

but no sale shall be set aside on the ground of irregularity unless the applicant proves to the satisfaction of the Court that he has sustained substantial injury by reason of such irregularity.

312. If no such application as is mentioned in the last preceding section be made, or if such application be made and the objection be disallowed, the Court shall pass an order confirming the sale as regards the parties to the suit.

Effect of objection being disallowed and of its being allowed.

If such application be made, and if the objection be allowed, the Court shall pass an order setting aside the sale.

No suit to set aside an order passed under this section shall be brought by the party against whom such order has been made.

313. The purchaser at any such sale may, within sixty days from the date of the sale, apply to the Court to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein, and the Court may make such order as it thinks fit.

Power to apply to set aside the sale.

314. No sale of immoveable property shall become absolute until it has been confirmed by the Court.

Confirmation of sale.

315. When a sale of immoveable property is set aside under section 312 or 313,

If sale set aside, price to be returned to purchaser.

or when it is found that the judgment-debtor had no saleable interest in the property sold and the purchaser is for that reason deprived of it,

the purchaser shall be entitled to receive back his purchase-money (with or without interest as the Court may direct) from any person to whom the purchase-money has been paid.

The repayment of the said purchase-money and of the interest (if any) allowed by the Court may be enforced against such person under the rules provided by this Code for the execution of a decree for money.

316. When a sale of immoveable property has become absolute in manner aforesaid, the Court shall grant the purchaser a certificate to the effect that he has purchased such property, and such certificate shall be deemed to be a valid transfer of such interest.

Certificate to purchaser of immoveable property.

317. The certificate shall state the name of the person who, at the time of sale, is declared to be the purchaser and the date of the attachment; and the purchase shall be deemed to take effect from such date.

Certificate to state name of actual purchaser.

No person shall maintain any suit against the certified purchaser on the ground that the purchase

Benámí purchaser not recognized.

was made on behalf of such other person, or on behalf of some one through whom such other person claims.

Nothing in this section shall bar a suit to obtain a declaration that the name of the certified purchaser was inserted in the certificate fraudulently or without the consent of the real purchaser.

318. When the property sold is in the occupancy of the judgment-debtor or of some person on his behalf, or of some person claiming under a title created by the defendant subsequently to the attachment of such property, and a certificate in respect thereof has been granted under section 316, the Court shall order delivery to be made by putting the purchaser or any person whom he may appoint to receive delivery on his behalf, in possession of the property, and, if need be, by removing any person who refuses to vacate the same.

Delivery of immoveable property in occupancy of judgment-debtor.

319. When the property sold is in the occupancy of a tenant or other person entitled to occupy the same, and a certificate in respect thereof has been granted under section 316, the Court shall order delivery thereof to be made by affixing a copy of the certificate of sale in some conspicuous place on the property, and proclaiming to the occupant by beat of drum or in such other mode as may be customary, at some convenient place, that the interest of the judgment-debtor has been transferred to the purchaser.

Delivery of immoveable property in the occupancy of tenant.

320. The Local Government may, with the sanction of the Governor General in Council, declare by notification in the official Gazette that in any local area the execution of decrees in cases in which a Court has ordered any interest in immoveable property to be sold, shall be transferred to the Collector; and rescind or modify any such declaration. The Local Government may also from time to time prescribe rules for the transmission of the decree from the Court to the Collector, and for regulating the procedure of the Collector and his subordinates in executing the same.

Power to prescribe rules for transferring to Collector execution of decrees sale of land.

321. Whenever the execution of a decree has been so transferred, if the Collector has reason to believe that the judgment-debts of the judgment-debtor can be discharged without a sale of the whole of such interest, the Collector may (notwithstanding any order under section 308, but subject to such rules as may from time to time be made in this behalf by the Chief Controlling Revenue Authority) raise the amount necessary to discharge such debts with interest thereon according to the decree, or, if the decree makes no provision as to interest, then with interest (if any) as he thinks fit not exceeding the rate of six per cent. per annum,

Powers of Collector as to execution of decrees so transferred.

(*a*) by selling part of the judgment-debtor's interest in such property or in any other immoveable property:

(*b*) by mortgaging the whole or any part of such interest:

(*c*) by letting on farm, or managing by himself or another, the whole or any part of such interest for any term not exceeding twenty years from the date of the order of sale, or

(*d*) partly by one of such modes and partly by another or others of them.

For the purpose of managing under this section the whole or any part of such interest, the Collector may exercise all the powers of its owner.

322. If the Collector proposes to proceed under this section he shall publish a notice in the language of the district, calling upon all persons holding decrees against the judgment-debtor to notify the same in writing to the Collector within sixty days from the date of the publication.

Procedure of Collector.

Such notice shall be published by being posted at the Court which made the order under section 303, and at such other places (if any) as the Collector thinks fit.

So long as any letting or management under this section continues, the judgment-debtor and his representative in interest shall be incompetent to mortgage, charge, lease or alienate the interest so let or managed, or any part thereof.

323. If on the expiration of the letting or management, the amount necessary to discharge such debts in full with the interest (if any) payable thereon has not been raised, the Collector shall notify the fact in writing to the judgment-debtor or his representative, stating at the same time that, if the balance necessary to discharge such debts and interest is not paid to the Collector within six weeks of the date of such notice, the Collector will proceed to sell the judgment-debtor's interest in the said property; and if on the expiration of the said six weeks the said balance is not so paid, the Collector shall sell such interest accordingly.

Sale by Collector.

324. Whenever the Collector sells any interest pursuant to the said order of sale or exercises any of the powers conferred upon him by the last preceding section, he shall inform the Court which made such order of the fact of such sale or exercise, and shall render accounts to such Court of his receipts and payments in respect of the said interest, and shall hold the balance at the disposal of such Court.

Sale, &c., to be reported to Court by Collector.

Such balance (after deducting therefrom any debts due or liabilities incurred to Government by the judgment-debtor) shall be applied rateably in discharging the claims of all the decree-holders who have complied with the said notice; and no other person making any claim against the interest so let or managed, or against such proceeds, shall be entitled to be paid thereout.

Application of balance.

325. When, in any local area in which no declaration under section 320 is in force, the property attached consists of land or of a share in land, and the Collector represents to the Court that the public sale of the land or share is objectionable, and that satisfaction of the decree may be made within a reasonable period by a temporary alienation or management of the land or share, the Court may authorize the Collector to make provision for such satisfaction in the manner recommended by him, instead of proceeding to a sale of the land or share. The provisions of sections 321 to 324 (both inclusive) shall in such case apply to the Collector.

When Court may authorize Collector to stay public sale of land.

326. The Local Government may from time to time, with the sanction of the Governor General in Council, make special rules for any local area imposing conditions in respect of sale of any class of interests in land in execution of decrees for money, or prohibiting such sales

Local rules as to sales of land in execution of decrees for money.

(*a*) where such interests are so uncertain or undetermined as in the opinion of the Local Government to make it impossible to fix their value:

(*b*) where for reasons of State the Local Government thinks that such class of interests should not be compulsorily transferrable:

and if, when this Code comes into operation in any local area, any such rules or prohibition are or is in force therein, the Local Government may continue such rules or prohibition in force, or may from time to time modify the same with the sanction of the Governor General in Council.

All rules and prohibitions so made or continued, and all modifications of such rules, shall be published in the local official Gazette, and shall thereupon have the force of law.

G.—Of Resistance to Execution.

327. If in the execution of a decree for the possession of property, the officer entrusted with the execution of the warrant is resisted or obstructed by any person, the decree-holder may complain to the Court at any time within one month from the time of such resistance or obstruction.

Procedure in case of obstruction to execution of decree.

The Court shall fix a day for investigating the complaint, and shall summon the party against whom the complaint is made to answer the same.

328. If the Court is satisfied that the obstruction or resistance was occasioned by the judgment-debtor or by some person at his instigation, on the ground that the property is not comprised in the decree or on any other ground, the Court shall enquire into the matter of the complaint, and pass such order as it thinks fit.

Procedure in case of obstruction by judgment-debtor or at his instigation.

329. If the Court is satisfied that the resistance or obstruction was without any just cause, and that the complainant is still resisted or obstructed in obtaining effectual possession of the property by the judgment-debtor or some other person at his instigation, the Court may, at the instance of the decree-holder and without prejudice to any proceedings to which such judgment-debtor or other person may be liable, under the Indian Penal Code or any other law, for the punishment of such resistance or obstruction, commit the judgment-debtor or such other person to jail for a term not exceeding thirty days, and direct that the decree-holder be put into possession of the property.

Procedure when obstruction continues.

330. If the resistance or obstruction has been occasioned by any person other than the judgment-debtor claiming in good faith to be in possession of the property on his own account or on account of some person other than the judgment-debtor, the claim shall be numbered and registered as a suit between the decree-holder as plaintiff and the claimant as defendant;

Procedure in case of obstruction by claimant in good faith, other than judgment-debtor.

and the Court shall, without prejudice to any proceedings to which the claimant may be liable under the Indian Penal Code or any other law for the punishment of such resistance or obstruction, proceed to investigate the claim in the same manner and with the like power as if a suit for the property had been instituted by the decree-holder against the claimant under the provisions of the Specific Relief Act, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

331. If any person other than the defendant is dispossessed of any property in execution of a decree, and such person disputes the right of the decree-holder to dispossess him of such property under the decree, on the ground that the property was *bonâ fide* in his possession on his own account or on account of some person other than the judgment-debtor, and that it was not comprised in the decree, or that, if it was comprised in the decree, he was not a party to the suit in which the decree was passed, he may apply to the Court.

Procedure in case of person dispossessed of property disputing right of decree-holder to be put into possession.

If, after examining the applicant, it appears to the Court that there is probable cause for making the application, the application shall be numbered and registered as a suit between the applicant as plaintiff and the decree-holder as defendant, and the Court shall proceed to investigate the matter in dispute in the same manner and with the like power as if a suit for the property had been instituted by the applicant against the decree-holder under the provisions of the Specific Relief Act, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

In hearing applications under this section the Court shall confine itself to the grounds of dispute above specified.

Nothing in this section or section 330 applies to a person to whom the judgment-debtor has transferred the property after the institution of the suit in which the decree is made.

332. The order passed under either of sections 330 and 331 shall be in the nature of, and shall have the same force as, a decree in a suit, and shall be subject to the same conditions as to appeal or otherwise.

Orders passed under sections 330 and 331 to have force of decrees, and to be subject to appeal.

333. If the purchaser of any immoveable property sold in execution of a decree be resisted or obstructed by the judgment-debtor or any one on his behalf, in obtaining possession of the property, the provisions of this chapter relating to resistance or obstruction to a decree-holder in obtaining possession of the property adjudged to him, shall be applicable.

Resisting or obstructing purchasers in obtaining possession of immoveable property.

334. If it appear that the resistance or obstruction was occasioned by any person other than the judgment-debtor, not in possession of the property sold, but claiming a right thereto as proprietor, mortgagee, lessee, or under any other title; the Court, on the complaint of the purchaser, shall enquire into the matter of

Obstruction by claimant other than defendant.

the resistance or obstruction, and pass such order thereon as it thinks fit.

The party against whom such order is passed may bring a suit to establish his right to the present possession of the property at any time within one year from the date of such order.

H.—Of Arrest and Imprisonment.

335. A judgment-debtor may be arrested in execution of a decree at any hour and on any day, and shall as soon as practicable be brought before the Court, and his imprisonment may be in the jail of the district in which the Court ordering the imprisonment is held, or, when such jail does not afford suitable accommodation, in any other jail which the Local Government may appoint for the confinement of persons ordered to be imprisoned by the Courts of such district:

Place of judgment-debtor's imprisonment.

Provided that when the decree in execution of which a judgment-debtor is arrested is a decree for money and the judgment-debtor pays the amount of the decree and the costs of the arrest to the officer arresting him, such officer shall at once release him.

Proviso.

Whenever a judgment-debtor is arrested in execution of a decree for money and brought before the Court under this section, the Court shall inform him that he may apply under Chapter XX to be declared an insolvent, and that he will be discharged if he has not committed any act of bad faith regarding the subject of his application and if he places all his property in possession of a receiver appointed by the Court.

If the judgment-debtor express his intention so to apply, and if he furnish sufficient security for his appearance at any time when called upon, the Court shall release him from arrest.

336. Every warrant for the arrest of the judgment-debtor shall direct the officer entrusted with its execution to bring him before the Court.

Warrant for arrest to direct judgment-debtor to be brought up.

337. A day shall be specified in the warrant on or as soon as possible after which it is to be returned,

Latest day for return of warrant to be specified.

and unless the amount which the judgment-debtor has been ordered to pay, together with the interest thereon and the costs, if any, to which he is liable, be sooner paid, such officer shall bring him before the Court with all convenient speed.

338. The Local Government may from time to time prescribe scales, graduated according to rank, race and nationality, of monthly allowances payable for the subsistence of judgment-debtors.

Scales of subsistence allowances.

No judgment-debtor shall be arrested in execution of a decree unless and until the decree-holder pays into Court such sum as, having regard to the scales so fixed, the Judge thinks sufficient for the subsistence of the judgment-debtor from his arrest until he can be brought before the Court.

Judgment-debtor to subsist himself pending arrest.

When a judgment-debtor is committed to jail in execution of a decree, the Court shall fix for his subsistence such monthly allowance as he may be entitled to according to the said scales, or where no such scales have been fixed, as it considers sufficient with reference to the class to which he belongs.

The monthly allowance fixed by the Court shall be supplied by the party on whose application the decree has been executed, to the proper officer of the Court by monthly payments in advance before the first day of each month.

The first payment shall be made for such portion of the current month as remains unexpired before the judgment-debtor is committed to jail.

340. Sums disbursed by the decree-holder for the subsistence of the judgment-debtor in jail shall be deemed to be costs on the suit.

Subsistence money to be added to amount of decree.

Provided that the judgment-debtor shall not be detained in jail or arrested on account of any sum so disbursed.

341. The judgment-debtor shall be discharged from jail,

Release of judgment-debtor.

(*a*) on the decree being fully satisfied, or

(*b*) at the request of the person on whose application he has been imprisoned, or

(*c*) on such person omitting to pay the allowance as hereinbefore directed, or

(*d*) if the judgment-debtor be declared an insolvent, as hereinafter provided, or

(*e*) when the term of his imprisonment as limited by section 342 is fulfilled.

Provided that in the first, second, third and fourth cases mentioned in this section, the judgment-debtor shall not be discharged without the order of the Court.

A judgment-debtor discharged under this section cannot be re-arrested under the decree in execution of which he was imprisoned.

342. No person shall be imprisoned in execution of a decree for longer period than six months; or for a longer period than six weeks if the decree be for the payment of a sum of money not exceeding fifty rupees.

Imprisonment not to exceed six months.

When not to exceed six weeks.

343. The officer entrusted with the execution of the warrant shall endorse thereupon the day on, and the manner in, which it was executed; and if the latest day specified in the warrant for the return thereof has been exceeded, the reason of the delay; or if it was not executed, the reason why it was not executed, and shall return the warrant with such endorsement to the Court.

Endorsement on warrant.

If the endorsement is to the effect that such officer is unable to execute the warrant, the Court shall examine him on oath touching his alleged inability, and may, if it think fit, summon and examine witnesses as to such inability and shall record the result.

CHAPTER XX.

OF INSOLVENT JUDGMENT-DEBTORS.

344. Any person arrested or imprisoned in execution of a decree for money may apply in writing to be declared an insolvent.

Power to apply to be declared an insolvent.

Such application shall be made to the District Court which ordered his arrest or imprisonment, or when the District Court did not make such order, then to the District Court to which the Court that made the order is subordinate.

Contents of application.

345. The application shall set forth—

(*a*) the fact of such person's arrest or imprisonment, the Court by whose order he was arrested or imprisoned, and the place in which he is in custody;

(*b*) the amount, kind and particulars of his property, and the value of any such property not consisting of money;

(*c*) the place or places in which such property is to be found;

(*d*) his willingness to place it at the disposal of the Court;

(*e*) the amount and particulars of all pecuniary claims against him; and

(*f*) the names and residences of his creditors, so far as they are known to or can be ascertained by him.

Subscription and verification of application.

346. The application shall be subscribed and verified by the applicant in manner hereinbefore prescribed for subscribing and verifying plaints.

Service on decree-holder of copy of application and notice.

347. The Court shall fix a day for hearing the application, and shall cause a copy thereof, with a notice in writing of the time and place at which it will be heard, to be stuck up in Court and served at the applicant's expense on the holder of the decree in execution of which he was arrested or imprisoned, or on the pleader of such decree-holder, and on the other creditors (if any) mentioned in the application.

The Court may, if it thinks fit, publish at the applicant's expense the application in such official Gazettes and public newspapers as it thinks fit.

Power to serve other creditors.

348. The Court may also, if it thinks fit, cause a like copy and notice to be served on any other person alleging himself to be a creditor of the applicant and applying for leave to be heard on the application.

Powers of Court as to applicant under arrest.

349. Where the applicant is under arrest, the Court may, pending the hearing under section 350,

(*a*) order him to be immediately committed to jail; or

(*b*) leave him in the custody of the officer of Court to whom the service of the warrant was entrusted.

Procedure at hearing.

350. On the day so fixed, or on any subsequent day to which the Court may adjourn the hearing, the Court shall examine the applicant, in the presence of the persons on whom such notice has been served or their pleaders, as to his then circumstances and as to his future means of payment, and shall hear the said decree-holder, the other creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors, in opposition to the applicant's discharge; and may, if it thinks fit, grant time to the said decree-holder and other creditors or persons to adduce evidence showing that the applicant is not entitled to be declared an insolvent.

Declaration of insolvency and appointment of Receiver.

351. If the Court is satisfied—

(*a*) that the statements in the application are substantially true;

(*b*) that the applicant has not, with intent to defraud his creditors, concealed, transferred, or removed any part of his property within two months next before the date of the decree in execution of which he was arrested or imprisoned or at any subsequent time;

(*c*) that he has not, knowing himself to be unable to pay his debts in full, recklessly contracted or given an unfair preference to any of his creditors by any payment or disposition of his property;

(*d*) that he has not committed any other act of bad faith regarding the matter of the application,

the Court may declare him to be an insolvent, and may also, if it think fit, make an order appointing a Receiver of his property, or if it does not appoint such Receiver, may discharge the insolvent.

Creditors to prove their debts.

352. The creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors of the insolvent, shall then produce evidence of the amount and particulars of their respective pecuniary claims against him; and the Court shall frame a schedule of the persons who have proved themselves to be the insolvent's creditors, and of their respective debts; and the declaration under section 351 shall be deemed to be a decree in favour of each of the said creditors for their said respective debts.

Schedule to be framed.

A copy of every such schedule shall be stuck up in the court-house.

Applications by creditors.

353. Any creditor of the insolvent who is not mentioned in such schedule may, within three months from its publication, apply to the Court for permission to produce evidence of the amount and particulars of his pecuniary claims against the insolvent, and in case he proves himself to be a creditor of the insolvent, for an order directing his name to be inserted in the schedule as a creditor for the debt so proved.

Any creditor mentioned in the schedule may within three months from the publication of the schedule apply to the Court for an order altering the schedule so far as regards the amount, nature or particulars of his own debt, or to strike out the name of another creditor, or to alter the schedule so far as regards the amount, nature or particulars of the debt of another creditor.

In the case of any application under this section, the Court, after causing such notices as it thinks fit to be served, at the applicant's expense, on the insolvent and the other creditors and hearing their objections, if any, may comply with or reject the application.

Effect of order appointing Receiver.

354. Every order under section 351 shall be published in the official Gazette and shall operate to vest in the Receiver all the

insolvent's property (except the particulars specified in the first proviso to section 266) whether set forth in his application or not.

Receiver to give security and collect assets.

355. The Receiver so appointed shall give such security as the Court may direct and shall possess himself of all such property, except as aforesaid;

and on his certifying that the insolvent has placed him in possession thereof, or has done everything in his power for that purpose, the Court may discharge the insolvent from arrest or imprisonment, as the case may be, upon such conditions (if any) as the Court thinks fit.

Discharge of insolvent.

Duty of Receiver.

356. The Receiver shall proceed under the direction of the Court—

(*a*) to convert the property into money:

(*b*) to pay thereout debts, fines and penalties (if any) due by the insolvent to Government:

(*c*) to pay the said decree-holder's costs:

(*d*) to distribute the balance among the scheduled creditors rateably according to the amounts of their respective debts, and without any preference;

and such Receiver may retain as a remuneration for the performance of his duties a commission at the rate of five per centum upon the amount of the balance so distributed (the amount of the commission so retained being deemed a distribution), and shall deliver the surplus, if any, to the insolvent or his legal representative.

His right to remuneration.

Delivery of surplus.

Effect of discharge.

357. An insolvent discharged under section 355 shall not be arrested or imprisoned on account of any of the scheduled debts.

But (subject to the provisions of section 358) his property, whether previously or subsequently acquired (except the particulars specified in the first proviso to section 266 and except the property vested in the Receiver,) shall, by order of the Court, be liable to attachment and sale until the decrees against him held by the scheduled creditors are fully satisfied or become incapable of being executed.

When Court may declare insolvent absolved from further liability.

358. If the aggregate amount of the scheduled debts is two hundred rupees or a less sum, the Court may declare the insolvent discharged as aforesaid absolved from further liability in respect of such debts.

Procedure in case of dishonest applicant.

359. Whenever, at the hearing under section 350, it is proved that the applicant has

(*a*) been guilty, in his application, of any concealment or of wilfully making any false statement as to the debts due by him, or respecting [illegible] property belonging to him, whether in possession or in expectancy, or held for him in trust;

(*b*) fraudulently concealed, transferred or removed any property; or

(*c*) committed any other act of bad faith regarding the matter of the application,

the Court shall, at the instance of any of his creditors, sentence him to imprisonment for a term not exceeding one year from the date of commitment.

Or the Court may, if it think fit, send him to the Magistrate to be dealt with according to law.

Investment of other Courts with powers of District Courts.

Transfer of cases.

360. The Local Government may, by notification in the official Gazette, invest any Court other than a District Court with the powers conferred on District Courts by sections 344 to 359 (both inclusive), and the District Judge may transfer to any Court situate in his district and so invested any case instituted under section 344.

Any Court so invested may entertain any application under section 344 by any person arrested in execution of a decree of such Court.

PART II.

OF INCIDENTAL PROCEEDINGS.

CHAPTER XXI.

OF THE DEATH, MARRIAGE AND INSOLVENCY OF PARTIES.

No abatement by party's death, if cause of action survive.

361. The death of a plaintiff or defendant shall not cause the suit to abate if the cause of action survives.

Illustrations.

(*a*) A covenants with B and C to pay an annuity to B during C's life. B and C sue A to compel payment. B dies before the decree: the cause of action survives to C, and the suit does not abate.

(*b*. In the same case, all the parties die before decree. The cause of action survives to the representative of the survivor of B and C, and he may continue the suit against A's representative.

(*c*). A sues B for libel. A dies. The cause of action does not survive and the suit abates.

(*d*). A, a member of a Hindú joint family under the Mitákshará law, institutes a suit for partition of the family property. A dies leaving B, a minor son his heir. The cause of action survives to B, and the suit does not abate.

Proceeding in case of death of one of several plaintiffs or defendants, if cause of action survive.

362. If there be more plaintiffs or defendants than one, and any of them dies, and if the cause of action survives to the surviving plaintiff or plaintiffs alone, or against the surviving defendant or defendants alone, the Court shall cause an entry to that effect to be made on the record, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs, or against the surviving defendant or defendants.

Proceeding in case of death of one of several plaintiffs where cause of action survives to survivors and representative of deceased.

363. If there be more plaintiffs than one, and any of them dies, and if the cause of action does not survive to the surviving plaintiff or plaintiffs alone, but survives to him or them and the legal representative of the deceased plaintiff jointly, the Court may, on the application of such legal representative, enter his name on the record in the place of such deceased plaintiff, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs and such legal representative.

Proceeding where no application made by representative of deceased plaintiff.

364. If no application be made to the Court within a reasonable time not exceeding thirty days by any person claiming to be the legal representative of

a deceased plaintiff, the suit shall proceed at the instance of the surviving plaintiff or plaintiffs;

and the legal representative (if any) of the deceased plaintiff shall be made a party and shall be interested in and bound by the decree passed in the suit, in the same manner as if the suit had proceeded at his instance conjointly with the surviving plaintiff or plaintiffs.

Proceeding in case of death of sole, or sole surviving, plaintiff.

365. In case of the death of a sole plaintiff or sole surviving plaintiff, the Court may, on the application of the legal representative of the deceased, enter his name in the place of such plaintiff on the record, and the suit shall thereupon proceed.

Abatement where no application by representative of deceased plaintiff.

366. If no such application be made to the Court within a reasonable time not exceeding thirty days by any person claiming to be the legal representative of the deceased plaintiff, the Court may pass an order that the suit shall abate, and award to the defendant the costs which he may have incurred in defending the suit, to be recovered from the estate of the deceased plaintiff;

or the Court may, if it think proper, on the application of the defendant, and upon such terms as to costs or otherwise as it thinks fit, pass such other order as it thinks fit for bringing in the legal representative of the deceased plaintiff and for proceeding with the suit in order to a final determination of the matter in dispute.

Explanation.—A certificate of heirship, or a certificate to collect debts, does not of itself constitute the person holding it the legal representative of the deceased. But when the person holding any such certificate obtains thereby property belonging to the deceased, he may be treated as a legal representative liable in respect of such property.

Procedure in case of dispute as to representative of deceased plaintiff.

367. If any dispute arise as to who is the legal representative of a deceased plaintiff, the Court may either stay the suit until the fact has been determined in another suit, or decide at or before the hearing of the suit who shall be admitted to be such legal representative for the purpose of prosecuting the suit.

Procedure in case of death of one of several defendants, or of sole or sole surviving defendant.

368. If there be more defendants than one, and any of them die before decree and the cause of action does not survive against the surviving defendant or defendants alone, and also in case of the death of a sole defendant, or sole surviving defendant, where the right to sue survives,

the plaintiff may make an application to the Court, specifying the name, description, and place of abode of any person whom he alleges to be the legal representative of the deceased defendant, and whom he desires to be made the defendant in his stead.

The Court shall thereupon enter the name of such representative on the record in the place of such defendant,

and shall issue a summons to such representative to appear on a day to be therein mentioned to defend the suit;

and the case shall thereupon proceed in the same manner as if such representative had originally been made a defendant and had been a party to the former proceedings in the suit:

Provided that the person so made defendant may object that he is not the legal representative of the deceased defendant, or may make any defence appropriate to his character as such representative.

Suit not abated by marriage of female party.

369. The marriage of a female plaintiff or defendant shall not cause the suit to abate, but the suit may notwithstanding be proceeded with to judgment, and where the decree is against a female defendant, it may thereupon be executed against the wife alone.

If the case is one in which the husband is by law liable for the debts of his wife, the decree may, with the permission of the Court, be executed against the husband also; and in case of judgment for the wife, execution of the decree may with such permission be issued upon the application of the husband, where the husband is by law entitled to the subject-matter of the decree.

When plaintiff's bankruptcy or insolvency bars suit.

370. The bankruptcy or insolvency of a plaintiff in any suit which his assignee or the receiver appointed under section 351 might maintain for the benefit of his creditors shall not bar the suit, unless such assignee or receiver declines to continue the suit and to give security for the costs thereof within such time as the Court may order.

Procedure when assignee fails to continue suit or give security.

If the assignee or receiver neglect or refuse to continue the suit and to give such security within the time so ordered, the defendant may, within eight days after such neglect or refusal, apply for the dismissal of the suit on the ground of the plaintiff's bankruptcy or insolvency, and the Court may dismiss the suit and award to the defendant the costs which he has incurred in defending the same, to be recovered from the plaintiff's estate.

Effect of abatement on parties' rights.

371. When a suit abates or is dismissed under this chapter, no fresh suit shall be brought on the same cause of action.

Application to set aside abatement or dismissal.

But the person claiming to be the representative of the deceased bankrupt or insolvent plaintiff, may apply for an order to set aside the order for abatement or dismissal; and if it be proved that he was prevented by any sufficient cause from continuing the suit, the Court shall set aside the abatement or dismissal upon such terms as to costs or otherwise as it thinks fit.

Procedure in case of assignment pending the suit.

372. In other cases of assignment, creation or devolution of any interest pending the suit, the suit may, with the leave of the Court, given either with the consent of all parties or after service of notice in writing upon them, and hearing their objections, if any, be continued by or against the person to whom such interest has come, either in addition to or in substitution for the person from whom it has passed, as the case may require.

CHAPTER XXII.

OF THE WITHDRAWAL AND ADJUSTMENT OF SUITS.

Power to allow plaintiff to withdraw with liberty to bring fresh suit.

373. If, at any time after the institution of the suit, but before judgment, the Court is satisfied on the application of the plaintiff (*a*) that the suit must fail by reason of some formal defect, or (*b*) that there are sufficient grounds for permitting him to withdraw from the suit or to abandon part of his claim with liberty to bring a fresh suit for the subject-matter of the suit or for the part so abandoned, the Court may grant such permission on such terms as to costs or otherwise as it thinks fit.

If the plaintiff withdraw from the suit, or abandon part of his claim, without such permission, he shall be liable for such costs as the Court may award, and shall be precluded from bringing a fresh suit for the same matter.

Nothing in this section shall be deemed to authorize the Court to permit one of several plaintiffs to withdraw without the consent of the others.

Limitation-law not affected by first suit.

374. In any fresh suit instituted on permission granted under the last preceding section, the plaintiff shall be bound by the law of limitation in the same manner as if the first suit had not been brought.

Compromise of suits.

375. If a suit be adjusted by mutual agreement or compromise, or if the defendant satisfy the plaintiff in respect to the matter of the suit, such agreement, compromise or satisfaction shall be recorded, and the Court shall pass a decree in accordance therewith, and such decree shall be final.

CHAPTER XXIII.

OF PAYMENT INTO COURT.

Deposit by defendant of amount in satisfaction of claim.

376. The defendant in any suit to recover a debt or damages, may, at any stage of the suit, deposit in Court such sum of money as he considers a satisfaction in full of the claim.

Notice of deposit.

377. Notice of the deposit shall be given by the defendant to the plaintiff, and the amount of the deposit shall (unless the Court otherwise directs) be paid to the plaintiff on his application.

Interest on sum deposited not allowed to plaintiff after receipt of notice.

378. No interest shall be allowed to the plaintiff on any sum deposited by the defendant from the date of the receipt of such notice, whether the sum deposited be in full of the claim or fall short thereof.

Procedure where plaintiff accepts deposit as satisfaction in part.

379. If the plaintiff accept such amount only as satisfaction in part of his claim, he may prosecute his suit for the balance; and if the Court decides that the deposit by the defendant was a full satisfaction of the plaintiff's claim, the plaintiff must pay the costs of the suit incurred after the deposit and the costs incurred previous thereto, so far as they were caused by excess in the plaintiff's claim.

Procedure where he accepts it as satisfaction in full.

If the plaintiff accept such amount as satisfaction in full of his claim, he shall file in Court a statement to that effect, and the Court shall pass judgment accordingly, and in directing by whom the costs of each party are to be paid, the Court shall consider which of the parties is most to blame for the litigation.

Illustrations.

(*a*). A owes B Rs. 100. B sues A for the amount, having made no demand for payment and having no reason to believe that the delay caused by making a demand would place him at a disadvantage. On the plaint being filed, A pays the money into Court. B accepts it in full satisfaction of his claim, but the Court should not allow him any costs, the litigation being presumably groundless on his part.

(*b*). B sues A under the circumstances mentioned in illustration (*a*). On the plaint being filed, A disputes the claim. Afterwards A pays the money into Court. B accepts it in full satisfaction of his claim. The Court should also give B his costs of suit, A's conduct having shewn that the litigation was necessary.

(*c*). A owes B Rs. 100 and is willing to pay him that sum without suit. B claims Rs. 150 and sues A for that amount. On the plaint being filed, A pays Rs. 100 into Court and disputes only his liability to pay the remaining Rs. 50. B accepts the Rs. 100 in full satisfaction of his claim. The Court should order him to pay A's costs.

CHAPTER XXIV.

OF REQUIRING SECURITY FOR COSTS.

When security for costs is to be furnished by plaintiff on presenting plaint.

380. When the plaintiff ordinarily resides out of British India, and does not possess any sufficient immoveable property within British India independent of the property in suit, he shall, if any defendant so requires, on presenting the plaint or within such time as the Court may fix, furnish security for the payment of the costs that may be incurred by the defendant.

When security for costs may be required from plaintiff at any stage of suit.

381. If at any subsequent stage of the suit it appears to the Court that a sole plaintiff is, or (when there are more plaintiffs than one) that all the plaintiffs are, residing out of British India, and such plaintiff or plaintiffs does not or do not possess any sufficient immoveable property within British India independent of the property in suit, the Court may, on the application of any defendant, order the plaintiff or plaintiffs, within a time to be fixed by the order, to give security for the payment of all costs incurred and likely to be incurred by such defendant.

Procedure where requisition is not complied with.

In the event of such security not being furnished within the time so fixed, the Court shall pass a decree against the plaintiff or plaintiffs by default, unless he or they be permitted to withdraw from the suit under the provisions of section 373.

Residence out of British India.

382. A person is considered to be resident out of British India, within the meaning of sections 380 and 381 who leaves British India under such circumstances as to afford reasonable probability that he will not be forthcoming whenever he may be called upon to pay costs.

CHAPTER XXV.

OF COMMISSIONS.

A.—Commissions to examine Witnesses.

Cases in which Court may issue commission to examine witness.

383. Any Court may by order issue a commission for the examination on interrogatories or otherwise of persons resident within the local limits of its jurisdiction, who are exempted under this Code from attending the Court, or who are from sickness or infirmity unable to attend it.

Order for commission may be made either on application of parties or by Court of its own accord.

384. Such order may be made by the Court either of its own motion, or on the application, supported by affidavit, of any party to the suit or proceeding or of the witness to be examined.

When witness resides within Court's jurisdiction.

385. The commission for the examination of a person who resides within the local limits of the jurisdiction of the Court issuing the same may be issued to any person whom the Court issuing the commission thinks proper to appoint to execute the same:

Provided that where the Court issuing the commission is subordinate to a District Court, and is not a Court of Small Causes, the exercise of the power conferred by this section shall be subject to such rules as the District Court may from time to time prescribe, as to the officers or persons to whom commissions may be issued.

When witness resides beyond Court's jurisdiction, but in British India.

386. Any District Court and any Court of Small Causes may issue a commission for the examination of—

(*a*) any person resident beyond the local limits of its jurisdiction,

(*b*) persons who are about to leave such limits before the date on which they are required to be examined in Court, and

(*c*) civil and military officers of Government who cannot, in the opinion of the Judge, attend the Court without detriment to the public service.

If the suit in which it is desired to issue such commission be pending in any Court (other than a Court of Small Causes) subordinate to the District Court, the District Court may issue it on the application of such subordinate Court.

Such commission shall ordinarily be issued to any Court not being a High Court, within the local limits of whose jurisdiction such person resides, and which can most conveniently execute the same:

When witness is within local limits of ordinary original civil jurisdiction of a High Court.

Provided that if he resides beyond the local limits of the jurisdiction of the Court issuing the commission and within the towns of Calcutta, Madras, Bombay, or Rangoon, the commission shall be issued to the Court of Small Causes within whose jurisdiction he resides:

Provided also that, under special circumstances, the commission may be directed to any person whom the Court issuing the commission thinks fit to appoint.

The Court on issuing any commission under this section shall direct whether the commission shall be returned to itself or to any subordinate Court.

When witness is not within British India.

387. In the case of a person residing at any place not within British India, the Court, if satisfied that the evidence of such person is necessary, may, of its own motion or on the application of any of the parties to the suit, issue a commission for his examination.

Court to examine witness pursuant to commission.

388. Every Court receiving a commission for the examination of any person shall examine him pursuant thereto.

Commission when executed to be returned to Court issuing it with depositions of witnesses.

389. After the commission has been duly executed, it shall be returned, together with the evidence taken under it, to the Court out of which it issued, unless the order for issuing the commission has otherwise directed, in which case the commission shall be returned in terms of such order; and the commission and the return thereto, and the evidence taken under it, shall form part of the record of the suit.

When depositions may be read in evidence.

390. Evidence taken under a commission shall not be read as evidence in the suit without the consent of the party against whom the same is offered, unless

(*a*) the person who gave the evidence is beyond the jurisdiction of the Court, or dead, or unable from sickness or infirmity to attend to be personally examined, or exempted from personal appearance in Court, or

(*b*) the Court in its discretion dispenses with the proof of any of the circumstances mentioned in the last preceding clause, and authorizes the evidence of any person being read as evidence in the suit, notwithstanding proof that the cause for taking such evidence by commission has ceased at the time of reading the same.

Provisions as to execution and return of commissions to apply to commissions issued by Foreign Courts.

391. The provisions hereinbefore contained as to the execution and return of commissions shall apply to commissions issued by

(*a*) Courts situate beyond the limits of British India and established by the authority of Her Majesty or of the Governor General in Council, or

(*b*) Courts situate in any part of the British Empire other than British India, or

(*c*) Courts of any foreign country for the time being in alliance with Her Majesty.

B.—Commissions for Local Investigations.

Commission to make local investigations.

392. In any suit or proceeding in which the Court deems a local investigation to be requisite or proper for the purpose of elucidating any matter in dispute, or of ascertaining the market-value of any property, or the amount of any mesne profits or damages or annual nett profits, and the same cannot be conveniently conducted by the Judge in person, the Court may issue a commission to such person as it thinks fit, directing him to make such investigation and to report thereon to the Court:

Provided that when the Local Government has made rules as to the persons to whom such commission shall be issued, the Court shall be bound by such rules.

Commissioner may examine parties and witnesses and call for papers.

393. The Commissioner, unless otherwise directed by the order of appointment, may examine the parties themselves and any witness whom they or any of them may produce, and any other person whom the Commissioner thinks proper to call upon to give evidence in the matter referred to him.

The Commissioner may also call for and examine documents and other papers relevant to the subject of enquiry.

The Commissioner, after such local inspection as he deems necessary, and after reducing to writing the evidence taken by him, shall return such evidence, together with his report in writing, subscribed with his name, to the Court.

Report and depositions to be evidence in suit.

394. The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the suit and shall form part of the record; but the Court, or any of the parties to the suit may, with the permission of the Court, examine the Commissioner personally in open Court touching any of the matters referred to him or mentioned in his report, or as to the manner in which he has made the investigation.

Commissioner may be examined in person.

C.—Commissions to examine Accounts.

Commission to investigate and adjust accounts.

395. In any suit in which an examination or adjustment of accounts is necessary, the Court may issue a commission to such person as it thinks fit directing him to make such examination or adjustment.

Court to give Commissioner necessary instructions.

396. The Court shall furnish the Commissioner with such part of the proceedings and such detailed instructions as appear necessary,

and the instructions shall distinctly specify whether the Commissioner is merely to transmit the proceedings which he may hold on the enquiry, or also to report his own opinion on the point referred for his examination.

Proceedings of Commissioner receivable in evidence.

Power to make further enquiry.

397. The proceedings of the Commissioner shall be received in evidence in the suit, unless the Court has reason to be dissatisfied with them, in which case the Court shall direct such further enquiry as is requisite.

D.—General Provisions.

Expenses of Commission to be paid into Court.

398. Before issuing any commission under this chapter, the Court may order such sum (if any) as it thinks reasonable for the expenses of the commission to be paid into Court by the party at whose instance or for whose benefit the commission is issued.

Attendance, examination and punishment of witnesses before Commissioner.

399. The provisions of this Code relating to the summoning, attendance, and examination of witnesses and to the remuneration of, and penalties to be imposed upon, witnesses, shall apply to persons required to give evidence or to produce documents under this chapter, whether the commission in execution of which they are so required has been issued by a Court situate within, or by a Court situated beyond, the limits of British India.

Procedure *ex parte* where parties do not appear.

400. Whenever a commission is issued under this chapter, the Court shall direct that the parties to the suit shall appear before the Commissioner in person or by their agents or pleaders.

If the parties do not so appear, the Commissioner may proceed *ex parte*.

PART III.

OF SUITS IN PARTICULAR CASES.

CHAPTER XXVI.

SUITS BY PAUPERS.

Suits may be brought *in formâ pauperis*.

401. Subject to the following rules, any suit may be brought by a pauper.

Explanation.—A person is a 'pauper' when he is not possessed of sufficient means to enable him to pay the fee prescribed for by law for the plaint in such suit, or, where no such fee is prescribed, when he is not entitled to property worth one hundred rupees other than his necessary wearing apparel and the subject-matter of the suit.

What suits excepted.

402. No suit shall be brought by a pauper to recover compensation for loss of caste, libel, slander, abusive language or assault.

Application to be in writing.

Contents of application.

403. The application for permission to sue by a pauper shall be in writing, and shall contain the particulars required by section 50 in regard to plaints in suits: a schedule of any moveable or immoveable property belonging to the petitioner, with the estimated value thereof, shall be annexed thereto; and it shall be subscribed and verified in the manner hereinbefore prescribed for the subscription and verification of plaints.

Presentation of application.

404. Notwithstanding anything contained in section 40, the application shall be presented to the Court by the applicant in person unless he is exempted from appearing in Court under section 642 or 643, in which case the application may be presented by a duly authorized agent, who can answer all material questions relating to the application, and who shall be liable to be examined in the same manner as the party represented by him might have been examined had such party attended in person.

Rejection of application.

405. If the application be not framed or presented in the manner laid down in sections 403 and 404, the Court shall reject it.

Examination of applicant.

406. If the application be in form and duly presented, the Judge shall examine the petitioner, or his agent when the applicant

is allowed to appear by agent, regarding the merits of the claim and the property of the applicant.

When the application is presented by an agent, the Court may, if it thinks fit, order that the applicant be examined by a Commission in the manner in which the examination of an absent witness may be taken under the provisions of this Code.

I presented by agent, Court may order applicant to be examined by Commission.

407. If it appear to the Court upon such examination

Rejection of application.

(*a*) that the applicant is not a pauper, or

(*b*) that he has, within the two months next before the presentation of the application, disposed of any property fraudulently or with a view to obtain the benefit of this chapter, or

(*c*) that his allegations do not show a right to sue in such Court,

the Court shall reject the application.

408. If upon such examination the Court sees no reason to refuse the application on any of the grounds stated in section 407, it shall fix a day, of which at least ten days' previous notice shall be given to the opposite party and the Government Pleader, for receiving such evidence as the applicant may adduce in proof of his pauperism, and for hearing any evidence which may be adduced in disproof thereof.

Notice of day for receiving evidence of applicant's pauperism.

409. On the day so fixed, or as soon thereafter as may be convenient, the Court shall examine the witnesses (if any) produced by either party, and may cross-examine the applicant or his agent, and shall make a memorandum of the substance of their evidence.

Procedure at hearing.

The Court shall also hear any argument which the parties may desire to offer on the question whether, on the face of the application and of the evidence (if any) taken by the Court as herein provided, the applicant is or is not subject to any of the prohibitions specified in section 407.

The Court shall then either allow or refuse to allow the applicant to sue as a pauper.

410. If the application be granted, it shall be numbered and registered, and shall be deemed the plaint in the suit, and the suit shall proceed in all other respects as a suit instituted under chapter V, except that the plaintiff shall not be liable to any court-fee (other than fees payable for service of process) in respect of any petition, appointment of a pleader, or other proceeding connected with the suit.

Procedure if application admitted.

411. If the plaintiff succeed in the suit, the Court shall calculate the amount of court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper; and such amount shall be a first charge on the subject-matter of the suit, and shall also be recoverable by Government from any party ordered by the decree to pay the same, in the same manner as costs of suit are recoverable under this Code.

Costs when pauper succeeds.

Recovery of court-fees.

412. If the plaintiff fails in the suit, or if he is dispaupered, the Court shall order the plaintiff, or any person made under section 32 co-plaintiff to the suit, to pay the court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper;

Procedure when pauper fails.

and, if it find that the suit was frivolous or vexatious, it may also punish the plaintiff with fine not exceeding one hundred rupees, or with imprisonment for a term which may extend to a month, or with both.

413. Refusal to allow the applicant to sue as a pauper shall be a bar to any subsequent application of the like nature by him in respect of the same right to sue; but the applicant shall be at liberty to institute a suit in the ordinary manner in respect of such right.

Refusal to allow applicant to sue as pauper to bar subsequent application of like nature.

414. The Court may, on motion by the defendant, or by the Government Pleader, of which one week's notice in writing has been given to the plaintiff, order the plaintiff to be dispaupered—

Dispaupering.

(*a*) if he is guilty of vexatious or improper conduct in the course of the suit;

(*b*) if it appears that his means are such that he ought not to continue to sue as a pauper, or

(*c*) if he has entered into any agreement with reference to the subject-matter of the suit, under which any other person has obtained an interest in such subject-matter.

415. The costs of an application for permission to sue as a pauper and of an enquiry into pauperism are costs in the suit.

Costs.

CHAPTER XXVII.

SUITS BY OR AGAINST GOVERNMENT OR PUBLIC OFFICERS.

416. Suits by or against the Government shall be brought by or against (as the case may be) the Secretary of State for India in Council.

Suits by or against Secretary of State in Council.

No suit against the Secretary of State for India in Council and no suit against a public officer for any act alleged to be done by him in his official capacity shall be instituted in any Court inferior to a District Court. Any such suit may be transferred by order of the Court in which it is instituted to any Court subordinate thereto, and otherwise competent to entertain such suit.

Courts in which such suits shall be instituted.

Nothing contained in the second paragraph of this section shall affect suits to which Government is a party, the trial whereof is provided for by any local law.

417. Persons being *ex-officio* or otherwise authorized to act for Government in respect of any judicial proceeding, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of Government.

Persons authorized to act for Government.

418. In suits by the Secretary of State for India in Council, instead of inserting in the plaint the name and description and place of abode of the plaintiff, it shall be sufficient to insert the words "The Secretary of State for India in Council."

Plaints in suits by Secretary of State in Council.

419. The person appointed to act as pleader on the part of Government in any Court, shall be the agent of the Government for the purpose of receiving processes against the Government or the said Secretary of State in Council, issuing out of the Court in which such person may be the pleader of Government.

Agent of Government to receive process.

420. If the suit be against the said Secretary of State in Council or against a public officer for any such act as aforesaid, the summons shall be served on the Government Pleader of the Court in which the suit is instituted, or on any other person appointed to receive process on behalf of the Government.

Service on Government Pleader.

421. The Court, in fixing the day for the said Secretary of State in Council to answer to the plaint, shall allow a reasonable time for the necessary communication with the Government through the proper channels, and for the issue of instructions to the Government Pleader to appear and answer on behalf of the said Secretary of State in Council or the Government, and may extend the time at its discretion.

Appearance and answer by Secretary of State in Council.

The Court may also in any case in which the Government Pleader is not accompanied by any person on the part of the said Secretary of State in Council, who may be able to answer any material questions relating to the suit, direct the attendance of such a person.

422. If the defendant be a public officer, the Court may send a copy of the summons to the head of the office in which the defendant is employed, for the purpose of being served on him, if it shall appear to the Court that the summons may be most conveniently so served.

Service on public officers.

423. If the public officer on receiving the summons considers it proper to make a reference to the Government before answering to the plaint, he may apply to the Court to grant such extension of the time fixed in the summons as may be necessary to enable him to make such reference and to receive orders thereon through the proper channel;

Extension of time to enable officer to make reference to Government.

and the Court upon such application may extend the time for so long as appears to be requisite.

424. No suit shall be instituted under this chapter against the said Secretary of State in Council or against a public officer until the expiration of two months next after notice in writing has been in the case of the Secretary of State in Council delivered to, or left at the office of, a Secretary to the Local Government or the Collector of the District, and, in the case of a public officer, delivered to him or left at his office, stating the cause of action and the name and place of abode of the intending plaintiff.

Notice previous to suing Secretary of State in Council or public officer.

Unless such notice is proved, the Court shall find for the defendant.

Every suit against a public officer for compensation for an act alleged to be done in his official capacity shall be commenced within six months next after the cause of action arises, and not afterwards.

425. If the Government undertake the defence of a suit under this chapter against a public officer, the Government Pleader, upon being furnished with authority to appear and answer to the plaint, shall apply to the Court, and upon such application the Court shall cause a note of his authority to be entered in the register.

Application where Government undertakes defence.

426. If such application is not made by the Government Pleader on or before the day fixed in the notice for the defendant to appear and answer to the plaint, the case shall proceed as in a suit between private parties, except that the defendant shall not be liable to arrest, nor his property to attachment, otherwise than in execution of a decree.

Procedure where no such application made.

Defendant not liable to arrest before judgment.

427. If in a suit under this chapter against a public officer the Court requires the personal appearance of the defendant, and the defendant satisfies the Court that he cannot absent himself from his duty without detriment to the public service, the Court shall exempt him from appearing in person.

Exemption of public officers from personal appearance.

428. When the decree is against the said Secretary of State in Council or against a public officer, a time shall be specified in the decree within which it shall be satisfied; and if the decree is not satisfied within the time so specified, the Court shall report the case for the orders of the Local Government.

Procedure where decree is against Government or a public officer.

Execution shall not issue on any decree mentioned in this section unless it remains unsatisfied for the period of three months computed from the date of the report.

429. Where there is no Government Pleader the functions imposed by this chapter on the Government Pleader may be performed by such officer as the Local Government generally or specially appoints in this behalf.

Performance of Government Pleader's functions.

CHAPTER XXVIII.

SUITS BY ALIENS AND BY OR AGAINST FOREIGN AND NATIVE RULERS.

430. Alien enemies residing in British India with the permission of the Governor General in Council and alien friends may sue in the Courts of British India as if they were subjects of Her Majesty.

When aliens may sue.

No alien enemy residing in British India without such permission, or residing in a foreign country, shall sue in any of such Courts.

Explanation.—Every person residing in a foreign country, the Government of which is at war with the United Kingdom of Great Britain and Ireland and carrying on business in that country without

a license in that behalf under the hand of one of Her Majesty's Secretaries of State or of a Secretary to the Government of India, shall, for the purpose of this section, be deemed to be an alien enemy.

431. A foreign State may sue in the Courts of British India, provided that—

When a foreign State may sue.

(*a*) it has been recognized by Her Majesty or the Governor General in Council, and

(*b*) the object of the suit is to enforce the private rights of the head or of the subjects of the foreign State.

The Court shall take judicial notice of the fact that a foreign State has not been recognized by Her Majesty or by the Governor General in Council.

432. Persons specially appointed by order of Government at the request of any Sovereign Prince or ruling Chief, whether in subordinate alliance with the British Government or otherwise, and whether residing within or without British India, to prosecute or defend any suit on his behalf, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of such Prince or Chief.

Persons specially appointed by Government to prosecute or defend for Princes or Chiefs.

433. Any such Prince or Chief, and any ambassador or envoy of a foreign State may, with the consent of Government certified by the signature of one of its Secretaries (but not otherwise) be sued in any competent Court not subordinate to a District Court:

Suits against Sovereign Princes, &c.

Such consent shall not be given unless—

(*a*) the Prince, Chief, ambassador or envoy has instituted a suit in such Court against the person desiring to sue him, or

(*b*) the Prince, Chief, ambassador or envoy by himself or another trades within the local limits of the jurisdiction of such Court: or

(*c*) the suit is for the determination of any right to, or interest in, immoveable property situate within the said local limits and in the possession of the Prince, Chief, ambassador or envoy.

No such Prince, Chief, ambassador or envoy shall be arrested under this Code; and no decree shall be executed against the property of any such Prince, Chief, ambassador or envoy unless with consent of Government certified as aforesaid.

Sovereign Princes, &c., exempt from arrest.

When their property may be attached.

434. The Governor General in Council may from time to time, by notification in the *Gazette of India*,

Execution in British India of decrees of Courts of Native States.

(*a*) declare that the decrees of Courts situate in the territories of any Native Prince or State in alliance with Her Majesty, may be executed in British India as if they had been made by the Courts of British India, and

(*b*) cancel any such declaration.

So long as such declaration remains in force the said decrees may be executed accordingly.

CHAPTER XXIX.

SUITS BY AND AGAINST CORPORATIONS AND COMPANIES.

435. In suits by a Corporation, or by a Company authorized to sue and be sued in the name of an officer or of a trustee, the plaint may be subscribed and verified on behalf of the Corporation or Company by any director, secretary, or other principal officer of the Corporation or Company, who is able to depose to the facts of the case.

Subscription and verification of plaint.

436. When the suit is against a Corporation, or against a Company authorized to sue and be sued in the name of an officer or of a trustee, the summons may be served

Service on Corporation or Company.

(*a*) by leaving it at the registered office (if any) of the Corporation or Company, or

(*b*) by sending it by post in a letter addressed to such officer or trustee at the office (or if there be more offices than one, at the principal office in British India) of the Corporation or Company, or

(*c*) by giving it to any director, secretary, or other principal officer of the Corporation or Company,

and the Court may require the personal appearance of any director, secretary, or other principal officer of the Corporation or Company who may be able to answer material questions relating to the suit.

CHAPTER XXX.

SUITS BY AND AGAINST TRUSTEES, EXECUTORS AND ADMINISTRATORS.

437. In all suits concerning property vested in a trustee, executor or administrator, the trustee, executor or administrator shall represent the persons beneficially interested in such property; and it shall not ordinarily be necessary to make such persons parties to the suit. But the Court may, if it think fit, order them or any of them to be made such parties.

Representation of beneficiaries in suits concerning property vested in trustees, &c.

438. When there are several executors or administrators, they shall all be made parties to a suit against one or more of them:

Joinder of executors and administrators.

Provided that executors who have not proved their testator's will, and executors and administrators beyond the local limits of the jurisdiction of the Court, need not be made parties.

439. Unless the Court directs otherwise, the husband of a married administratrix or executrix shall not be a party to a suit by or against her.

Husband of married executrix not to join.

CHAPTER XXXI.

SUITS BY AND AGAINST MINORS AND PERSONS OF UNSOUND MIND.

440. Every suit by a minor shall be instituted in his name by an adult person, who in such suit shall be called the next friend

Minor must sue by next friend.

of the minor, and may be ordered to pay any costs in the suit as if he were the plaintiff.

Costs.

441. Every application to the Court on behalf of a minor (other than an application under section 450) shall be made by his next friend, or his guardian for the suit.

Applications to be made by next friend or guardian *ad litem*.

442. If a plaint be filed by or on behalf of a minor, without a next friend, the defendant may apply to have the plaint taken off the file, with costs to be paid by the pleader or other person by whom it was presented. Notice in writing of such application shall be given to such person by the defendant; and the Court, after hearing his objections, if any, may make such order in the matter as it thinks fit.

Plaint filed without next friend to be taken off the file.

Costs.

443. Where the defendant to a suit, or respondent to an application, is a minor, the Court, on being satisfied of the fact of his minority, shall appoint a proper person to be guardian for the suit for such minor, to put in the defence for such minor, and generally to act on his behalf in the conduct and management of the case.

Guardian *ad litem* to be appointed by the Court.

A guardian for the suit is not a guardian of person or property within the meaning of the Indian Majority Act, 1875, section 3.

444. Every order made in a suit or on any application before the Court, in or by which a minor is in any way concerned or affected, without such minor being represented by a next friend or guardian for the suit, as the case may be, may be discharged, and, if the pleader of the party at whose instance such order was obtained knew, or might, reasonably have known, the fact of such minority, with costs to be paid by such pleader.

Order obtained without next friend or guardian may be discharged.

Costs.

445. Any person, being *sui juris*, may act as next friend of a minor, provided his interest is not adverse to that of such minor, and he is not a defendant or respondent in or to the suit or application.

Who may be next friend.

446. If the interest of the next friend of a minor is adverse to that of such minor, or if he is so connected with a defendant or respondent whose interest is adverse to that of such minor, as to make it unlikely that the interest of such minor will be properly protected by him, or if he does not do his duty, or, pending the suit or application, ceases to reside within British India, or for any other sufficient cause, application may be made on behalf of such minor or by a defendant or respondent for his removal, and the Court (if satisfied of the sufficiency of the cause assigned) may order the next friend to be removed accordingly and a guardian for the suit to be substituted.

Removal of next friend.

447. Unless otherwise ordered by the Court, a next friend shall not retire at his own request without first procuring a fit person to be put in his place, and giving security for the costs already incurred.

Retirement of next friend.

448. The application for the appointment of a new next friend shall be supported by affidavit, showing the fitness of the person proposed, and also, that he has no interest adverse to the minor.

Application for appointment of new next friend.

449. On the death or removal, as aforesaid, of a next friend, further proceedings shall be stayed until the appointment of a next friend in his place.

Stay of proceedings on death or removal of next friend.

450. If the pleader of such minor omits, within reasonable time, to take steps to get a new next friend appointed, any person interested in the minor or the matter at issue may apply to the Court for the appointment of one, and the Court may appoint such person as it thinks fit.

Application for appointment of new next friend.

451. On the appointment of a new next friend his name as such shall thenceforth be inserted in the proceedings.

Name of new next friend to be inserted in proceedings.

452. Before the name of any person can be used as the next friend of a minor, he shall sign a written authority to the pleader for that purpose, which authority shall be filed in Court.

Written authority to act for next friend to be filed.

453. A minor plaintiff, or a minor not a party to a suit on whose behalf an application is pending, on coming of age, must elect whether he will proceed with the suit or application.

Course to be followed by minor plaintiff or applicant on coming of age.

If he elects to proceed with it, he shall obtain an order discharging the next friend, and for leave to proceed in his own name.

The title of the suit or application shall in such case be corrected so as to read thenceforth thus:—"*A. B.*, late a minor by *C. D.*, his next friend, but now of full age."

If he elects to abandon the suit or application, he shall, if a sole plaintiff, or sole applicant, obtain an order to dismiss the suit or application on repayment of the costs incurred by the defendant or respondent, or which may have been paid by his next friend.

When minor sole plaintiff, or sole applicant.

Costs.

In either case the application may be made by petition *ex parte*; and it must be proved by affidavit that the late minor has attained his full age.

454. A minor co-plaintiff or co-applicant, on coming of age, and desiring to repudiate the suit or application, must apply to have his name struck out as co-plaintiff or co-applicant.

When minor co-plaintiff or co-applicant.

The application shall be by summons to the next friend, as well as to the defendant or respondent; and it must be proved by affidavit that the late minor has attained his full age. The costs of all parties of such application, and of all or any proceedings theretofore had in the suit or matter, shall be paid by such persons as the Court directs.

Costs.

455. If any minor on attaining majority can prove to the satisfaction of the Court that a suit instituted in his name by a next friend was unreasonable or improper, he may, if a sole plaintiff or sole applicant, apply to have the suit dismissed.

When suit or proceeding unreasonable or improper.

The application shall be by summons to all the parties concerned: and the Court, upon being satisfied of such unreasonableness or impropriety, may grant the application, and order the next friend to pay the costs of all parties in respect of the application and of any thing done in the suit.

Costs.

456. An order for the appointment of a guardian for the suit may be obtained upon application in the name of the minor. The petition must be supported by an affidavit verifying the fact that the proposed guardian has no interest in the matters in question in the suit or application, adverse to that of the minor, and that he is a fit person to be so appointed.

Petition for appointment of guardian *ad litem*.

457. A co-defendant or co-respondent, if *sui juris*, may be appointed guardian for the suit, if he has no interest adverse to that of the minor; but neither a plaintiff, nor a party applicant, nor a married woman, can be so appointed.

Who may be guardian *ad litem*.

458. If the guardian for the suit dies pending a suit or application against a minor, a new guardian shall be appointed in his place.

On death of guardian, *pendente lite*, new guardian to be appointed.

459. If the guardian for the suit of a minor defendant or respondent does not do his duty, or if other sufficient ground be made to appear, the Court may remove him, and may order him to pay such costs as may have been occasioned to any party by his breach of duty.

Guardian neglecting his duty may be removed.

Costs.

460. When the enforcement of a decree is applied for against the heir or representative, being a minor, of a deceased party, a guardian for the suit of such minor shall be appointed, and the decree-holder shall serve on such guardian notice in writing of such application.

When decree to be enforced against heir or representative.

461. No sum of money or other thing shall be received or taken by a next friend or guardian for the suit at any time on behalf of a minor, at any time before decree or order, unless he has first obtained the leave of the Court, and given security to its satisfaction that such money or other thing shall be duly accounted for to, and held for the benefit of, such minor.

Before decree, next friend or guardian *ad litem* not to receive money without leave of Court and giving security.

462. No such next friend or guardian for the suit shall enter into any agreement or compromise on behalf of a minor, with reference to the suit in which he acts as next friend or guardian without the leave of the Court.

Next friend or guardian *ad litem* not to compromise without leave of Court.

Any such agreement or compromise entered into without the leave of the Court shall be voidable against all parties other than the minor.

Compromise without leave voidable.

463. The provisions contained in sections 440 to 462 (both inclusive) shall, *mutatis mutandis*, apply in the case of persons of unsound mind, adjudged to be so under Act No. XXXV of 1858, or under any other law for the time being in force.

Application of sections 440 to 462 to persons of unsound mind.

464. Nothing in sections 442 to 462 applies to any minor or person of unsound mind, for whose person or property a guardian or manager has been appointed by the Court of Wards or by the Civil Court under any local law.

Wards of Court.

CHAPTER XXXII.

SUITS BY AND AGAINST MILITARY MEN.

465. When any officer or soldier actually serving the Government in a military capacity is a party to a suit, and cannot obtain leave of absence for the purpose of prosecuting or defending the suit in person, he may authorize any person to sue or defend in his stead.

Officers or soldiers who cannot obtain leave may authorize any person to sue or defend for them.

The authority shall be in writing and shall be signed by the officer or soldier in the presence of (*a*) his commanding officer or of the next subordinate officer, if the party be himself the commanding officer, or (*b*) where the officer or soldier is serving in military staff employment, the head or other superior officer of the office in which he is employed. Such commanding or other officer shall countersign the authority which shall be filed in Court.

When so filed, the countersignature shall be sufficient proof that the authority was duly executed, and that the officer or soldier by whom it was granted could not obtain leave of absence for the purpose of prosecuting or defending the suit in person.

Explanation.—In this chapter the expression 'commanding officer' means the officer in actual command for the time being of any regiment, corps, detachment or depôt, to which the officer or soldier belongs.

466. Any person authorized by an officer or soldier to prosecute or defend a suit in his stead may prosecute or defend it in person in the same manner as the officer or soldier could do if present; or he may appoint a pleader to prosecute or defend the suit on behalf of such officer or soldier.

Person so authorized may act personally or appoint pleaders.

467. Processes served upon any person authorized by an officer or soldier, as in section [illegible] upon any pleader appointed as aforesaid by such person to act for, or on behalf of such officer or soldier shall be as effectual as if it had been served on the party in person or on his pleader.

Service on person so authorized, or on his pleader, to be good service.

468. When an officer or soldier is a defendant the Court shall send a copy of the summons to the commanding officer of such officer or soldier for the purpose of being served on him.

Service on officers and soldiers.

The officer to whom such copy is sent, shall cause it to be served on the person to whom it is addressed, if practicable, shall return it to the Court with the written acknowledgment of such person endorsed thereon.

If from any cause the copy cannot be so served, it shall be returned to the Court by which it was sent, with information of the cause which has prevented the service.

469. If, in the execution of a decree, a warrant of arrest is to be executed within the limits of a cantonment, garrison, military station, or military bázár, the officer charged with the execution of such warrant shall deliver the same to the commanding officer.

Execution of warrant of arrest in cantonments, &c.

The commanding officer shall back the warrant with his signature, and shall cause the person named therein to be arrested if within the limits of his command, and delivered to the officer so charged of the warrant.

CHAPTER XXXIII.

INTERPLEADER.

470. When two or more persons claim adversely to one another the same payment or property from another person, whose only interest therein is that of a mere stakeholder and who is ready to render it to the right owner, such stakeholder may institute a suit of interpleader against all the claimants for the purpose of obtaining a decision as to whom the payment or property should be made or delivered, and of obtaining indemnity for himself.

When interpleader suit may be instituted.

Provided that if any suit is pending in which the rights of all parties can properly be decided, the stakeholder shall not institute a suit of interpleader.

471. In every suit of interpleader the plaint must, in addition to the other statements necessary for plaints, state—

Plaint in such suit.

(*a*) that the plaintiff has no interest in the thing claimed otherwise than as a mere stakeholder;

(*b*) the claims made by the defendants severally; and

(*c*) that there is no collusion between the plaintiff and any of the defendants.

472. When the thing claimed is capable of being paid into Court or placed in the custody of the Court, the plaintiff must so pay or place it before he can be entitled to any order in the suit.

Payment of thing claimed into Court.

473. At the first hearing the Court may

[illegible]ure at first

(*a*) declare that the plaintiff is discharged from all liability to the defendants in respect of the thing claimed, award him his costs, and dismiss him from the suit:

[illegible], if it thinks that justice or convenience so [illegible],

[illegible]retain all parties until the final disposal of the suit:

[illegible], if it finds that the admissions of the parties [illegible]r evidence enable it,

[illegible] adjudicate the title to the thing claimed:

[illegible]e it may

(*d*) direct the defendants to interplead one another by filing statements and entering into evidence for the purpose of bringing their respective claims before the Court.

474. Nothing in this chapter shall be taken to enable agents to sue their principals, or tenants to sue their landlords, for the purpose of compelling them to interplead with any persons other than persons making claim through such principals or landlords.

When agents and tenants may institute interpleader suits.

Illustrations.

(*a*) A deposits a box of jewels with B as his agent. C alleges that the jewels were wrongfully obtained from him by A, and claims them from B. B cannot institute an interpleader suit against A and C.

(*b*) A deposits a box of jewels with B as his agent. He then writes to C for the purpose of making the jewels a security for a debt due from himself to C. A afterwards alleges that C's debt is satisfied, and C alleges the contrary. Both claim the jewels from B. B may institute an interpleader suit against A and C.

475. When the suit is properly instituted, the Court may provide for the plaintiff's costs by giving him a charge on the thing claimed or in some other effectual way.

Charge of plaintiff's costs.

476. If any of the defendants in an interpleader suit is actually suing the stakeholder in respect of the subject of such suit, the Court in which the suit against the stakeholder is pending shall, on being duly informed that a decree has been made in the interpleader suit in favour of the stakeholder, stay the proceedings as against him; and his costs in the suit so stayed may be provided for in such suit; but if, and so far as, they are not provided for in that suit, they may be added to his costs incurred in the interpleader suit.

Procedure where a defendant is suing stakeholder.

Costs.

PART IV.

OF PROVISIONAL REMEDIES.

CHAPTER XXXIV.

OF ARREST AND ATTACHMENT BEFORE JUDGMENT.

A.—Arrest before Judgment.

477. If at any stage of any suit, other than a suit for the possession of immoveable property, the plaintiff satisfies the Court by affidavit—

When plaintiff may apply that security be taken.

that the defendant, with intent to avoid or delay the plaintiff, or to avoid any process of the Court, or to obstruct or delay the execution of any decree that may be passed against him,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under circumstances affording reasonable probability that the plaintiff will or may thereby be obstructed or delayed in the execution of any decree that may be passed against the defendant in the suit,

the plaintiff may apply to the Court that security be taken for the appearance of the defendant to answer any decree that may be passed against him in the suit.

478. If the Court, after examining the applicant, and making such further investigation as it thinks fit, is satisfied

Order to bring up defendant to show cause why he should not give security.

that the defendant, with any such intent as aforesaid,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under the circumstances last aforesaid,

the Court may issue an order for bringing the defendant before the Court to show cause why he should not give security for his appearance.

479. If the defendant fail to show such cause, the Court shall order him either to deposit in Court money or other property sufficient to answer the claim against him, or to give security for his appearance at any time when called upon while the suit is pending, and until execution or satisfaction of any decree that may be passed against him in the suit.

If defendant fail to show cause, Court may order him to make deposit or give security.

The surety shall bind himself, in default of such appearance, to pay any sum of money which the defendant may be ordered to pay in the suit.

480. The surety for the appearance of the defendant may at any time apply to the Court in which he became such surety to be discharged from his obligation.

Procedure in case of application by surety to be discharged.

On such application being made, the Court shall summon the defendant to appear, or, if it thinks fit, may issue a warrant for his arrest in the first instance.

On the appearance of the defendant pursuant to the summons or warrant, or on his voluntary surrender, the Court shall direct the surety to be discharged from his obligation, and shall call upon the defendant to find fresh security.

481. If the defendant fail to comply with an order under section 479 or section 480, the Court may commit him to jail until the decision of the suit, or, if judgment be given against the defendant, until the execution of the decree; Provided that no person shall be imprisoned under this section for a longer period than six months.

Procedure where defendant fails to give security or find fresh security.

482. The provisions of section 339 as to allowances payable for the subsistence of judgment-debtors shall apply to all defendants arrested under this chapter.

Subsistence of defendant arrested.

B.—Attachment before Judgment.

483. If at any stage of any suit the plaintiff satisfies the Court by affidavit that the defendant, with intent to obstruct or delay the execution of any decree that may be passed against him,

Application before judgment for security from defendant to satisfy decree, and in default, for attachment of property.

(*a*) is about to dispose of the whole or any part of his property, or to remove the same from the jurisdiction of the Court in which the suit is pending, or

(*b*) has quitted the jurisdiction of the Court, leaving therein property belonging to him,

the plaintiff may apply to the Court to call upon the defendant to furnish security to satisfy any decree that may be passed against him in such suit, and, on his failing to give such security, to direct that any portion of his property shall be attached until the further order of the Court.

The application shall, unless the Court otherwise directs, contain a specification of the property required to be attached, and the estimated value thereof.

Contents of application.

484. If the Court, after examining the applicant, and making any further investigation which it thinks fit, is satisfied that the defendant is about to dispose of or remove his property, with intent to obstruct or delay the execution of any decree that may be passed against him in the suit, the Court may require him, within a time to be fixed by the Court, either to furnish security in such sum as may be specified in the order, to produce and place at the disposal of the Court, when required, the said property or the value of the same, or such portion thereof as may be sufficient to satisfy the decree, or to appear and show cause why he should not furnish security.

Court may call on defendant to furnish security or show cause.

The Court may also in the order direct the conditional attachment of the whole or any portion of the property specified in the application.

485. If the defendant fail to show cause why he should not furnish security, or fail to furnish the security required within the time fixed by the Court, the Court may order that the property specified in the application, or such portion thereof as appears sufficient to satisfy any decree which may be passed in the suit, shall be attached.

Attachment if cause not shown or security not furnished.

If the defendant show such cause or furnish the required security, and the property specified in the application or any portion of it has been ordered to be attached, the Court shall order the attachment to be withdrawn.

Withdrawal of attachment.

486. The attachment shall be made in the manner herein provided for the attachment of property in execution of a decree for money.

Mode of making attachment.

487. If any claim be preferred to the property attached before judgment, such claims shall be investigated in the manner hereinbefore provided for the investigation of claims to property attached in execution of a decree for money.

Investigation of claims to property attached before judgment.

488. When an order of attachment before judgment is passed, the Court which passed the order shall remove the attachment whenever the defendant furnishes the security required, together with security for the costs of the attachment, or when the suit is dismissed.

Removal of attachment when security furnished.

489. Attachment before judgment shall not affect the rights of persons not parties to the suit, nor bar any person holding a decree against the defendant from applying for the sale of the property under attachment in execution of such decree.

Attachment not to affect rights of strangers, or bar the decree-holder from applying for sale.

490. Where property is under attachment by virtue of the provisions of this chapter, and a decree is given in favour of the plaintiff, it shall not be necessary to re-attach the property in execution of such decree.

Property attached under this chapter, not to be re-attached in execution of decree.

C.—Compensation for improper Arrests or Attachments.

491. If in any suit in which an arrest or attachment has been effected it appear to the Court that such arrest or attachment was appliedf or on insufficient grounds,

Compensation for obtaining arrest or attachment on insufficient grounds.

or if the suit of the plaintiff fails, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such amount, not exceeding one thousand rupees, as it deems a reasonable compensation to the defendant for the expense or injury occasioned to him by the arrest or attachment:

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

Proviso.

An award under this section shall bar any suit for compensation in respect of such arrest or attachment.

CHAPTER XXXV.

OF TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS.

A.—Temporary Injunctions.

492. If in any suit it be proved by affidavit or otherwise

Cases in which temporary injunction may be granted.

(*a*) that any property in dispute in a suit is in danger of being wasted, damaged or alienated by any party to the suit, or wrongfully sold in execution of a decree, or

(*b*) that the defendant threatens, or is about, to remove or dispose of his property with intent to defraud his creditors,

the Court may grant a temporary injunction to restrain such act, or give such other order for the purpose of staying and preventing the wasting, damaging, alienation, sale, removal or disposition of the property as the Court thinks fit.

493. In any suit for restraining the defendant from committing a breach of contract or other injury, and whether compensation be claimed in the suit or not, the plaintiff may, at any time after the commencement of the suit, and either before or after judgment, apply to the Court for a temporary injunction to restrain the defendant from the repetition or the continuance of the breach of contract or wrongful act complained of, or the committing of any breach of contract or injury of a like kind arising out of the same contract or relating to the same property or right.

Injunction to restrain repetition or continuance of breach.

Such injunction may be granted by the Court on such terms as to the duration of the injunction, keeping an account, giving security, or otherwise, as the Court thinks fit.

In case of disobedience, an injunction granted under this section or section 491 may be enforced by the imprisonment of the defendant for a term not exceeding six months, or the attachment of his property, or both.

No attachment under this section shall remain in force for more than one year, at the end of which time if the defendant has not obeyed the injunction, the property attached may be sold, and out of the proceeds the Court may award to the plaintiff such compensation as it thinks fit and may pay the balance, if any, to the defendant.

494. The Court may in all cases, and shall in all cases except where it appears to the Court that the object of granting the injunction would be defeated by the delay, before granting an injunction, direct notice in writing of the application for the same to be given to the opposite party.

Before granting injunction, Court may direct notice to be given to opposite party.

495. An injunction directed to a corporation or public company is binding not only on the corporation or company itself, but also on all members and officers of the corporation or company whose personal action it seeks to restrain.

Injunction to corporation binding on its members and officers.

496. Any order for an injunction may be discharged or varied or set aside by the Court, on application made thereto by any party dissatisfied with such order.

Order for injunction may be discharged, varied or set aside.

497. If it appears to the Court that the injunction was applied for on insufficient grounds, or

Compensation to defendant for issue of injunction on insufficient grounds.

if, after the issue of the injunction, the suit is dismissed or judgment is given against the plaintiff by default or otherwise, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such sum, not exceeding one thousand rupees, as it deems a reasonable compensation to the defendant for the expense or injury occasioned to him by the issue of the injunction:

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

Proviso.

An award under this section shall bar any suit for compensation in respect of the issue of the injunction.

B.—Interlocutory Orders.

498. The Court may, on the application of any party to a suit, order the sale, by any person named in such order, and in such manner and on such terms as it thinks fit, of any moveable property being the subject of such suit, which is subject to speedy and natural decay.

Power to order interim sale of perishable articles.

499. The Court may, on the application of any party to a suit, and on such terms as it thinks fit,

Power to make order for detention, &c., of subject-matter and to authorize entry, taking of samples and experiments.

(*a*) make an order for the detention, preservation or inspection of any property being the subject of such suit;

(*b*) for all or any of the purposes aforesaid, authorise any person to enter upon or into any land or building in the possession of any other party to such suit, and

(*c*) for all or any of the purposes aforesaid, authorise any samples to be taken, or any observation to be made or experiment to be tried, which may seem necessary or expedient for the purpose of obtaining full information or evidence.

The provisions hereinbefore contained as to execution of process shall apply, *mutatis mutandis*, to persons authorised to enter under this section.

500. An application by the plaintiff for an order under section 498 or section 499 may be made after notice in writing to the defendant at any time after service of the summons.

Application for such orders to be after notice.

An application by the defendant for a like order may be made after notice in writing to the plaintiff, and at any time after the applicant has appeared.

501. When land paying revenue to Government, or a tenure liable to sale, forms the subject of a suit, if the party in possession of such land or tenure neglects to pay the Government revenue, or the rent due to the proprietor of the tenure, as the case may be, and such land or tenure is consequently ordered to be sold, any other party to the suit claiming to have an interest in such land or tenure may upon payment of the revenue or rent due previously to the sale (and with or without security at the discretion of the Court), be put in immediate possession of the land or tenure;

When party may be put in immediate possession of land, the subject of suit.

and the Court in its decree may award against the defaulter the amount so paid, with interest thereupon at such rate as the Court thinks fit, or may charge the amount so paid, with interest thereupon at such rate as the Court orders, in any adjustment of accounts which may be directed in the decree passed in the suit.

502. When the subject-matter of a suit is money or some other thing capable of delivery, and any party thereto admits that he holds such money or other thing as a trustee for another party, or that it belongs or is due to another party, the Court may order the same to be deposited in Court or delivered to such last-named party, with or without security, subject to the further direction of the Court.

Deposit of money, &c., in Court.

CHAPTER XXXVI.

APPOINTMENT OF RECEIVERS AND DEPOSIT IN COURT.

503. Whenever it appears to the Court to be necessary for the preservation or the better custody or management of any property, moveable or immoveable, the subject of a suit, or under attachment, the Court may

Power of Court to appoint Receivers.

(*a*) appoint a Receiver of such property,

and may, if need be,

(*b*) remove the person in whose possession or custody the property may be from the possession or custody thereof;

(*c*) commit the same to the custody or management of such Receiver; and

(*d*) grant to such Receiver such fee or commission on the rents and profits of the property by way of remuneration, and all such powers as to bringing and defending suits, and for the management, protection, preservation and improvement of the property, the collection of the rents and profits thereof, the application and disposal of such rents and profits, and the execution of instruments in writing, as the owner himself has, or such of those powers as the Court thinks fit.

Every Receiver so appointed shall

(*e*) give such security (if any) as the Court thinks fit duly to account for what he shall receive in respect of the property,

(*f*) pass his accounts at such periods and in such form as the Court directs,

(*g*) pay the balance due from him thereon as the Court directs, and

(*h*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

504. If the property be land paying revenue to Government, or land of which the revenue has been assigned or redeemed, and the Court considers that the interests of those concerned will be promoted by the management of the Collector, the Court may appoint the Collector to be Receiver of such property.

When Collector may be appointed Receiver.

505. The powers conferred by this chapter shall be exercised only by High Courts and District Courts. But whenever the Judge of a Court subordinate to a District Court considers it expedient to appoint a Receiver in any suit before him, he shall refer the case to the District Court with his opinion to that effect, and the District Court shall make such order thereon as it thinks fit.

Courts empowered under this chapter.

PART V.

OF SPECIAL PROCEEDINGS.

CHAPTER XXXVII.

REFERENCE TO ARBITRATION.

506. If all the parties to a suit desire that any matter in difference between them in the suit be referred to arbitration, they may, at any time before judgment is pronounced, apply,

Parties to suit may apply for order of reference.

in person or by their respective pleaders specially authorized in writing in this behalf, to the Court for an order of reference.

Every such application shall be in writing and shall state the particular matter sought to be referred.

507. The arbitrator shall be nominated by the parties in such manner as may be agreed upon between them.

Nomination of arbitrator.

If the parties cannot agree with respect to such nomination, or if the person whom they nominate refuses to accept the arbitration and the parties desire that the nomination shall be made by the Court, the Court shall nominate the arbitrator.

When Court to nominate arbitrator.

508. The Court shall, by order, refer to the arbitrator the matter in difference which he is required to determine, and shall fix such time as it thinks reasonable for the delivery of the award, and specify such time in the order.

Order of reference.

When once a matter is referred to arbitration, the Court shall not deal with it in the same suit, except in the case provided for by section 512, or unless, owing to the death, refusal, neglect, incapacity or departure from India of the arbitrator, the reference be fruitless, in which case the Court may issue an order superseding the arbitration and restoring the suit to the file of the Court.

509. If the reference be to two or more arbitrators, provision shall be made in the order for a difference of opinion among the arbitrators,

When reference is to two or more, order to provide for difference of opinion.

(*a*) by the appointment of an umpire, or

(*b*) by declaring that the decision shall be with the majority if the major part of the arbitrators agree, or

(*c*) by empowering the arbitrators to appoint an umpire, or

(*d*) otherwise, as may be agreed between the parties; or, if they cannot agree, as the Court determines.

If an umpire is appointed, the Court shall fix such time as it thinks reasonable for the delivery of his award in case he is required to act.

510. If the arbitrator, or, where there are more arbitrators than one, any of the arbitrators, or the umpire, dies, or refuses, or neglects, or becomes incapable to act, or leaves British India under circumstances showing that he will probably not return at an early date, the Court, if any of the parties so desire, may appoint a new arbitrator or umpire in the place of the person so dying, or refusing, or neglecting, or becoming incapable to act, or leaving British India.

Death, incapacity, &c., of arbitrators or umpire.

511. Where the arbitrators are empowered by the order of reference to appoint an umpire and fail to do so, any of the parties may serve the arbitrators with a written notice to appoint an umpire; and if, within seven days after such notice has been served, no umpire be appointed, the Court, upon the application of the party who has served such notice as aforesaid, may appoint an umpire.

Appointment of umpire by Court.

512. Every arbitrator or umpire appointed under sections 509, 510 or 511 shall have the like powers as if his name had been inserted in the order of reference.

Powers of arbitrator or umpire appointed under sections 509, 510, 511.

513. The Court shall issue the same processes to the parties and witnesses whom the arbitrators or umpire desire to examine, as the Court may issue in suits tried before it.

Summoning witnesses.

Persons not attending in accordance with such process, or making any other default, or refusing to give their evidence, or guilty of any contempt to the arbitrator or umpire during the investigation of the matters referred, shall be subject to the like disadvantages, penalties and punishments by order of the Court on the representation of the arbitrator or umpire, as they would incur for the like offences in suits tried before the Court.

Punishment for default, &c.

514. If from the want of the necessary evidence or information, or from any other cause, the arbitrators cannot complete the award within the period specified in the order, the Court may, if it think fit, either grant a further time, and from time to time enlarge the period for the delivery of the award, or make an order superseding the arbitration, and in such case shall proceed with the suit.

Extension of time for making award.

515. When an umpire has been appointed, he may enter on the reference in the place of the arbitrators

When umpire may arbitrate in lieu of arbitrators.

(*a*) if they have allowed the appointed time to expire without making an award, or

(*b*) when they have delivered to the Court or to the umpire a notice in writing, stating that they cannot agree.

516. When an award in a suit has been made, the persons who made it shall sign it and file it in Court, together with any depositions and documents which have been taken and proved before them; and notice of the filing of the award shall be given to the parties.

Award to be signed and filed.

517. Upon any reference by an order of Court, the arbitrators or umpire may, with the consent of the Court, state the award as to the whole or any part thereof in the form of a special case for the opinion of the Court; and the Court shall deliver its opinion thereon; and such opinion shall be added to and form part of the award.

Arbitrators or umpire may state special case.

518. On the application of either of the parties, the Court may, by order, modify or correct an award,

Court may, on application, modify or correct award in certain cases.

(*a*) where it appears that a part of the award is upon a matter not referred to arbitration, provided such part can be separated from the other part and does not affect the decision on the matter referred, or

(*b*) where the award is imperfect in form, or contains any obvious error which can be amended without affecting such decision.

519. The Court may also, on the application of any of the parties or of the persons making the award, make such order as it

Order as to costs of arbitration.

thinks fit respecting the costs of the arbitration, if any question arise respecting such costs and the award contain no sufficient provision concerning them.

520. In any of the following cases the Court may remit the award or any matter referred to arbitration to the reconsideration of the same arbitrators or umpire, upon such terms as it thinks fit, that is to say:—

When award or matter referred to arbitration may be remitted.

(*a*) if the award has left undetermined any of the matters referred to arbitration, or if it determine any matter not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of it.

521. An award remitted under section 520 becomes void on the refusal of the arbitrators or umpire to reconsider it. But no award shall be set aside except on one of the following grounds (namely)—

Grounds for setting aside award.

(*a*) corruption or misconduct of the arbitrator or umpire;

(*b*) either party having been guilty of fraudulent concealment of any matter which he ought to have disclosed, or of wilfully misleading or deceiving the arbitrator or umpire;

(*c*) the award having been made after the issue of an order by the Court superseding the arbitration and restoring the suit;

and no award shall be valid unless made within the period allowed by the Court.

522. If the Court sees no cause to remit the award or any of the matters referred to arbitration for reconsideration in manner aforesaid, and if no application has been made to set aside the award, or if the Court has refused such application,

Judgment to be according to award.

the Court shall, after the time for making such application has expired, proceed to give judgment according to the award,

or, if the award has been submitted to it in the form of a special case, according to its own opinion on such case:

Upon the judgment so given a decree shall follow, and shall be enforced in manner provided in this Code for the execution of decrees. No appeal shall lie from such decree.

Decree to follow.

523. When any persons by an instrument in writing agree that any difference between them shall be referred to the arbitration of any person named in the agreement or to be appointed by any Court having jurisdiction in the matter to which the agreement relates, the parties thereto, or any of them, may apply that the agreement be filed in such Court.

Agreement to refer to arbitration may be filed in Court.

The application shall be in writing and shall be numbered and registered as a suit between one or more of the parties interested or claiming to be interested as plaintiff or plaintiffs, and the others or other of them as defendants or defendant, if the application have been presented by all the parties, or, if otherwise, between the applicant as plaintiff and the other parties as defendants.

Application to be numbered and registered.

On such application being made, the Court shall direct notice thereof to be given to any of the parties to the agreement other than the applicants, requiring such parties to show cause, within the time specified in the notice, why the agreement should not be filed.

Notice to show cause against filing it.

If no sufficient cause be shown, the Court may cause the agreement to be filed, and shall make an order of reference thereon, and may also nominate the arbitrator when he is not named therein and the parties cannot agree as to the nomination.

524. The foregoing provisions of this chapter, so far as they are consistent with any agreement so filed, shall be applicable to all proceedings under an order of reference made by the Court under section 523, and to the award of arbitration and to the enforcement of the decree founded thereupon.

Provisions of this chapter applicable to proceedings under order of reference.

525. When any matter has been referred to arbitration without the intervention of a Court of Justice, and an award has been made thereon, any person interested in the award may apply to the Court of the lowest grade having jurisdiction over the whole matter to which the award relates, that the award be filed in Court.

Filing award in matter referred to arbitration without intervention of Court.

The application shall be in writing and shall be numbered and registered as a suit between the applicant as plaintiff and the other parties as defendants.

Application to be numbered and registered.

The Court shall direct notice to be given to the parties to the arbitration other than the applicant, requiring them to show cause, within a time specified, why the award should not be filed.

Notice to parties to arbitration.

526. If no sufficient cause be shown against the award, the Court may order it to be filed, and such award may then be enforced as a decree upon an award made under the provisions of this chapter.

Filing and enforcement of such award.

CHAPTER XXXVIII.

OF PROCEEDINGS ON AGREEMENT OF PARTIES.

527. Parties claiming to be interested in the decision of any question of fact or law may enter into an agreement in writing stating such question in the form of a case for the opinion of the Court; and providing

Power to state case for Court's opinion.

(*a*) that upon the finding of the Court in the affirmative or negative of such question, a sum of money fixed by the parties or to be determined by the Court, shall be paid by one of the parties to the other of them; or

(*b*) that some property, moveable or immoveable, specified in the agreement, shall be delivered by one of the parties to the other of them; or

(*c*) that one or more of the parties shall do or perform, or refrain from doing or performing some other particular act specified in the agreement.

Every case stated under this section shall be divided into consecutively numbered paragraphs, and shall concisely state such facts and documents as may be necessary to enable the Court to decide the questions raised thereby.

528. If the agreement is for the delivery of any property, or for the doing or performing, or the refraining from doing or performing, any particular act, the estimated value of the property to be delivered, or to which the act specified has reference, shall be stated in the agreement.

When value of subject-matter must be stated.

529. The agreement, if framed in accordance with the rules hereinbefore contained, may be filed in the Court of the lowest grade having jurisdiction in the matter to which it relates, and, when so filed, shall be numbered and registered as a suit between one or more of the parties interested, or claiming to be interested, as plaintiff or plaintiffs, and the other or others of them as defendant or defendants; and notice shall be given to all the parties to the agreement other than the party or parties by whom it was presented.

Agreement to be filed and numbered as a suit.

530. When the agreement has been filed, the parties to it shall be subject to the jurisdiction of the Court, and shall be bound by the statements contained therein.

Parties to be subject to Court's jurisdiction.

531. The case shall be set down for hearing as a suit instituted under chapter V, the provisions of which shall apply to such suit so far as the same are applicable.

Hearing and disposal of the case.

If the Court is satisfied, after an examination of the parties, or taking such evidence as it thinks fit,

(*a*) that the agreement was duly executed by them, and

(*b*) that they have a *bonâ fide* interest in the question of fact or law stated therein, and

(*c*) that the same is fit to be decided,

it shall proceed to deliver judgment thereon, in the same way as in an ordinary suit, and upon the judgment so given a decree shall follow, and shall be enforced in the manner provided in this Code for the execution of decrees.

CHAPTER XXXIX.

OF SUMMARY PROCEDURE ON NEGOTIABLE INSTRUMENTS.

532. In any Court to which this section applies all suits upon bills of exchange, hundís or promissory notes may, in case the plaintiff desires to proceed under this chapter, be instituted by presenting a plaint in the form prescribed by this Code; but the summons shall be in the form contained in the fourth schedule hereto annexed, No. 168, or in such other form as the High Court may from time to time prescribe.

Institution of summary suits upon bills of exchange &c.

In any case in which the plaint and summons are in such forms respectively, the defendant shall not appear to or defend the suit unless he obtains leave from a Judge as hereinafter mentioned so to appear and defend;

and in default of his obtaining such leave or of appearance and defence in pursuance thereof, the plaintiff shall be entitled to a decree for any sum not exceeding the sum mentioned in the summons, together with interest at the rate specified (if any) to the date of the decree, and a sum for costs to be fixed by a rule of the High Court, unless the plaintiff claim more than such fixed sum, in which case the costs shall be ascertained in the ordinary way, and such decree may be enforced forthwith.

The defendant shall not be required to pay into Court the sum mentioned in the summons, or to give security therefor, unless the Court thinks his defence not to be *primâ facie* sustainable, or feels reasonable doubt as to its good faith.

Payment into Court of sum mentioned in summons.

Explanation.—This section is not confined to cases in which the bill, hundí or note sued upon, together with mere lapse of time, is sufficient to establish a *primâ facie* right to recover.

533. The Court shall, upon application within the period of seven days from the service of such summons, give leave to appear and to defend the suit, upon the defendant paying into court the sum mentioned in the summons or upon affidavits satisfactory to the Court, which disclose a defence or such facts as would make it incumbent on the holder to prove consideration, or such other facts as the Court may deem sufficient to support the application, and on such terms as to security, framing and recording issues, or otherwise, as the Court thinks fit.

Defendant showing defence on merits to have leave to appear.

534. After decree, the Court may, under special circumstances, set aside the decree, and if necessary stay or set aside execution, and may give leave to appear to the summons and to defend the suit, if it seem reasonable to the Court so to do, and on such terms as the Court thinks fit.

Power to set aside decree.

535. In any proceeding under this chapter the Court may order the bill, hundí, or note on which the suit is founded to be forthwith deposited with an officer of the Court, and may further order that all proceedings shall be stayed until the plaintiff gives security for the costs thereof.

Power to order bill to be deposited with officer of Court.

536. The holder of every dishonoured bill of exchange or promissory note shall have the same remedies for the recovery of the expenses incurred in noting the same for non-acceptance or non-payment, or otherwise, by reason of such dishonour, as he has under this chapter for the recovery of the amount of such bill or note.

Recovery of cost of noting non-acceptance of dishonoured bill.

537. Except as provided by sections 532 to 536 both inclusive, the procedure in suits under this chapter shall be the same as the procedure in suits instituted under Chapter V.

Procedure in suits under this chapter.

Power to extend this chapter.

538. Sections 532 to 537 (both inclusive) apply only to—

(*a*) High Courts established under Royal Charter;

(*b*) the Chief Court of the Panjáb;

(*c*) the Court of the Recorder of Rangoon;

(*d*) the Courts of Small Causes in the Presidency Towns;

(*e*) the Court of the Judge of Karáchi; and

(*f*) any other Court to which the Local Government may, by notification in the official *Gazette*, apply them.

In case of such application the Local Government may direct by whom any of the powers and duties incident to the provisions so applied shall be exercised and performed, and make any rules which it thinks requisite for carrying into operation the provisions so applied.

Within one month after such notification has been published, such provisions shall apply accordingly, and the rules so made shall have the force of law.

The Local Government may from time to time alter or cancel any such notification.

PART VI.

OF APPEALS.

CHAPTER XL.

OF APPEALS FROM ORIGINAL DECREES.

Appeal to lie from all original decrees, except when expressly prohibited.

539. Unless when otherwise expressly provided in this Code or by any other law for the time being in force, an appeal shall lie from the decrees, or from any part of the decrees, of the Courts exercising original jurisdiction to the Courts authorized to hear appeals from the decisions of those Courts.

Form of appeal.

Memorandum to be accompanied by copy of decree and judgment.

540. The appeal shall be made in the form of a memorandum in writing presented by the appellant or his pleader, and shall be accompanied by a copy of the decree appealed against and of the judgment on which it is founded.

Memorandum of appeal.

541. The memorandum of appeal shall set forth, concisely and under distinct heads, the grounds of objection to the decree appealed against, without any argument or narrative, and such grounds shall be numbered consecutively.

Appellant confined to grounds set out.

542. The appellant shall not, without the leave of the Court, urge or be heard in support of any other ground of objection, but the Court in deciding the appeal shall not be confined to the grounds set forth by the appellant:

Provided that the Court shall not rest its decision on any ground set forth by the appellant, unless the respondent has had sufficient opportunity of contesting the case on that ground.

Rejection of memorandum or grounds of objection.

543. If the memorandum of appeal be not drawn up in the manner hereinbefore prescribed, such memorandum or grounds may be rejected or returned to the appellant for the purpose of being amended within a time to be fixed by the Court, or be amended then and there.

When the Court rejects under this section any memorandum, it shall record the reasons for such rejection.

When a memorandum of appeal is amended under this section the Judge, or such officer as he appoints in this behalf, shall attest the amendment by his signature.

One of several plaintiffs or defendants may obtain reversal of whole decree if it procee on ground common to all.

544. If there be more plaintiffs or more defendants than one in a suit, and the decree appealed against proceed on any ground common to all the plaintiffs or to all the defendants, any one of the plaintiffs or of the defendants may appeal against the whole decree, and the Appellate Court may reverse or modify the decree in favour of all the plaintiffs or defendants as the case may be.

Illustrations.

(*a*). A sues B and C on a promissory note. The defendants plead payment. The Court decrees in favour of A. B alone appeals. The Appellate Court, holding that payment has been made, may reverse the decree in favour of both B and C.

(*b*). A sues B and C on a promissory note. B pleads payment and C pleads the Limitation Act. The Court overrules both pleas and decrees in favour of A. B alone appeals. The Appellate Court may be of opinion that payment has been made, but cannot, on B's appeal, reverse the decree as regards C.

Of staying and executing Decrees under Appeal.

Execution of decree not stayed solely by reason of appeal.

545. Execution of a decree shall not be stayed by reason only of an appeal having been preferred against the decree; but the Appellate Court may for sufficient cause order the execution to be stayed.

Stay of execution of appealable decree before time for appealing has expired.

If an application be made for the execution of a decree which is open to appeal, before the time allowed for appeal has expired, the Court may for sufficient cause order the execution to be stayed.

Provided that no order shall be made under this section unless the Court is satisfied—

(*a*) that substantial loss may result to the party applying for stay of execution unless the order is made;

(*b*) that the application has been made without unreasonable delay; and

Security required before making order to stay execution.

(*c*) that security has been given by the applicant for the due performance of such decree or order as may ultimately be binding upon him.

Security in case of order for execution of decree appealed against.

546. If an order is made for the execution of a decree against which an appeal has been preferred, the Court which passed the decree may, on sufficient cause being shewn by the appellant, require security to be given for the restitution of any property which may be taken in

execution of the decree, or of the value of such property, and for the due performance of the decree or order of the Appellate Court,

or the Appellate Court may for like cause direct the Court which passed the decree to take such security.

No such security to be required from Government or public officers.

547. No such security as is mentioned in sections 545 and 546 shall be required from the Secretary of State for India in Council or from any public officer sued in respect of an act alleged to be done by him in his official capacity.

Of Procedure in Appeal from Decrees.

Registry of memorandum of appeal.

548. When a memorandum of appeal is admitted, the Appellate Court or the proper officer of that Court shall endorse thereon the date of admission, and shall register the appeal in a book to be kept for the purpose.

Register of appeals.

Such book shall be called the Register of Appeals.

Appellate Court may require appellant to give security for costs.

549. The Appellate Court may, at its discretion, either before the respondent is called upon to appear and answer or afterwards on the application of the respondent, demand from the appellant security for the costs either of the appeal, or of the original suit, or of both:

When appellant resides out of British India.

Provided that the Court shall demand such security in all cases in which the appellant is residing out of British India, and is not possessed of any sufficient immoveable property within British India independent of the property to which the appeal relates.

If such security be not furnished within such time as the Court orders, the Court shall reject the appeal.

Appellate Court to give notice to Court whose decree is appealed against.

550. When the memorandum of appeal is registered, the Appellate Court shall send notice of the appeal to the Court against whose decree the appeal is made.

Transmission of papers to Appellate Court.

If the appeal be from a Court the records of which are not deposited in the Appellate Court, the Court to which such notice is sent shall, upon the receipt thereof, transmit with all practicable despatch all material papers in the suit, or such papers as may be specially called for by the Appellate Court:

Power to confirm decision of lower Court without sending it notice.

Provided that the Appellate Court may, if it thinks fit, after fixing a time for hearing the appellant or his pleader, and hearing him accordingly if he appears at such time, confirm the decision of the Court against whose decree the appeal is made, without sending notice of the appeal to such Court and without serving notice on the respondent or his pleader; but in such case the confirmation shall be notified to the same Court.

Power of exhibits in Court whose decree is appealed against.

551. Either party may make an application in writing to the Court against whose decree the appeal is made, specifying any papers of which he requires copies to be made and deposited in such Court; and copies of such papers shall be prepared at the expense of the applicant, and shall be deposited accordingly.

Day for hearing appeal.

552. The Appellate Court shall fix a day for hearing the appeal.

Such day shall be fixed with reference to the current business of the Court, the place of residence of the respondent, and the time necessary for the service of the notice of appeal, so as to allow the respondent a sufficient time to enable him to appear and answer the appeal on such day.

Publication and service of notice of day for hearing appeal.

553. Notice of the day so fixed shall be stuck up in the appellate courthouse, and a like notice shall be sent by the Appellate Court to the Court against whose decree the appeal is made, and shall be served on the respondent or his pleader in the manner provided in chapter VI for the service of a summons to a defendant to appear and answer; and all rules applicable to such summons and to proceedings with reference to the service thereof, shall apply to the service of such notice.

Appellate Court may itself cause notice to be served.

Instead of sending the notice to the Court against whose decree the appeal is made, the Appellate Court may itself cause the notice to be served on the respondent or his pleader under the rules above referred to.

Contents of notice.

554. The notice to the respondent shall declare that, if he does not appear in the Appellate Court on the day so fixed, the appeal will be heard *ex parte*.

Procedure on Hearing.

Right to begin.

555. On the day so fixed, or on any other day to which the hearing may be adjourned, the party having the right to begin shall be heard in support of or against the appeal, as the case may be. The other party shall then be heard, and the party having the right to begin shall then be entitled to reply.

Explanation.—If the appeal is from the whole decree, or if there are cross-appeals, the party having the right to begin is the party who had the right to begin on the hearing in the Court whose decree is appealed from.

If the appeal is from only a portion of the decree, and there is no cross-appeal, the appellant has the right to begin.

Dismissal of appeal for appellant's default.

556. If on the day so fixed, or any other day to which the hearing may be adjourned, the appellant does not attend in person or by his pleader, the appeal shall be dismissed for default.

Hearing appeal *ex parte*.

If the appellant attends and the respondent does not attend, the appeal shall be heard *ex parte* in his absence.

Dismissal of appeal where notice has not been served in consequence of appellant's failure to deposit cost of notice.

557. If on the day so fixed, or any other day to which the hearing may be adjourned, it is found that the notice to the respondent has not been served in consequence of the failure of the appellant to deposit, within the period fixed by

the Court, the sum required to defray the cost of issuing the notice, the Court may order that the appeal be dismissed:

Proviso.

Provided that no such order shall be passed, although the notice has not been served upon the respondent, if on the day fixed for hearing the appeal the respondent appears in person or by a pleader, or by a duly authorized agent.

Re-admission of appeal dismissed for default.

558. If an appeal be dismissed under section 556 or section 557, the appellant may apply to the Appellate Court for the re-admission of the appeal; and if it be proved that he was prevented by any sufficient cause from attending when the appeal was called on for hearing, or from depositing the sum so required, the Court may re-admit the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Power to adjourn hearing, and direct persons appearing interested to be made respondents.

559. If it appear to the Court at the hearing that any person who was a party to the suit in the Court against whose decree the appeal is made, but who has not been made a party to the appeal, is interested in the result of the appeal, the Court may adjourn the hearing to a future day to be fixed by the Court, and direct that such person be made a respondent.

Re-hearing on application of respondent against whom *ex parte* decree is made.

560. When an appeal is heard *ex parte* in the absence of the respondent, and judgment is given against him, he may, within thirty days of the date of the decree, apply to the Appellate Court to re-hear the appeal; and if it be proved that the respondent was prevented by sufficient cause from attending when the appeal was called on for hearing, the Court may re-hear the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Upon hearing respondent may object to decree as if he had preferred separate appeal.

561. Any respondent, though he may not have appealed against any part of the decree, may, upon the hearing, take any objection to the decree which he could have taken by way of appeal, provided he has given through the Court to the appellant seven days' notice of such objection.

Such notice shall be in the form of a memorandum, and the provisions of sections 540, 541 and 542, so far as they relate to the form and contents of the memorandum of appeal, shall apply to such notice.

Form of notice, and provisions applicable thereto.

A respondent cannot by such notice raise questions between himself and any party to the suit, other than the appellant.

Remand of case by Appellate Court.

562. If without going into the merits, the Court against whose decree the appeal is made has disposed of the suit upon a preliminary point so as to exclude any evidence of fact which appears to the Appellate Court essential to the determination of the rights of the parties, and the decree upon such preliminary point is reversed in appeal, the Appellate Court may, if it thinks fit, remand the case, together with a copy of the decree or order in appeal, to the Court against whose decree the appeal is made, with directions to re-admit the suit under its original number in the register, and

(*a*) to proceed to investigate the suit on the merits, and pass a decree thereon; or

(*b*) to try a particular issue; or

(*c*) to take certain specified evidence.

When further evidence barred.

563. When a case is remanded with directions to take such evidence, the Court to which the case is remanded shall not take any other evidence in the case, except evidence tendered to contradict the evidence so taken.

Limit to remand.

564. The Appellate Court shall not remand a case for a second decision, except as provided in section 562.

When evidence on record sufficient, Appellate Court shall determine case finally.

565. When the evidence upon the record is sufficient to enable the Appellate Court to pronounce judgment, the Appellate Court may, if necessary, resettle the issues, and shall finally determine the case notwithstanding that the judgment of the Court against whose decree the appeal is made has proceeded wholly upon some ground other than that on which the Appellate Court proceeds.

When Appellate Court may frame issues and refer them for trial to Court whose decree is appealed against.

566. If the Court against whose decree the appeal is made has omitted to frame or try any issue, or to determine any question of fact, which appears to the Appellate Court essential to the right decision of the suit upon the merits, and the evidence upon the record is not sufficient to enable the Appellate Court to determine such issue or question, the Appellate Court may frame issues for trial, and may refer the same for trial to the Court against whose decree the appeal is made, and in such case shall direct such Court to take the additional evidence required,

and such Court shall proceed to try such issue, and shall return to the Appellate Court its finding thereon together with the evidence.

Finding and evidence to be put on record.

Objections to finding.

567. Such finding and evidence shall become part of the record in the suit; and either party may, within a time to be fixed by the Appellate Court, present a memorandum of objections to the finding.

Determination of appeal.

After the expiration of the period fixed for presenting such memorandum, the Appellate Court shall proceed to determine the appeal.

Production of additional evidence in Appellate Court.

568. The parties to an appeal shall not be entitled to produce additional evidence, whether oral or documentary, in the Appellate Court. But if

(*a*) the Court against whose decree the appeal is made refused to admit evidence which ought to have been admitted, or

(*b*) the Appellate Court requires any document to be produced or any witness to be examined to enable it to pronounce judgment or for any other substantial cause,

the Appellate Court may allow such evidence to be produced, or document to be received, or witness to be examined.

Whenever additional evidence is admitted by an Appellate Court, the reason for the admission shall be recorded on the proceedings of the Court.

Mode of taking additional evidence.

569. Whenever additional evidence is allowed to be received, the Appellate Court may either take such evidence, or direct the Court against whose decree the appeal is made, or any other Subordinate Court, to take such evidence and to send it when taken to the Appellate Court.

Points to be defined and recorded.

570. In all cases where additional evidence is directed or allowed to be taken, the Appellate Court shall specify the points to which the evidence is to be confined, and record on its proceedings the points so specified.

Of the Judgment in Appeal.

Judgment when and where pronounced.

571. The Appellate Court, after hearing the parties or their pleaders and referring to any part of the proceedings, whether on appeal or in the Court against whose decree the appeal is made, to which a reference may be considered necessary, shall pronounce judgment in open Court, either at once or on some future day, of which notice shall be given to the parties or their pleaders.

Language of judgment.

572. The judgment shall be written in English; provided that if English is not the mother-tongue of the Judge, and he is not able to write an intelligible judgment in English, the judgment shall be written in his mother-tongue or in the language of the Court.

Translation of judgment.

573. When the language in which the judgment is written is not the language of the Court, the judgment shall, if any party so require, be translated into such language, and the translation, after it has been ascertained to be correct, shall be signed by the Judge, or such officer as he appoints in this behalf.

Contents of judgment.

574. The judgment of the Appellate Court shall state—

(*a*) the points for determination;

(*b*) the decision thereupon;

(*c*) the reasons for the decision; and

(*d*) when the decree appealed against is reversed, the relief to which the appellant is entitled,

Date and signature.

and shall at the time that it is pronounced be signed and dated by the Judge or by the Judges concurring therein.

Decision when appeal is heard by two or more Judges.

575. When the appeal is heard by a Bench of two or more Judges, the appeal shall be decided in accordance with the opinion of such Judges or of the majority (if any) of such Judges.

If there be no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed:

Provided that if the Bench hearing the appeal is composed of two Judges belonging to a Court consisting of more than two Judges, and the Judges composing the Bench differ in opinion on a point of law, the appeal may be referred to one or more of the other Judges of the same Court, and shall be decided according to the opinion of the majority (if any) of all the Judges who have heard the appeal, including those who first heard it.

When there is no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed.

The High Court may from time to time make rules consistent with this Code to regulate references under this section.

Dissent to be recorded.

576. When the appeal is heard by more Judges than one, any Judge dissenting from the judgment of the Court shall state in writing the decision or order which he thinks should be passed on the appeal, and he may state his reasons for the same.

What judgment may direct.

577. The judgment may be for confirming, varying, or reversing the decree of the Court against which the appeal is made, or, if the parties to the appeal agree as to the form which the decree in appeal shall take, or as to the order to be passed in appeal, the Appellate Court may pass a decree or order accordingly.

No decree to be reversed or modified for error or irregularity.

578. No decree shall be varied or reversed nor shall any case be remanded in appeal, on account of any error, defect or irregularity, whether in the decision or in any order passed in the suit, or otherwise, not affecting the merits of the case or the jurisdiction of the Court.

Of the Decree in Appeal.

Contents of decree.

579. The decree of the Appellate Court shall bear date the day on which the judgment was pronounced.

The decree shall contain the number of the appeal, and the memorandum of appeal, including the names and description of the appellant and respondent, and shall specify clearly the relief granted or other determination of the appeal.

The decree shall also state the amount of costs incurred in the appeal, and by what parties and in what proportions such costs and the costs in the suit are to be paid.

The decree shall be signed and dated by the Judge or Judges who passed it:

Judge dissenting from judgment need not sign decree.

Provided that where there are more Judges than one, if there be a difference of opinion among them, it shall not be necessary for any Judge dissenting from the judgment of the Court to sign the decree.

Copies of judgment and decree to be furnished to parties.

580. Certified copies of the judgment and decree shall be furnished to the parties on application to the Court and at their expense.

Certified copy of decree to be sent to Court whose decree is appealed against.

581. A copy of the judgment and of the decree, certified by the Appellate Court or such officer as it appoints in this behalf, shall be sent to the Court

which passed the decree appealed against, and shall be filed with the original proceedings in the suit, and an entry of the judgment of the Appellate Court shall be made in the register of Civil suit.

Appellate Court to have same powers as Courts of original jurisdiction.

582. The Appellate Court shall have the same powers in appeals under this chapter in respect to adjournments, granting of time, arrest or attachment before judgment, issue of injunctions, examination of the parties or their pleaders and of witnesses or other persons, issue of commissions, award of interest or mesne profits, separation of misjoined suits, permission to bring fresh suits, or otherwise, as are vested by this Code in Courts of original jurisdiction in respect of suits instituted under chapter V.

The provisions of such chapter, unless when otherwise provided, shall apply to appeals under this chapter so far as the same are applicable.

Execution of decree of Appellate Court.

583. When a party in whose favour a decree is passed in an appeal under this chapter is desirous of obtaining execution of the same, he shall apply to the Court which passed the decree against which the appeal was preferred; and such Court shall proceed to execute the decree passed in appeal, according to the rules hereinbefore prescribed for the execution of decrees in suits.

CHAPTER XLI.

OF APPEALS FROM APPELLATE DECREES.

Second appeals to High Court.

584. Unless when otherwise provided in this Code or by any other law, from all decrees passed in appeal by any Court subordinate to a High Court, an appeal shall lie to the High Court on any of the following grounds, (namely)—

Grounds of second appeal.

(*a*) the decision being contrary to some specified law or usage having the force of law;

(*b*) the decision having failed to determine some issue of law or usage having the force of law;

(*c*) a substantial error or defect in the procedure as prescribed by this Code or any other law, which may have produced error or defect in the decision of the case upon the merits.

Second appeal only on grounds mentioned in section 584.

585. No second appeal shall lie except on the grounds mentioned in section 584.

No second appeal in certain suits.

586. No second appeal shall lie in any suit of the nature cognizable in Courts of Small Causes, when the debt, compensation or demand for which the original suit is instituted, does not exceed the sum of five hundred rupees.

Provisions as to second appeals.

587. Every memorandum of appeal under this chapter shall be accompanied by a copy of the decree appealed against,

and the provisions contained in chapter XLII shall apply as far as may be to appeals under this chapter,

Execution of decree in second appeal.

and the decree made by the appellate Court shall be executed by the Court which made the decree in the suit in which such appeal was preferred, under the rules hereinbefore provided for the execution of decrees in suits.

CHAPTER XLII.

OF APPEALS FROM ORDERS.

Orders appealable.

588. An appeal shall lie from the following orders under this Code and from no other such orders:—

(*a*) orders under section 19, staying proceedings in a suit,

(*b*) orders under section 24, determining whether immoveable property is or is not within the local limits of the Court's jurisdiction,

(*c*) orders under section 32 striking out or adding the name of any person as plaintiff or defendant,

(*d*) orders under section 44, adding a cause of action,

(*e*) orders under section 47, excluding a cause of action,

(*f*) orders rejecting or returning plaints under section 53, clause (*d*), or section 54, clauses (*b*) and (*d*), or section 57, clause (*c*),

(*g*) orders rejecting applications under section 102 in cases open to appeal for an order to set aside the dismissal of a suit,

(*h*) orders under section 120 where a party fails to appear,

(*i*) orders under section 168 for attachment of property,

(*j*) orders under section 176 where a party refuses to give evidence or produce a document called for by the Court,

(*k*) orders under section 214 as to questions relating to the execution of decrees,

(*l*) orders under section 261 as to objections to draft conveyances or draft endorsements,

(*m*) orders under section 312 for setting aside, or under section 314 for confirming, a sale,

(*n*) orders in insolvency matters under section 351, 352, 357, or 359,

(*o*) orders rejecting applications under section 370 for dismissal of the suit,

(*p*) orders disallowing objections under section 372,

(*q*) orders as to interpleader suits under section 473, 475 or 476,

(*r*) orders under section 479, 480, 481, 485, 492, 493, 503 or 513.

(*s*) orders under section 518 modifying an award,

(*t*) orders under any of the provisions of this Code, imposing fines, or for the imprisonment of any person, except when such imprisonment is in execution of a decree.

The orders passed in appeals under this section shall be final.

Court which shall hear appeals.

589. An appeal from any order specified in section 588, clause (*s*), shall lie to the High Court.

When an appeal from any other order is allowed by this chapter, it shall lie to the Court to which an appeal would lie from the decree in the suit in relation to which such order was made.

Procedure in appeals from orders.

590. The procedure prescribed in chapter XLII shall, so far as may be, apply to appeals from orders under this Code, or under any special or local law in which a different procedure is not provided.

No appeal, before decree, from order passed in course of suit; but if decree appealed against, error or defect therein may be set forth

591. Except as provided in this chapter, no appeal shall lie from any order passed in the course of a suit and relating thereto, prior to decree; but if the decree be appealed against, any error, defect or irregularity in any such order, affecting the merits of the case or the jurisdiction of the Court, may be set forth as a ground of objection in the memorandum of appeal.

CHAPTER XLIII.

OF PAUPER APPEALS.

Who may appeal as pauper.

592. Any person entitled under this Code or any other law to prefer an appeal, who is unable to pay the fee required for the petition of appeal may, on presenting an application accompanied by a memorandum of appeal, be allowed to appeal as a pauper, subject to the rules contained in chapters XXVI, XL, XLI and XLII, in so far as those rules are applicable:

Procedure on application for admission of

Provided that the Court shall reject the application unless upon a perusal thereof and of the judgment and decree against which appeal is made, it sees reason to think that decree appealed against is contrary to law, or to some usage having the force of law, or is otherwise erroneous or unjust.

Inquiry into pauperism.

593. The inquiry into the pauperism of the applicant may be made either by the Appellate Court or by the Court against whose decision the appeal is made under the orders of the Appellate Court:

Proviso.

Provided that, if the applicant was allowed to sue or appeal as a pauper in the Court against whose decree the appeal is made, no further enquiry in respect of his pauperism shall be necessary, unless the Appellate Court sees special cause to direct such enquiry.

CHAPTER XLIV.

OF APPEALS TO THE QUEEN IN COUNCIL.

defined.

594. In this chapter, unless there be something repugnant in the subject or context, the expression includes also judgment and order.

Appeals lie to Council.

595. Subject to such rules as may, from time to time, be made by Her Majesty in Council regarding appeals from the Courts of India, and to the provisions hereinafter

an appeal shall lie to Her Majesty in Council

(*a*) from any final decree passed on appeal by a High Court or other Court of final appellate jurisdiction,

(*b*) from any final decree passed by a High Court in the exercise of original civil jurisdiction and

(*c*) from any decree, when the case, as hereinafter provided, is certified to be a fit one for appeal to Her Majesty in Council.

Value of subject-matter.

596. In each of the cases mentioned in clauses (*a*) and (*b*) of section 595,

the amount or value of the subject-matter of the suit in the Court of first instance must be ten thousand rupees or upwards, and the amount or value of the matter in dispute on appeal to Her Majesty in Council must be the same sum or upwards,

or the decree must involve, directly or indirectly, some claim or question to, or respecting, property of like amount or value,

and where the decree appealed from affirms the decision of the Court immediately below the Court passing such decree, the appeal must involve some substantial question of law.

Bar of certain appeals.

597. Notwithstanding anything contained in section 595,

no appeal shall lie to Her Majesty in Council from the judgment of one Judge of a High Court established under the twenty-fourth and twenty-fifth of Victoria, chapter 104, or of one Judge of a Division Court, or of two or more Judges of such High Court, or of a Division Court constituted by two or more Judges of such High Court, whenever such Judges are equally divided in opinion, and do not amount in number to a majority of the whole of the Judges of the High Court at the time being;

and no appeal shall lie to Her Majesty in Council from any decree which, under section 556, is final.

Application to Court whose decree is complained of.

598. Whoever desires to appeal under this chapter to Her Majesty in Council must apply by petition to the Court whose decree is complained of.

Time within which application must be made.

599. Such application must ordinarily be made within six months from the date of such decree.

But if that period expires when the Court is closed, the application may be made on the day that the Court re-opens.

Certificate as to value or fitness.

600. Every petition under section 598 must state the grounds of appeal, and pray for a certificate, either that, as regards amount or value and nature, the case fulfils the requirements of section 596, or that it is otherwise a fit one for appeal to Her Majesty in Council.

Upon receipt of such petition, the Court may direct notice to be served on the opposite party to show cause why the said certificate should not be granted.

Effect of refusal of certificate.

601. If such certificate be refused, the petition shall be dismissed:

&c. &c.

Provided that, if the decree complained of be a final decree passed by a Court other than a High Court, the order refusing the certificate shall be appealable, within thirty days from the date of the order, to the High Court to which the former Court is subordinate.

Security and deposit required on grant of certificate.

602. If the certificate be granted, the applicant shall, within six months from the date of the decree complained of, or within six weeks from the grant of the certificate, whichever is the later date,

(*a*) give security for the costs of the respondent, and

(*b*) deposit the amount required to defray the expense of translating, transcribing, indexing, and transmitting to Her Majesty in Council a correct copy of the whole record of the suit, except

(1) formal documents directed to be excluded by any order of Her Majesty in Council in force for the time being;

(2) papers which the parties agree to exclude;

(3) accounts, or portions of accounts, which the officer empowered by the Court for that purpose considers unnecessary, and which the parties have not specifically asked to be included, and

(4) such other documents as the High Court may direct to be excluded:

and when the applicant prefers to print in India the copy of the record, except as aforesaid, he shall also, within the time mentioned in the first clause of this section, deposit the amount required to defray the expense of printing such copy.

Admission of appeal and procedure thereon.

603. When such security has been completed and deposit made to the satisfaction of the Court, the Court may,

(*a*) declare the appeal admitted, and

(*b*) give notice thereof to the respondent, and shall then

(*c*) transmit to Her Majesty in Council, under the seal of the Court, a correct copy of the said record, except as aforesaid, and

(*d*) give to either party one or more authenticated copies of any of the papers in the suit on his applying therefor and paying the reasonable expenses incurred in preparing them.

Revocation of acceptance of security.

604. At any time before the admission of the appeal, the Court may, upon cause shown, revoke the acceptance of any such security, and make further directions thereon.

Power to order further security or payment.

605. If at any time after the admission of the appeal, but before the transmission of the copy of the record, except as aforesaid, to Her Majesty in Council, such security appears inadequate,

or further payment is required for the purpose of translating, transcribing, printing, indexing, or transmitting the copy of the record, except as aforesaid,

the Court may order the appellant to furnish, within a time to be fixed by the Court, other and sufficient security, or to make, within like time, the required payment.

Effect of failure to comply with order.

606. If the appellant fail to comply with such order, the proceedings shall be stayed,

and the appeal shall not proceed without an order in this behalf of Her Majesty in Council,

and in the meantime execution of the decree appealed against shall not be stayed.

Refund of balance of deposit.

607. When the copy of the record, except as aforesaid, has been transmitted to Her Majesty in Council, the appellant may obtain a refund of the balance, if any, of the amount which he has deposited under section 602.

Powers of Court pending appeal.

608. Notwithstanding the admission of any appeal under this chapter, the decree appealed against shall be unconditionally enforced, unless the Court admitting the appeal otherwise directs.

But the Court may, if it think fit, on any special cause shown by any party interested in the suit, or otherwise appearing to the Court—

(*a*) impound any moveable property in dispute, or any part thereof, or

(*b*) allow the decree appealed against to be enforced, taking such security from the respondent as the Court thinks fit for the due performance of any order which Her Majesty in Council may make on the appeal, or

(*c*) stay the execution of the decree appealed against, taking such security from the appellant as the Court thinks fit for the due performance of the decree appealed against, or of any order which Her Majesty in Council may make on the appeal, or

(*d*) place any party seeking the assistance of the Court under such conditions, or give such other direction respecting the subject-matter of the appeal as it thinks fit.

Increase of security found inadequate.

609. If at any time during the pendency of the appeal, the security so furnished by either party appears inadequate, the Court may, on the application of the other party, require further security.

In default of such further security being furnished as required by the Court, if the original security was furnished by the appellant, the Court may, on the application of the respondent, issue execution of the decree appealed against as if the appellant had furnished no such security.

And if the original security was furnished by the respondent, the Court shall, so far as may be practicable, stay all further execution of the decree, and restore the parties to the position in which they respectively were when the security which appears inadequate was furnished, or give such direction respecting the subject-matter of the appeal as it thinks fit.

Procedure to enforce orders of Queen in Council.

610. Whoever desires to enforce or to obtain execution of any order of Her Majesty in Council shall apply by petition, accompanied by a certified copy of the decree or order made in appeal and sought to be enforced or executed, to the Court

from which the appeal to Her Majesty was preferred.

Such Court shall transmit the order of Her Majesty to the Court which made the first decree appealed from, or to such other Court as Her Majesty by her said order may direct, and shall (upon the application of either party) give such directions as may be required for the enforcement or execution of the same; and the Court to which the said order is so transmitted shall enforce or execute it accordingly, in the manner and according to the rules applicable to the execution of its original decrees.

When any monies expressed to be payable in British currency are payable in India under such order, the amount so payable shall be estimated according to the rate of exchange for the time being fixed by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, for the adjustment of financial transactions between the Imperial and the Indian Governments.

Appeal against order relating to execution.

611. The orders made by the Court which enforces or executes the order of Her Majesty in Council relating to such enforcement or execution, shall be appealable in the same manner and subject to the same rules as the orders of such Court relating to the enforcement or execution of its own decrees.

Amendment of Act IX of 1871, schedule II, No. 169.

612. The first column of No. 169 of the second schedule annexed to the Indian Limitation Act, 1871, shall be read as if the following words were added thereto (that is to say): "or any order of Her Majesty in Council."

Power to make rules.

613. The High Court may, from time to time, make general rules consistent with this Act to regulate—

(*a*) the service of notices under section 600,

(*b*) the grant or refusal of certificates under sections 601 and 602 by Courts of final appellate jurisdiction subordinate to the High Court,

(*c*) the amount and nature of the security required under sections 602, 605 and 609,

(*d*) the testing of such security,

(*e*) the estimate of the cost of transcribing the record,

(*f*) the preparation, examination and certifying of such transcript,

(*g*) the revision and authentication of translations,

(*h*) the preparation of indices to transcripts of records, and of lists of the papers not included therein,

(*i*) the recovery of costs incurred in British India in connection with appeals to Her Majesty in Council,

and all other matters connected with the enforcement of this chapter.

Publication of rules.

All such rules shall be published in the local official Gazette, and shall thereupon have the force of law in the High Court and the Courts of final appellate jurisdiction subordinate thereto.

Legalization of existing rules.

All rules heretofore made and published by any High Court relating to appeal to Her Majesty in Council and in force immediately before the passing of this Act, shall, so far as they are consistent with this Act, be deemed to have been made and published hereunder.

Recorder of Rangoon.

614. In sections 595 and 613, the expression 'High Court' shall be deemed to include also the Recorder of Rangoon, but not so as to empower him to make rules binding on Courts other than his own Court.

Construction of Bengal Regulation III of 1828, section 4, clause 5.

615. The rules and restrictions referred to in Bengal Regulation III of 1828, section IV, clause *fifth*, shall be deemed to be the rules and restrictions applicable to appeals under this Code from the decisions of the High Court of Judicature at Fort William in Bengal.

Saving of Her Majesty's pleasure,

616. Nothing herein contained shall be understood—

(*a*) to bar the full and unqualified exercise of Her Majesty's pleasure in receiving or rejecting appeals to Her Majesty in Council, or otherwise howsoever, or

and of rules for conduct of business before Judicial Committee.

(*b*) to interfere with any rules made by the Judicial Committee of the Privy Council, and for the time being in force, for the presentation of appeals to Her Majesty in Council, or their conduct before the said Judicial Committee.

And nothing in this chapter applies to any matter of criminal or admiralty or vice-admiralty jurisdiction, nor to appeals from orders and decrees of Prize Courts.

PART VII.

CHAPTER XLV.

OF REFERENCE TO THE HIGH COURT.

Reference of question to High Court.

617. If before or in the hearing of a suit or appeal in which the decree is final, or if in the execution of any such decree, any question of law or usage having the force of law, or the construction of a document which construction may affect the merits, arises, on which the Court trying the suit or appeal entertains reasonable doubt, the Court may, either of its own motion or on the application of any of the parties, draw up a statement of the point on which doubt is entertained, and refer such statement with its own opinion for the decision of the High Court.

Court may pass decree contingent upon opinion of High Court.

618. The Court may either stay the proceedings or proceed in the suit or appeal notwithstanding such reference, and may pass a decree contingent upon the opinion of the High Court on the point referred;

but no execution shall be issued in any case in which such reference is made to the High Court until the receipt of the order of that Court.

If a decree has been made its execution shall be stayed until the receipt of a copy of the judgment of the High Court upon such reference.

619. The High Court shall hear the parties to the suit or appeal in which the reference is made, in person or by their respective pleaders, and shall determine the point so referred to it, and shall transmit a copy of its judgment, under the signature of the Registrar, to the Court by which the reference was made, and such Court shall, on the receipt thereof, proceed to dispose of the suit or appeal in conformity with the decision of the High Court.

Judgment of High Court to be transmitted, and case disposed of accordingly.

620. Costs, if any, consequent on a reference for the opinion of the High Court, shall be costs in the suit or appeal.

Costs of reference to High Court.

621. When a case is referred to the High Court under this chapter, the High Court may return the case for amendment and may alter, cancel or set aside any decree which the Court making the reference has passed in the suit or appeal out of which the reference arose, and make such order as it thinks fit.

Power to alter, &c., decrees of Court making reference.

PART VIII.

CHAPTER XLVI.

OF REVIEW OF JUDGMENT.

622. The High Court may call for the record of any case in which no appeal lies to the High Court, if the Court by which the case was decided appears to have exercised a jurisdiction not vested in it by law, or to have passed any order contrary to law, and may set aside the decision, or pass such other order in the case as the High Court thinks fit.

Power to call for record of cases decided by Small Cause Courts, or, on appeal, by subordinate Courts.

The District Court may exercise the like powers as to any case decided by any Court subordinate thereto.

623. Any person considering himself aggrieved—

Application for review of judgment.

(*a*) by a decree or order from which an appeal is hereby allowed, but from which no appeal has been preferred;

(*b*) by a decree or order from which no appeal is hereby allowed; or

(*c*) by a judgment on a reference from a Court of Small Causes;

and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be adduced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him,

may apply for a review of judgment to the Court which passed the decree or made the order or to the Court, if any, to which the business of the former Court has been transferred.

A party who is not appealing from a decree may apply for a review of judgment notwithstanding the pendency of an appeal by some other party, except when the ground of such appeal is common to the applicant and the appellant.

624. Except on the discovery of such new and important matter or evidence as aforesaid, or of some clerical error apparent on the face of the decree, no application for a review of judgment, other than that of a High Court, shall be made to any Judge other than the Judge who delivered it.

To whom applications for review may be made.

625. The rules hereinbefore contained as to the form of making appeals shall apply, *mutatis mutandis*, to applications for review.

Form of applications for review.

626. If it appear to the Court that there is not sufficient ground for a review, it shall reject the application.

Application when rejected.

If the Court be of opinion that the review shall be granted, it shall grant the same, and the Judge shall record with his own hand his reasons for such opinion:

Application when granted.

Proviso. Provided that—

(*a*) no such review shall be granted without previous notice to the opposite party to enable him to appear and be heard in support of the decree a review of which is applied for; and

(*b*) no such review shall be granted on the ground of discovery of new matter or evidence which the applicant alleges was not within his knowledge, or could not be adduced by him when the decree or order was passed, without strict proof of such allegation.

627. If the Judge or Judges, or any one of the Judges, who passed the decree or order, a review of which is applied for, continue attached to the Court at the time when the application for a review is presented and are not, or is not, precluded by absence or other cause, for a period of six months next after the application, from considering the decree or order to which the application refers, such Judge or Judges or any of them shall hear the application, and no other Judge or Judges of the Court shall hear the same.

Application for review in Court consisting of two or more Judges.

628. If the application for a review be heard by more than one Judge and the Court be equally divided, the application shall be rejected.

Application when rejected.

If there be a majority the decision shall be according to the opinion of the majority.

629. The order of the Court whether for granting the review or rejecting the application shall be final, except where the review has been granted without jurisdiction, in which case an appeal shall lie.

Order of Court final.

Where the application has been rejected in consequence of the failure of the parties to appear, the applicant may, within fifteen days from such rejection, apply for an order to have the rejected application restored to the file, and if it be proved to the satisfaction of the Court that he was prevented by any sufficient cause from appearing when such application was called on for hearing, the Court may order it to be restored to the file upon such terms as to costs or otherwise as it thinks fit, and shall appoint a day for hearing the same.

No order shall be made under this section unless the applicant has served the opposite party with notice in writing of the latter application.

No application to review an order passed on review or on an application for a review shall be entertained.

630. When an application for a review is granted, a note thereof shall be made in the register and the Court may at once re-hear the case or make such order in regard to the re-hearing as it thinks fit.

Registry of application granted, and order for re-hearing.

PART IX.

CHAPTER XLVII.

SPECIAL RULES RELATING TO THE HIGH COURTS.

631. This chapter applies only to High Courts which are or may hereafter be established under the twenty-fourth and twenty-fifth of Victoria, chapter 104 (*An Act for establishing High Courts of Judicature in India*).

This part to apply only to certain High Courts.

Except as provided in this Part, the provisions of this Code apply to such High Courts.

Application of Code to High Courts.

632. Suits may be tried and determined by the High Court in the exercise of its ordinary original civil jurisdiction, if,

Ordinary original civil jurisdiction of the High Court.

(*a*) in the case of suits for immoveable property, the property or any part thereof is situate, or,

(*b*) in all other cases, the cause of action, or any material part of the cause of action, has arisen, or the defendant or any of the defendants at the time of the commencement of the suit dwells, or carries on business, or personally works for gain, within the local limits of such jurisdiction:

Provided that the leave of the Court be first obtained,

(*c*) in the case of suits for immoveable property where only part thereof is situate within such limits, and

(*d*) in other cases where only part of the cause of action has arisen, or only some of the defendants at the commencement of the suit dwell, or carry on business, or personally work for gain within such limits:

Provided also that no High Court shall, in the exercise of its ordinary original civil jurisdiction, try any case in which the debt, or compensation, or value of the property sued for, does not exceed five hundred rupees, and which falls within the jurisdiction of a Small Cause Court situate within the local limits of such jurisdiction.

633. The High Court shall take evidence, and record judgments and orders in such manner as it by rule from time to time directs.

High Court to record judgments according to its own rules.

634. Whenever a High Court considers it necessary that a decree made in the exercise of its ordinary original civil jurisdiction should be enforced before the amount of the costs incurred in the suit can be ascertained by taxation, the Court may order that the decree shall be executed forthwith, except as to so much thereof as relates to the costs;

Power to order execution of decree before ascertainment of costs, and execution for costs subsequently.

and, as to so much thereof as relates to the costs, that the decree may be executed as soon as the amount of the costs shall be ascertained by taxation.

635. No attorney shall, under the provisions of this Code, be entitled to address the Court or examine witnesses.

Attornies not to address Court.

636. Notices to produce documents, summonses to witnesses, and every other judicial process, issued in the exercise of the ordinary or extraordinary original civil jurisdiction of the High Court, and of its matrimonial, testamentary and intestate jurisdictions, except writs of summons to defendants issued under section 65, writs of execution, and notices under section 558, may be served by the attorneys in the suit, or by persons employed by them, or by such other persons as the High Court by any rule or order from time to time directs.

Process of High Courts may be served by attorneys in suit.

637. Any act not of a judicial nature which this Code requires to be done by a Judge, may be done by the Registrar of the Court or by such other officer of the Court as the Court may direct to perform such act.

Non-judicial acts may be done by Registrar.

The High Court may from time to time by rule declare what shall be deemed to be acts not of a judicial nature within the meaning of this section.

638. The procedure in civil cases brought before the High Court in the exercise of its Admiralty or Vice-Admiralty jurisdiction shall be regulated, so far as the circumstances of the case will permit, by the rules prescribed in this Code.

Procedure in Admiralty cases.

In the following cases in the exercise of such jurisdiction, (namely)—

(*a*) cases in which a ship, or a ship and cargo, have been or are to be proceeded against or arrested,

(*b*) cases in which goods only have been or are to be proceeded against or arrested, either for the purpose of proceeding against the goods or the freight due thereon,

(*c*) cases in which property has been or is arrested and no party has appeared or appears at the return of the warrant, and

(*d*) all other cases in the exercise of Admiralty or Vice-Admiralty jurisdiction in which the rules contained in this Code are not applicable,

the practice and procedure shall be regulated as nearly as possible by the Rules and Regulations made and ordained by his late Majesty King William the Fourth in Council in pursuance of the Second of William the Fourth, chapter 51, and touching the practice to be observed in the several Courts of Vice-Admiralty in the Colonies, except so far as such rules may be inconsistent with the Twenty-fourth and Twenty-fifth of Victoria, chapter 104, or with the Letters Patent granted in pursuance thereof.

Joinder of mariners in suits for wages.

639. In suits for mariners' wages brought before the High Court in the exercise of Admiralty or Vice-Admiralty jurisdiction, any number of mariners belonging to the same ship or serving under the same owner may proceed jointly in one suit.

Sections not applying to High Court in original civil jurisdiction.

640. The following portions of this Code shall not apply to the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction, namely, sections 37, 54 clause (*a*), 119, 160, 182 to 185 (both inclusive), 187, 189, 190, 191, 206, 261, 403, 404, 405,

and section 579 shall not apply to the High Court in the exercise of its appellate jurisdiction.

Code not to affect High Court in exercise of insolvent jurisdiction.

Nothing in this Code shall extend or apply to any High Court in the exercise of its jurisdiction as an Insolvent Court.

Power to frame forms.

641. The High Court shall have power to frame forms for every proceeding in such Court, for which the High Court thinks it necessary that forms should be provided, and for keeping all books, entries and accounts to be kept by its officers.

PART X.

CHAPTER XLVIII.

MISCELLANEOUS.

Exemption from Personal Appearance.

Exemption of certain women from personal appearance.

642. Women, who according to the customs and manners of the country ought not to be compelled to appear in public, shall be exempt from personal appearance in Court.

But nothing herein contained shall be deemed to exempt such women from arrest in execution of civil process.

Local Government may exempt certain persons from personal appearance.

643. The Local Government may, by notification in the official Gazette, exempt from personal appearance in Court any person whose rank, in the opinion of such Government, entitles him to the privilege of exemption, and may, by like notification, withdraw such privilege.

List of names of persons exempted to be kept in subordinate Court.

The names and residences of the persons so exempted shall from time to time be forwarded to the High Court by the Local Government, and a list of such persons shall be kept in such Court, and a list of such persons as reside within the local limits of the jurisdiction of each Court subordinate to the High Court shall be kept in such subordinate Court.

Costs of commission rendered necessary by claiming privilege.

When any person so exempted claims the privilege of such exemption, and it is consequently necessary to examine him by commission, he shall pay the costs of that commission.

Exemption from Arrest.

Persons exempt from arrest.

644. No Judge, Magistrate or other judicial officer shall be liable to arrest under this Code while going to, presiding in, or returning from his Court.

And, except as hereinafter provided, the parties to a suit and their pleaders and recognized agents shall be exempt from arrest under this Code while going to or attending a Civil Court for the purpose of such suit and while returning from such Court. Witnesses acting in obedience to a summons shall be similarly exempt.

Offences in Court.

Procedure in case of certain offences relating to documents.

645. When in a case pending before any Court, there appears to the Court sufficient ground for sending for investigation to the Magistrate a charge of any such offence as is described in section 193, 196, 199, 200, 205, 206 207, 208, 209, 210, 463, 471, 474, 475, 476 or 477 of the Indian Penal Code, which may be made in respect to any document offered in evidence in the case, the Court may send the person accused in custody to the Magistrate, or take sufficient bail for his appearance before the Magistrate.

The Court shall send to the Magistrate the evidence and documents relevant to the charge, and shall bind over any person to appear and give evidence before such Magistrate.

The Magistrate shall receive such charge and proceed with it according to law.

Forms.

Use of forms in fourth schedule.

646. Subject to the power conferred on the High Court by section 640 and by the twenty-fourth and twenty-fifth of Victoria, chapter 104, section 15, the forms set forth in the fourth schedule hereto annexed, with such variation as the circumstances of each case require, shall be used for the respective purposes therein mentioned.

Language of Courts.

Language of subordinate Courts.

647. The language which, when this Code comes into force, is the language of any Court subordinate to a High Court, shall continue to be the language of such Court until the Local Government otherwise orders;

but it shall be lawful for the Local Government from time to time to declare what language shall be the language of every such Court.

Statement of Cases by Registrars of Small Cause Courts.

Power of Registrars of Small Cause Courts to state cases.

648. Whenever the Registrar of a Court of Small Causes has any doubt upon any question of law or usage having the force of law, or as to the construction of a document which construction may affect the merits of the decision, he may state a case for the opinion of the Judge; and all the provisions herein contained relative to the stating of a case by the Judge shall apply, *mutatis mutandis*, to the stating of a case by the Registrar.

Miscellaneous Proceedings.

Miscellaneous proceedings.

649. The procedure herein prescribed shall be followed, as far as it can be made applicable, in all proceedings in any Court, other than suits and appeals.

Admission of affidavits as evidence.

The High Court may from time to time make rules to provide for the admission, in such proceedings, of affidavits as evidence of the matters to which such affidavits respectively relate; and such rules, on being published in the local official Gazette, shall have the force of law.

Civil Process for Attachment, Sale or Payment.

Procedure when property to be attached is situate outside the local limits of jurisdiction.

650. If any property to be attached under this Code is situate without the local limits of the jurisdiction of the Court making the order of attachment, such Court, if a District Court, shall send to the District Court within the local limits of whose jurisdiction such property is situate, a copy of the order, together with the probable amount of the costs of the attachment.

Such District Court shall, on receipt of such copy and amount, cause the attachment to be made as if the original order of attachment had been made by itself, and inform the Court by which such order was made or transmitted of the making of the attachment.

If the Court making the order of attachment is subordinate to a District Court, it shall send such copy to the District Court to which it is subordinate, and such Court shall, if it think fit, deal with the order as if it had been made by itself.

Rules applicable to all civil process for sale or payment.

651. The rules contained in chapter XIX shall be applicable to the execution of any judicial process for the sale of property or payment of money, which may be desired or ordered by a Civil Court in any civil proceeding.

Witnesses.

Application of rules as to witnesses.

652. The provisions of chapters XIV and XV relating to witnesses shall apply to all persons required to give evidence, or to produce documents in any proceeding under this Code.

Escape from Custody.

Penalty for escaping from custody under Code.

653. Whoever offers any resistance or illegal obstruction to the lawful apprehension of himself under this Code, or under the warrant of any Court of civil judicature, or escapes or attempts to escape from any custody in which he is lawfully detained under this Code or under such warrant, shall be punished with imprisonment for a term which may extend to six months or with fine not exceeding one thousand rupees, or with both.

Subsidiary Rules.

Power to make subsidiary rules of procedure.

654. The High Court may from time to time make rules consistent with this Code to regulate any matter connected with the procedure of the Courts of Civil Judicature. All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

THE FIRST SCHEDULE.

(See section 3.)

A.—STATUTE REPEALED.

Year and chapter.	Title.	Extent of repeal.
29 Char. II, chap. 7 ...	An Act for the better observance of the Lord's day commonly called Sunday.	The whole.

B.—ACTS REPEALED.

Number and year.	Subject or Title.	Extent of repeal.
IX of 1840 ...	For amending the law administered in Her Majesty's Courts of Justice with reference to Arbitrations, Damages, and interested Witnesses.	So much as has not been repealed.
XXIII of 1840 ...	For executing within the local limits of the jurisdiction of Her Majesty's Courts legal Process issued by authorities in the Mufassal.	So far as it relates to the execution of the process of Civil Courts.
VIII of 1841 ...	Interpleader	The whole.
XXVI of 1841 ...	Extending 3 & 4 Wm. IV, c. 42 ..	So much as has not been repealed.
XIV of 1848 ...	Commissions for taking affidavits ...	The whole.
XVII of 1852 ...	Special cases	The whole.
XXXIII of 1852 ...	Enforcement of judgments ...	The whole Act, except so far as it relates to the decrees of Military Courts of Requests.
VI of 1855 ...	Writs of execution	The whole.
XXXIV of 1855 ...	Execution of judgments ...	The whole.
VIII of 1859 ...	For simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter.	The whole Act, except sections 15 and 192.
XXIII of 1861 ...	To amend Act VIII of 1859 ...	So much as has not been repealed.
XX of 1862 ...	To provide for the levy of Fees and Stamp duties in the High Court, &c.	So much as has not been repealed.
XXIV of 1862 ...	To continue in force Act XX of 1862...	So much as has not been repealed.
IX of 1863 ...	To amend the Code of Civil Procedure	The whole.
XVIII of 1863 ...	To make provision for the speedy and efficient disposal of the business, &c.	So much as has not been repealed.
XXXII of 1863 ...	To continue in force Act XX of 1862...	So much as has not been repealed.

THE FIRST SCHEDULE.

ACTS REPEALED—*continued.*

Number and year.	Subject or Title.	Extent of repeal.
I of 1865 ...	Mufassal Small Cause Courts Act ...	Sections 8, 9, 10, 11, para. 2, 22, 23, 24, 25, 26, 27, 28, 42 and 47, and in section 32 the words "contained in the twenty-second, twenty-third, twenty-fourth and twenty-fifth sections of this Act."
XIV of 1865 ...	Central Provinces Courts Act ...	Sections 17 and 18.
XIX of 1865 ...	Panjáb Courts Act ...	Sections 13 and 17.
V of 1866 ...	To provide a summary procedure on Bills of Exchange, &c.	In the title, the words '*to provide a summary procedure on Bills of Exchange and*' The preamble down and including the words 'Notes; and' In section 1 the definitions of 'High Court' and 'Local Government.' Sections two to eight (both inclusive). Section fourteen.
XXIV of 1866 ...	High Court, North-Western Provinces	So much as has not been repealed.
X of 1867 ...	References by Mufassal Small Cause Courts.	The whole.
XXVI of 1867 ...	To amend the law relating to Stamp Duties.	So much as has not been repealed.
XV of 1869 ...	Prisoners' Testimony Act ...	So much of sections 15 and 16 as relates to process issued by a Civil Court.
IX of 1873 ...	Panjáb Appeals Act, 1873 ...	Sections 7, 9 and 10.
VI of 1874 ...	The Privy Council Appeals Act, 1874 ..	The whole.

C.—REGULATION REPEALED.

Madras Regulation IV of 1816.	Vakíls	Section 27.

THE SECOND SCHEDULE.

(See section 5.)

Chapters and Sections extending to Mufassal Courts of Small Causes.

PRELIMINARY: Sections 1, 2, 3 and 5.

CHAPTER I.—Of the Jurisdiction of the Courts and *Res Judicata*, except section 11.

CHAPTER II.—Of the Place of Suing, except section 19, para. 4, and sections 21 to 24 (both inclusive).

CHAPTER III.—Of Parties and their Appearances, Applications and Acts.

CHAPTER IV.—Of the Frame of the suit, except sections 42, 44 rule *a*, 45, 46 and 47.

CHAPTER V.—Of the Institution of Suits.
CHAPTER VI.—Of the Issue and Service of Summons, except section 77.
CHAPTER VII.—Of the Appearance of the Parties and consequence of Non-appearance.
CHAPTER VIII.—Section 111, Set-off.
CHAPTER IX.—Of the Examination of the Parties by the Court, except section 119.
CHAPTER X.—Of Discovery and the Admission, &c., of Documents.
CHAPTER XII.—Section 155, para. 1, Judgment where either party fails to produce his evidence.
CHAPTER XIII.—Of Adjournments.
CHAPTER XIV.—Of the Summoning and Attendance of Witnesses.
CHAPTER XV.—Of the Hearing of the Suit and Examination of Witnesses, except sections 182 to 188, both inclusive.
CHAPTER XVII.—Of Judgment and Decree, except sections 204, 207, 211, 212, 213 and 214.
CHAPTER XVIII.—Sections 219, 220 and 221, of Costs.
CHAPTER XIX.—Of the Execution of Decrees, sections 230 to 235 (both inclusive), 238 to 258 (both inclusive), 259 (except so far as relates to the recovery of wives), 266 (except so far as relates to immoveable property), 267 to 272 (both inclusive), 273 (so far as relates to decrees for moveable property), 275 to 280 (both inclusive), 283, 285, 286, 287, 288, 289, 290, 291, 292, 293 (so far as relates to re-sales under 297), 294 to 302 (both inclusive), 335 to 343 (both inclusive).
CHAPTER XXI.—Of the Death, Marriage and Insolvency of Parties.
CHAPTER XXII.—Of the Withdrawal and Adjustment of Suits.
CHAPTER XXIII.—Of Payment into Court.
CHAPTER XXIV.—Of requiring Security for Costs.
CHAPTER XXV.—Of Commissions.
CHAPTER XXVI.—Suits by Paupers.
CHAPTER XXVII.—Suits by and against Government or Government Servants.
CHAPTER XXVIII.—Suits by Aliens and by and against Foreign and Native Rulers, except the first paragraph of section 403.
CHAPTER XXIX.—Suits by and against Corporations and Companies.
CHAPTER XXX.—Suits by and against Trustees, Executors and Administrators.
CHAPTER XXXI.—Suits by and against Minors and Persons of unsound Mind.
CHAPTER XXXII.—Suits by and against Military Men.
CHAPTER XXXIII.—Interpleader.
CHAPTER XXXIV.—Of Arrest and Attachment before judgment.
CHAPTER XXXVII.—Reference to Arbitration, sections 506 to 522, both inclusive.
CHAPTER XXXVIII.—Of proceedings on Agreement of Parties.
CHAPTER XLV.—Reference to High Court.
CHAPTER XLVI.—Of Review of judgment.
CHAPTER XLVIII.—Miscellaneous, sections 642 to 649, both inclusive, sections 652, 653 and 654.

THE THIRD SCHEDULE.

(*See section* 7.)

Bombay enactments.

Bombay Regulation XXIX of 1827.
" " VII, 1830.
" " I, 1831.
" " XVI, 1831.
Act XIX of 1835.
" XIII of 1842.

WHITLEY STOKES,
Secy. to the Govt. of India.

THE FOURTH SCHEDULE.

(*See section* 646.)

FORMS OF PLEADINGS AND DECREES.

A.—PART I. PLAINTS.

No. 1.

FOR MONEY LENT.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , he lent the defendant rupees repayable on demand [*or* on the day of].

2. That the defendant has not paid the same, except rupees paid on the day of 18 .

[*If the plaintiff claims exemption from any law of limitation, say*:—

3. The plaintiff was a minor [*or* insane] from the day of till the day of].

4. The plaintiff prays judgment for rupees, with interest at per cent. from the day of 18 .

[NOTE.—The object of stating when the debt is to be repaid is merely to fix a date for interest. If, therefore, interest is not claimed, the statement may be omitted.]

No. 2.

FOR MONEY RECEIVED TO PLAINTIFF'S USE.

(*Title.*)

A. B., and *G. H.*, the above-named plaintiffs, state as follows:—

1. That on the day of 18 , at , the defendant received rupees [*or* a cheque on the Bank for Rs.] from one *E. F.* for the use of the plaintiffs.

2. That the defendant has not paid [*or* delivered] the same accordingly.

3. The plaintiffs pray judgment for rupees, with interest at per cent. from the day of 18 .

No. 3.

FOR PRICE OF GOODS SOLD BY A FACTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at he and *E. F.*, since deceased, delivered to the defendant [*one thousand barrels of flour, five-hundred maunds of rice, or as the case may be*] for sale upon commission.

2. That on the day of 18 [*or*, on some day unknown to the plaintiff, before the day of 18], the defendant sold the said merchandise for rupees.

3. That the commission and expenses of the defendant thereon, amount to rupees.

4. That on the day of 18 , the plaintiff demanded from the defendant the proceeds of the said merchandise.

5. That he has not paid the same.

[*Demand of judgment.*]

The Fourth Schedule will be published in Calcutta.

Continuation sheets of the Gazette, Part V, published at Simla on this date.

No. 4.

FOR MONEY RECEIVED BY DEFENDANT THROUGH THE PLAINTIFF'S MISTAKE OF FACT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff agreed to buy and the defendant agreed to sell bars of silver at annas per tola of fine silver.

2. That the plaintiff procured the said bars to be assayed by one *E. F.*, who was paid by the defendant for such assay, and that the said *E. F.* declared each of the said bars to contain 1,500 tolas of fine silver, and that the plaintiff accordingly paid the defendant Rs. annas therefor.

3. That each of the said bars contain only 1,200 tolas of fine silver.

4. That the defendant has not repaid the sum so overpaid.

[*Demand of judgment.*]

[NOTE.—A demand of repayment is not necessary, but it may affect the question of interest or the costs.]

No. 5.

FOR MONEY PAID TO A THIRD PARTY AT THE DEFENDANT'S REQUEST.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , at the request [*or* by the authority] of the defendant, the plaintiff paid to one *E. F.* rupees.

2. That, in consideration thereof, the defendant promised [*or* became bound] to pay the same to the plaintiff on demand [*or as the case may be.*]

3. That [on the day of 18 , the plaintiff demanded payment of the same from the defendant, but] he has not paid the same.

[*Demand of judgment.*]

[NOTE.—If the request or authority is implied, the plaint should state facts raising the implication.]

No. 6.

FOR GOODS SOLD AT A FIXED PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of deceased sold and delivered to the defendant [one hundred barrels of flour, *or*, the goods mentioned in the schedule hereto annexed, *or*, sundry goods].

2. That the defendant promised to pay rupees for the said goods on delivery [*or* on the day of *some day before the plaint was filed*].

3. That he has not paid the same.

4. That the said *E. F.* in his lifetime made his will, whereby he appointed the plaintiff executor thereof.

5. That on the day of 187 the said *E. F.* died.

6. That on the day of probate of the said will was granted to the plaintiff by the Court of .

7. The plaintiff as executor as aforesaid [*Demand of judgment*].

[NOTE.—If a day was fixed for payment it should be stated as furnishing a date for the commencement of interest.]

No. 7.

GOODS SOLD AT A REASONABLE PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff sold and delivered to the defendant [*sundry articles of house furniture*] but no express agreement was made as to the price.

2. That the same were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—The law implies a promise to pay so much as the goods are reasonably worth.]

No. 8.

FOR GOODS DELIVERED TO A THIRD PARTY AT DEFENDANT'S REQUEST AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff sold to the defendant [*one hundred barrels of flour*] and, at the request of the defendant, delivered the same to one *E. F.*

2. That the defendant promised to pay to the plaintiff rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 9.

FOR NECESSARIES FURNISHED TO THE FAMILY OF DEFENDANT'S TESTATOR WITHOUT HIS EXPRESS REQUEST, AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff furnished to [*Mary Jones*] the wife of *James Jones* deceased, at her request, sundry articles of [*food and clothing*], but no express agreement was made as to the price.

2. That the same were necessary for her.

3. That the same were reasonably worth rupees.

4. That the said *James Jones* refused to pay the same.

5. That the defendant is the executor of the last will of the said *James Jones*.

[*Demand of judgment.*]

No. 10.

FOR GOODS SOLD AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold to *E. F.* of deceased [*all the crops then growing on his farm in*].

2. That the said *E. F.* promised to pay the plaintiff rupees for the same.

3. That he did not pay the same.

4. That the defendant is administrator of the estate of the said *E. F.*

[*Demand of judgment.*]

No. 11.

FOR GOODS SOLD AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of sold to the defendant [*all the fruit growing in his orchard in*], but no express agreement was made as to the price.

2. That the same was reasonably worth rupees.

3. That the defendant has not paid the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the plaintiff committee of his estate with the usual powers for the management thereof.

5. The plaintiff as committee as aforesaid [*Demand of judgment.*]

[NOTE.—When the lunatic's estate is not subject to the ordinary original jurisdiction of a High Court, for paragraphs 4 and 5 substitute the following:—]

4. That on the day of the Civil Court of duly adjudged the said *E. F.* to be of unsound mind and incapable of managing his affairs and appointed the plaintiff Manager of his estate.

5. The plaintiff as Manager as aforesaid [*Demand of judgment.*]

No. 12.

FOR GOODS MADE AT DEFENDANT'S REQUEST, AND NOT ACCEPTED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of agreed with the plaintiff that the plaintiff should make for him [*six tables and fifty chairs*], and that the said *E. F.* should pay for the same upon delivery thereof rupees.

2. That the plaintiff made the said goods, and on the day of 18 offered to deliver the same to the said *E. F.*, and has ever since been ready and willing so to do.

3. That the said *E. F.* has not paid for the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the defendant committee of his estate.

5. The plaintiff prays judgment for rupees with interest from the day of , at the rate of per cent. per annum, to be paid out of the estate of the said *E. F.* in the hands of the defendant.

No. 13.

FOR DEFICIENCY UPON A RE-SALE [GOODS SOLD AT AUCTION].

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff put up at auction sundry [*articles of merchandise*], subject to the condition that all goods not paid for and removed by the purchaser thereof, within [*ten days*] after the sale, should be re-sold by auction on his account of which condition the defendant had notice.

2. That the defendant purchased [*one crate of crockery*] at the said auction at the price of rupees.

3. That the plaintiff was ready and willing to deliver the same to the defendant on the said day and for [*ten days*] thereafter, of which the defendant had notice.

4. That the defendant did not take away the said goods purchased by him, nor pay therefor, within [*ten days*] after the sale, nor afterwards.

5. That on the day of 18 , at , the plaintiff re-sold the said [*crate of crockery*], on account of the defendant, by public auction, for rupees.

6. That the expenses attendant upon such re-sale amounted to rupees.

7. That the defendant has not paid the deficiency thus arising, amounting to rupees.

[*Demand of judgment.*]

[NOTE to § 4. Unless the seller agreed to deliver, the purchaser must fetch the goods. See Act IX of 1872, sec. 93.]

No. 14.

FOR THE PURCHASE-MONEY OF LANDS CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold [and conveyed] to the defendant [the house and compound No. , in the city of *or*, a farm known as , in *or*, a piece of land lying, *&c.*]

2. That the defendant promised to pay the plaintiff rupees for the said [house and compound, *or* farm, *or* land].

3. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—Where there has been no actual conveyance, say, in § 1, "sold to the defendant the house, &c., and placed him in possession of the same."]

No. 15.

FOR THE PURCHASE-MONEY OF IMMOVEABLE PROPERTY CONTRACTED TO BE SOLD, BUT NOT CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff [the house No. in the town of , *or* one hundred bighás of land in , bounded by the East Indian railroad, and by other lands of the plaintiff] for rupees.

2. That on the day of 18 , at , the plaintiff tendered [*or*, was ready and willing, and offered to execute] a sufficient instrument of conveyance of the said property to the defendant, on paymentof the said sum, and still is ready and willing to execute the same.

3. That the defendant has not paid the said sum.

[*Demand of judgment.*]

No. 16.

FOR SERVICES AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant [hired plaintiff as a clerk, at the salary of rupees per year].

2. That from the [said day] until the day of 18 , the plaintiff [served the defendant as his clerk].

3. That the defendant has not paid the said salary.

[*Demand of judgment.*]

No. 17.

FOR SERVICES AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That between the day of 18 , and the day of 18 , at , plaintiff [executed sundry drawings, designs and diagrams] for the defendant, at his request; but no express agreement was made as to the sum to be paid for such services.

2. That the said services were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 18.

FOR SERVICES AND MATERIALS, AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff [furnished the paper for and printed one thousand copies of a book called] for the defendant, at his request [and delivered the same to him].

2. That the defendant promised to pay rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 19.

FOR SERVICES AND MATERIALS AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff built a house [known as No. , in] and furnished the materials therefor, for the defendant, at his request; but no express agreement was made as to the price to be paid for such work and materials.

2. That the said work and materials were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 20.

FOR RENT RESERVED IN A LEASE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant entered into a covenant with the plaintiff, under their hands, a copy of which is hereto annexed.

[*Or state the substance of the agreement.*]

2. That the defendant has not paid the rent of the [month] ending on the day of 18 , amounting to rupees.

[*Demand of judgment.*]

Another Form.

1. That the plaintiff let to the defendant a house No. 27 Chowringhee for seven years to hold from the day of 187 at rupees a year, payable quarterly.

2. That of such rent quarters are due and unpaid.

[*Demand of judgment.*]

No. 21.

FOR USE AND OCCUPATION AT A FIXED RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant hired from the plaintiff [the house No. , street], at the rent of rupees, payable on the first days of .

2. That the defendant occupied the said premises from the day of 18 to the day of 18 .

3. That the defendant has not paid rupees, being the part of said rent due on the first day of 18 .

[*Demand of judgment.*]

No. 22.

FOR USE AND OCCUPATION AT A REASONABLE RENT.

(*Title.*)

A. B., the above-named plaintiff, executor of the will of *X. Y.*, deceased, states as follows:—

1. That the defendant occupied the [house No , street], by permission of the said *X. Y.*, from the day of 18 , until the day of 18 and no agreement was made as to payment for the use of the said premises.

2. That the use of the said premises for the said period was reasonably worth rupees.

3. That the defendant has not paid the same.

4. The plaintiff as such executor as aforesaid prays judgment for rupees.

No. 23.

FOR BOARD AND LODGING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That from the day of 18 , until the day of 18 , the defendant occupied certain rooms in the house [No. , street], by permission of the plaintiff, and was furnished by the plaintiff, at his request, with meat, drink, attendance and other necessaries.

2. That in consideration thereof, the defendant promised to pay, [*or* that no agreement was made as to payment for such meat, drink, attendance or necessaries, but the same were reasonably worth] the sum of rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 24.

FOR FREIGHT OF GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff transported in [his barge, *or otherwise*] [one thousand barrels of flour, *or* sundry goods], from to , at the request of the defendant.

2. That the defendant promised to pay the plaintiff the sum of [one rupee per barrel] as freight thereon. [*Or*, that no agreement was made as to payment for such transportation, but that such transportation was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 25.

FOR PASSAGE-MONEY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff conveyed the defendant [in his ship, called the] from to at his request.

2. That the defendant promised to pay the plaintiff rupees therefor. [*or* that no agreement was made as to the price of the said passage; but that the said passage was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 26.

ON AN AWARD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant, having a controversy between them concerning [a demand of the plaintiff for the price of ten barrels of oil, which the defendant refused to pay], agreed to submit the same to the award of *E. F.* and *G. H.*, as arbitrators [*or*, entered into an agreement, a copy of which is hereto annexed.]

2. That on the day of 18 , at , the said arbitrators awarded that the defendant should [pay the plaintiff rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—This will apply where the agreement to refer is not filed in Court.]

No. 27.

ON A FOREIGN JUDGMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , in the State [*or* Kingdom] of , the Court of that State [*or* Kingdom], in a suit therein pending between the plaintiff and the defendant, duly adjudged that the defendant should pay to the plaintiff rupees, with interest from the said date.

2. That the defendant has not paid the same.

[*Demand of judgment.*]

PLAINTS UPON INSTRUMENTS FOR THE PAYMENT OF MONEY ONLY.

No. 28.

ON AN ANNUITY BOND.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant by his bond became bound to the plaintiff in the sum of rupees to be paid by the defendant to the plaintiff, subject to a condition that if the defendant should pay to the plaintiff rupees half yearly on the day of and the day of in every year during the life of the plaintiff, the said bond should be void.

2. That afterwards, on the day of 187 , the sum of rupees for of the said half-yearly payments of the said annuity, became due to the plaintiff and is still unpaid.

[*Demand of judgment.*]

No. 29.

PAYEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of , 18 , at , the defendant by his promissory note now overdue, promised to pay to the plaintiff rupees [days] after date.

2. That he has not paid the same [except rupees, paid on the day of 18].

[*Demand of judgment.*]

[NOTE.—*Where the note is payable after notice, for paras.* 1 *and* 2 *substitute*—]

1. That on the day of at the defendant by his promissory note promised to pay to the plaintiff rupees months after notice.

2. That notice was afterwards given by the plaintiff to the defendant to pay the same months after the said notice.

3. That the said time for payment has elapsed, but the defendant has not paid the same.

[*Where the notice is payable at a particular place, say*—]

1.—That on the day of 187 at the defendant by his promissory note now overdue promised to pay to the plaintiff [at Messrs. *A and Co.*, Madras] rupees months after date.

2.—That the said note was duly presented for payment [at Messrs. *A. and Co.*] aforesaid, but has not been paid.

Written statement of the Defendant.

In the Court, &c.

C. D., the above-named defendant, states as follows :—

1. The defendant made the note sued upon under the following circumstances: The plaintiff and defendant had for some years been in partnership as indigo manufacturers, and it had been agreed between them that they should dissolve partnership, that the plaintiff should retire from the business, that the defendant should take over the whole of the partnership assets and liabilities and should pay the plaintiff the value of his share in the assets after deducting the liabilities.

2. The plaintiff thereupon undertook to examine the partnership books and enquire into the state of the partnership assets and liabilities; and he did accordingly examine the said books and make the said enquiries, and he thereupon represented to the defendant that the assets of the firm exceeded Rs. 1,00,000, and that the liabilities of the firm were less than Rs. 30,000, whereas the fact was that the assets of the firm were less than Rs. 30,000 and the liabilities of the firm largely exceeded the assets.

3. The misrepresentations mentioned in the second para. of this statement induced the defendant to make the note now sued on, and there never was any other consideration for the making of such note.

No. 30.

FIRST INDORSEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant, by his promissory note, now overdue, promised to pay to the order of *E. F.* [*or* to *E. F.* or order] rupees [days after date].

2. That the said *E. F.* indorsed the same to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 31.

SUBSEQUENT INDORSEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. [*As in the preceding form.*]

2. That the same was, by the indorsement of the said *E. F.* and of *G. H.* and *I. J.* [*or* and others] transferred to the plaintiff.

[*Demand of judgment.*]

No. 32.

FIRST INDORSEE AGAINST FIRST INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That *E. F.*, on the day of 18 , at , by his promissory note now overdue promised to pay to the defendant or order rupees months after date.

2. That the defendant indorsed the same to the plaintiff.

3. That on the day of 18 the same was duly presented for payment, but was not paid.

[*Or state facts excusing want of presentment.*]

4. That the defendant had notice thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 33.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That the defendant indorsed to one *E. F.* a promissory note, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , at , to the order of the defendant, for the sum of rupees [payable days after date].

2. That the same was by the indorsement of the said *E. F.*, [and others] transferred to the plaintiff. [*Or*, that the said *E. F.* indorsed the same to the plaintiff.]

3, 4 *and* 5. [*Same as* 2, 3 *and* 4 *of the preceding form.*]

[*Demand of judgment.*]

No. 34.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to him a promissory note, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant.

2, 3 *and* 4. [*As in No.* 33.]

[*Demand of judgment.*]

No. 35.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

Title).

A. B., the above-named plaintiff, states as follows:—

1. That a promissory note, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant, was by the indorsement of the defendant [and others] transferred to the plaintiff.

2, 3 *and* 4. [*As in No* 33.]

[*Demand of judgment.*]

No. 36.

SUBSEQUENT INDORSEE AGAINST MAKER, FIRST AND SECOND INDORSER.

IN THE COURT OF AT

Civil Regular No.

A. B. of

against

C. D. of

E. F. of

and

G. H. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his promissory note, now overdue, promised to pay to the order of the defendant, *E. F.*, rupees [months after date].

2. That the said *E. F.* indorsed the same to the defendant, *G. H.*, who indorsed it to the plaintiff.

3. That on the day of 18 , the same was presented [*or state facts excusing want of presentment*] to the said *C. D.* for payment, but was not paid.

4. That the said *E. F.* and *G. H.* had notice thereof.

5. That they have not paid the same.

[*Demand of judgment.*]

No. 37.

DRAWER AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , by his bill of exchange, now overdue, the plaintiff required the defendant to pay to him rupees [days after date, *or* sight thereof].

2. That the defendant accepted the said bill. [*If the bill is payable at a certain time after sight, the date of acceptance should be stated, otherwise it is not necessary.*]

3. That he has not paid the same.

4. That by reason thereof the plaintiff incurred expenses in and about the presenting and noting of the bill, and incidental to the dishonour thereof.

[*Demand of judgment.*]

[NOTE.—Where the bill is payable to a third party, for paras. 1, 2, 3, say:—]

1. That on &c., at &c., by his bill of exchange, now overdue, directed to the defendant the plaintiff required the defendant to pay to *E. F.* or order rupees months after date.
2. That the plaintiff delivered the said bill to the said *E. F.* on
3. That the defendant accepted the said bill, but did not pay the same, whereupon the same was returned to the plaintiff.

No. 38.

PAYEE AGAINST ACCEPTOR.

(Title).

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the plaintiff rupees after sight thereof.

2. That he has not paid the same.

[*Demand of judgment.*]

No. 39.

FIRST INDORSEE AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the order of one *G. H.* rupees after sight thereof.

2. That the said *G. H.* indorsed the same to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 40.

SUBSEQUENT INDORSEE AGAINST ACCEPTOR.

(*Title.*

A. B., the above-named plaintiff, states as follows:—

1. [*As in the preceding form, to the end of art.* 1.]

2. That by the indorsement of the said *G. H.* [and others], the same was transferred to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 41.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by his bill of exchange, directed to *E. F.*, required the said *E. F.* to pay to the plaintiff rupees [days after sight].

2. That on the day of 18 , the same was duly presented to the said *E. F.* for acceptance, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—Notice of dishonour by non-acceptance must be given at once.

No. 42.

FIRST INDORSEE AGAINST FIRST INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to the plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at requiring one *G. H.* to pay to the order of the defendant rupees [days] after sight [*or* after date, *or* at sight] thereof, [and accepted by the said *G. H.* on the day of 18 .]

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 43.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to one *E. F.*, a bill of exchange, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , at , requiring one *I. J* to pay to the order of the defendant rupees days after sight thereof [*or otherwise*], and accepted by the said *I. J.* on the day of 18 . [*This clause may be omitted, if not according to the fact.*]

2. That the same was, by the indorsement of the said *E. F.* [and others], transferred to the plaintiff.

3. That on the day of 18 the same was presented to the said *I. J.* for payment, and was dishonoured.

4. That the defendant had due notice thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 44.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring one *G. H.* to pay to the order of *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant.

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 45.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring one *G. H.*, to pay to the order of one *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant, was, by the indorsement of the defendant [and others], transferred to the plaintiff.

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 46.

INDORSEE AGAINST DRAWER, ACCEPTOR AND INDORSER.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of
E. F. of
G. H. of

A, B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his bill of exchange, now overdue, directed to the defendant *E. F.*, required the said *E F.* to pay to the order of the defendant *G. H.*, rupees [days after sight thereof].

2. That on the day of 18 , the said *E. F.* accepted the same.

3. That the said *G. H.* indorsed the same to the plaintiff.

4. That on the day of 18 , the same was presented to the said *E. F.* for payment, and was dishonoured.

5. That the other defendants had due notice thereof.

6. That they have not paid the same.

[*Demand of judgment.*]

No. 47.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant by his bill of exchange, required one *E. F.* to pay to the plaintiff in [London] pounds sterling, [sixty days] after sight thereof.

2. That on the day of 18 , the same was presented to the said *E. F.* for acceptance, and was dishonoured, and was thereupon duly protested.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[5. That the value of pounds sterling, at the time of the service of notice of protest on the defendant, was rupees annas.]

Wherefore the plaintiff demands judgment against the defendant for rupees, with [ten per centum] compensation and interest from the day of 18 .

No. 48.

PAYEE AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.*, by his bill of exchange, now overdue, directed to the defendant, required the defendant to pay to the plaintiff rupees after date [*or* days after sight] thereof.

2. That on the day of 18 , the defendant accepted the said bill.

3. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—This form omits to state the delivery of the bill to the plaintiff or his title to sue. See *Churchill* v. *Gardner*, 7 T. R. 596.]

No. 49.

ON A MARINE [OPEN] POLICY, ON VESSEL LOST BY PERILS OF THE SEA.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] the ship at the time of its loss, as hereafter mentioned.

2. That on the day of 18 , at , the defendants, in consideration of rupees to them paid [*or*, which the plaintiff then promised to pay], executed to him a policy of insurance upon the said ship, a copy of which is hereto annexed; [*or*, whereby they promised to pay to the plaintiff, within days after proof of loss and interest, all loss and damage accruing to him by reason of the destruction or injury of the said ship, during its next voyage from to , whether by perils of the sea or by fire, or by other causes therein mentioned, not exceeding rupees].

3. That the said vessel, while proceeding on the voyage mentioned in the said policy, was, on the day of 18 , totally lost by the perils of the sea [*or otherwise*].

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendants with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendants have not paid the said loss.

[*Demand of judgment.*]

No. 50.

ON CARGO, LOST BY FIRE:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] on board the ship at the time of its loss as hereafter mentioned.

2. That on the day of 18 , at , the defendant, in consideration of rupees which the plaintiff then paid [*or*, promised to pay], executed to him a policy of insurance upon the said goods, a copy of which is hereto annexed; [*or*, whereby it promised to pay to the plaintiff rupees in case of the total loss, by fire or other causes mentioned, of the said goods before their landing at ; *or*, in case of partial loss, such damage as the plaintiff might sustain thereby, provided the same should exceed per centum of the whole value of the goods].

3. That on the day of 18 , at , while proceeding on the voyage mentioned in the said policy, the said goods were totally destroyed by fire.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the last preceding Form.*]

[*Demand of judgment.*]

No. 51.

ON FREIGHT:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff had an interest in the freight to be earned by the ship [ ] on her voyage from to , at the time of her loss as hereafter mentioned, and that a large quantity of goods was shipped upon freight in her at that time.

2. That on the day of 18 , at , the defendant, in consideration of rupees to it paid, executed to the plaintiff a policy of insurance upon the said freight, a copy of which is hereto annexed [*or state its tenor, as before*].

3. That the said vessel, while proceeding upon the voyage mentioned in the said policy, was, on the day of 18 , totally lost by [the perils of the sea].

4. That the plaintiff has not received any freight from the said vessel, nor did she earn any on the said voyage, by reason of her loss as aforesaid.

5 *and* 6. [*As in Form No.* 50.]

[*Demand of judgment.*]

No. 52.

FOR A LOSS BY GENERAL AVERAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] shipped on board a vessel called the *Y. Z.*, from to , at the time of the loss hereafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [which the plaintiff then promised to pay], the defendant executed to the plaintiff a policy of insurance upon his said goods, a copy of which is hereto annexed [*or state its tenor, as before.*]

3. That on the day of 18 , while proceeding on the voyage mentioned in the said policy, the said vessel was so endangered by perils of the sea, that the master and crew thereof were compelled to, and did, cast into the sea a large part of her rigging and furniture.

4. That the plaintiff was, by reason thereof, compelled to, and did, pay a general average loss of rupees.

5. That on the day of 18 , he furnished the defendant with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 53.

FOR A PARTICULAR AVERAGE LOSS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1 *and* 2. [*As in the preceding Form.*]

3. That on the day of 18 , while on the high seas, the sea-water broke into the said ship, and damaged the said [cotton] to the amount of rupees.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the preceding Form.*]

[*Demand of judgment.*

No. 54.

ON A FIRE INSURANCE POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff [was the owner of, *or*] had an interest in a [dwelling-house, known as No. , street, in the city of ,] at the time of its destruction [*or*, injury] by fire as hereinafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [to it paid], the defendant executed to the plaintiff a policy of insurance on the said [premises], a copy of which is hereto annexed [*or state its tenor*].

3. That on the day of 18 , the said [dwelling-house] was totally destroyed [*or*, greatly damaged] by fire.

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendant with proof of his said loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 55.

AGAINST SURETIES FOR PAYMENT OF RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.* hired from the plaintiff, for the term of years, the [house No. street,], at the annual rent of rupees, payable [monthly].

2. That [at the same time and place] the defendant agreed, in consideration of the letting of the said premises to the said *E. F.*, to guarantee the punctual payment of the said rent.

3. That the rent aforesaid for the month of 18 , amounting to rupees, has not been paid.

[*If, by the terms of the agreement, notice is required to be given to the surety, add:*—]

4. That on the day of 18 , the plaintiff gave notice to the defendant of the non-payment of the said rent, and demanded payment thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

B. PLAINTS FOR COMPENSATION FOR BREACH OF CONTRACT.

No. 56.

FOR BREACH OF AGREEMENT TO CONVEY LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* that on, &c., the defendant agreed with the plaintiff that, in consideration of a deposit of rupees then paid, and of the further sum of ten thousand rupees payable as hereafter mentioned, he would, on the day of 18 , at , execute to the plaintiff a sufficient conveyance of [the house No. street, in the city of free from all incumbrances; and the plaintiff agreed to pay ten thousand rupees for the same on delivery thereof]

2. That on the day of 18 , the plaintiff demanded the conveyance of the said property from the defendant and tendered rupees to the defendant [*or*, that all conditions were fulfilled, and all things happened and all times elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part.]

3. That on the day of 18 , the plaintiff again demanded such conveyance [*or*, that the defendant refused to execute the same].

4. That the defendant has not executed any conveyance of the said property to the plaintiff [*or* that there is a mortgage upon the said property, made by to , for rupees, registered in the office of , on the day of 18 , and still unsatisfied, *or any other defect of title*].

5. That the plaintiff has thereby lost the use of the money paid by him as such deposit as aforesaid and of other moneys provided by him for the completion of the said purchase, and has lost the expenses incurred by him in investigating the title of the defendant and in preparing to perform the agreement on his part, and has incurred expense in endeavouring to procure the performance thereof by the defendant.

The plaintiff prays judgment for rupees compensation.

No. 57.

FOR BREACH OF AGREEMENT TO PURCHASE LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* that on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff, forty bighás of land in the village of , for rupees].

2. That on the day of 18 , at , the plaintiff being then the absolute owner of the said property [and the same being free from all incumbrances, as was made to appear to the defendant], tendered to the defendant a sufficient instrument of conveyance of the same [*or*, was ready and willing, and offered to convey the same to the defendant by a sufficient instrument,] on the payment by the defendant of the said sum.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 58.

Another Form.

FOR NOT COMPLETING A PURCHASE OF IMMOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That by an agreement dated the day of 187 , it was agreed by and between the plaintiff and the defendant that the plaintiff should sell to the defendant and the defendant should purchase from the plaintiff a house and land at the price of rupees, upon the terms and conditions following (that is to say)—

(*a.*) That the defendant should pay the plaintiff a deposit of rupees in part of the said purchase money on the signing of the said agreement, and the remainder on the day of 187 , on which day the said purchase should be completed.

(*b.*) That the plaintiff should deduce and make a good title to the said premises on or before the day of 187 , and on payment of the said remainder of the said purchase-money as aforesaid should execute to the defendant a proper conveyance of the said premises, to be prepared at the defendant's expense.

2. That all conditions were fulfilled, and all things happened and all times elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part, yet the defendant did not pay the plaintiff the remainder of the said purchase-money as aforesaid on his part.

3. That the plaintiff has thereby lost the expense which he incurred in preparing to perform the said agreement on his part, and has been put to expense in endeavouring to procure the performance thereof by the defendant.

[*Demand of judgment.*]

No. 59.

FOR NOT DELIVERING GOODS SOLD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the defendant should deliver [one hundred barrels of flour] to the plaintiff [on the day of 18 ,] and that the plaintiff should pay therefor rupees on delivery.

2. That on the [said] day, the plaintiff was ready and willing, and offered, to pay the defendant the said sum upon delivery of the said goods.

3. That the defendant has not delivered the same, whereby the plaintiff has been deprived of the profits which would have accrued to him from such delivery.

[*Demand of judgment.*]

No. 60.

FOR BREACH OF CONTRACT TO EMPLOY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should serve the defendant as [an accountant, *or* in the capacity of foreman, *or as the case may be*], and that the defendant should employ the plaintiff as such, for the term of [one year], and pay him for his services rupees [monthly].

2. That on the day of 18 , the plaintiff entered upon the service of the defendant as aforesaid, and has ever since been, and still is, ready and willing to continue in such service during the remainder of the said year, whereof the defendant always had notice.

3. That on the day of 18 , the defendant wrongfully discharged the plaintiff, and refused to permit him to serve as aforesaid, or to pay him for his services.

[*Demand of judgment.*]

No 61.

FOR BREACH OF CONTRACT TO EMPLOY, WHERE THE EMPLOYMENT NEVER TOOK EFFECT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. [*As in last preceding Form.*]
2. That on the day of 18 , at , the plaintiff offered to enter upon the service of the defendant, and has ever since been ready and willing so to do.
3. That the defendant refused to permit the plaintiff to enter upon such service, or to pay him for his services.

[*Demand of judgment.*]

No. 62.

FOR BREACH OF CONTRACT TO SERVE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should employ the defendant at [an annual] compensation of rupees, and that the defendant should serve the plaintiff as [an artist] for the term of [one year.]
2. That the plaintiff has always been ready and willing to perform his part of the said agreement [and on the day of 18 offered so to do].
3. That the defendant [entered upon the service of the plaintiff on the above-mentioned day, but afterwards, on the day of 18 , he] refused to serve the plaintiff as aforesaid.

[*Demand of judgment.*]

No. 63.

AGAINST A BUILDER FOR DEFECTIVE WORKMANSHIP.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, of which a copy is hereto annexed:

[*Or state the tenor of the contract.*]

[2. That the plaintiff duly performed all the conditions of the said agreement on his part.]
3. That the defendant [built the house referred to in the said agreement in a bad and unworkmanlike manner].

[*Demand of jugdment.*]

No. 64.

BY THE MASTER AGAINST THE FATHER OR GUARDIAN OF AN APPRENTICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at the defendant entered into an agreement, under his hand and seal,* a copy of which is hereto annexed:

[*Or state the tenor of these covenants.*]

2. That after the making of the said agreement the plaintiff received the said [*apprentice*] into his service as such apprentice for the term aforesaid, and has always performed and been ready and willing to perform all things in the said agreement on his part to be performed.
3. That on the day of 18 , the said [*apprentice*] wilfully absented himself from the service of the plaintiff, and continues so to do.

[*Demand of judgment.*]

* The form given in Act XIX of 1850 requires the seal of the father or guardian.

No. 65.

BY THE APPRENTICE AGAINST THE MASTER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant entered into an agreement with the plaintiff's father, *E. F.*, under their hands and seals, a copy of which is hereto annexed.

2. That after the making of the said agreement the plaintiff entered into the service of the defendant with him after the manner of an apprentice to serve for the term mentioned in the said agreement, and has always performed all things in the said agreement contained on his part to be performed.

3. That the defendant has not [instructed the plaintiff in the business of , *or state any other breach, such as cruelty, failure to provide sufficient food, or other ill-treatment.*]

[*Demand of judgment.*]

No. 66.

ON A BOND FOR THE FIDELITY OF A CLERK.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff employed one *E. F.* as a clerk.

2. That on the day of 18 , at , the defendant agreed with the plaintiff, that if the said *E. F.*, should not faithfully perform his duties as a clerk to the plaintiff, or should fail to account to the plaintiff for all moneys, evidences of debt, or other property received by him for the use of the plaintiff, the defendant would pay to the plaintiff whatever loss he might sustain by reason thereof, not exceeding rupees.

[*Or*, 2. That at the same time and place, the defendant bound himself to the plaintiff, by a writing under his hand, in the penal sum of rupees, conditioned that if the said *E. F.* should faithfully perform his duties as clerk and cashier to the plaintiff, and should justly account to the plaintiff for all moneys, evidences of debt, or other property which should be at any time held by him in trust for the plaintiff, the same should be void, but not otherwise.]

[*Or*, 2. That at the same time and place, the defendant executed to the plaintiff a bond a copy of which is annexed.]

3. That between the day of 18 and the day of 18 , the said *E. F.* received money and other property, amounting to the value of rupees, for the use of the plaintiff, for which he has not accounted to him, and the same still remains due and unpaid.

[*Demand of judgment.*]

No. 67.

BY TENANT AGAINST LANDLORD, WITH SPECIAL DAMAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by an instrument in writing, let to the plaintiff [the house No. street,] for the term of years, covenanting with the plaintiff that he, the plaintiff, and his legal representatives should quietly enjoy possession thereof for the said term.

2. That all conditions were fulfilled and all things happened necessary to entitle the plaintiff to maintain this suit.

3. That on the day of during the said term, one *E. F.*, who was the lawful owner of the said house, lawfully evicted the plaintiff therefrom, and still withholds the possession thereof from him.

4. That the plaintiff was thereby [prevented from continuing the business of a tailor at the said place, was compelled to expend rupees in moving, and lost the custom of *G. H.* and *I. J.* by such removal.]

[*Demand of judgment.*]

No. 68.

FOR BREACH OF WARRANTY OF MOVEABLES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant warranted a steam-engine to be in good working order, and thereby induced the plaintiff to purchase the same of him, and to pay him rupees therefor.

2. That the said engine was not then in good working order, whereby the plaintiff incurred expense in having the said engine repaired, and lost the profits which would otherwise have accrued to him while the engine was under repair.

[*Demand of judgment.*]

No. 69.

ON AN AGREEMENT OF INDEMNITY.

(*Title.*)

A. B., the above named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant, being partners in trade under the firm of *A. B.* and *C. D.*, dissolved the said partnership, and mutually agreed that the defendant should take and keep all the partnership property, pay all debts of the firm, and indemnify the plaintiff against all claims that might be made upon him on account of any indebtedness of the said firm.

2. That the plaintiff duly performed all the conditions of the said agreement on his part.

3. That on the day of 18 [a judgment was recovered against the plaintiff and defendant by one *E. F.*, in the High Court of Judicature at , upon a debt due from the said firm to the said *E. F.*, and on the day of 18] the plaintiff paid rupees [in satisfaction of the same].

4. That the defendant has not paid the same to the plaintiff.

[*Demand of judgment.*]

No. 70.

BY OWNER AGAINST FREIGHT OR FOR NOT LOADING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, a copy of which is hereto annexed.

[*Or*, 1. That on , at , the plaintiff and defendant agreed by charter party that the defendant should deliver to the plaintiff's ship at , on the day of 18 , five hundred tons of merchandise, which she should carry to , and there deliver, on payment of freight; and that the defendant should have days for loading, days for discharge, and days for demurrage, if required, at rupees per day.]

2. That at the time fixed by the said agreement the plaintiff was ready and willing and offered to receive [the said merchandise, *or*, the merchandise mentioned in the said agreement] from the defendant.

3. That the period allowed for loading and demurrage has elapsed, but the defendant has not delivered the said merchandise to the said vessel.

Wherefore, the plaintiff demands judgment for rupees for demurrage and rupees additional for compensation.

C. PLAINTS FOR COMPENSATION UPON WRONGS.

No. 71.

FOR TRESPASS ON LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

That on the day of 18 , at , the defendant entered upon certain land of the plaintiff, known as [and depastured the same with cattle, trod down the grass, cut the timber, and otherwise injured the same].

[*Demand of judgment.*]

No. 72.

FOR TRESPASS IN ENTERING A DWELLING-HOUSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant entered a dwelling-house of the plaintiff called , and made a noise and disturbance therein for a long time, and broke open the doors of the said dwelling-house, and removed, took and carried away the fixtures and goods of the plaintiff therein, and disposed of the same to the defendant's own use, and expelled the plaintiff and his family from the possession of the said dwelling-house, and kept them so expelled for a long time.

2. That the plaintiff was thereby prevented from carrying on his business, and incurred, expense in procuring another dwelling-house for himself and family.

[*Demand of judgment.*]

No. 73.

FOR TRESPASS ON MOVEABLES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant broke open ten barrels of rum belonging to the plaintiff, and emptied their contents into the street [*or* seized and took the plaintiff's goods, that is to say, iron, rice and household furniture, *or as the case may be*], and carried away the same and disposed of them to his own use:

[*or*, seized and took the plaintiff's cows and bullocks, and impounded them and kept them impounded for a long time.]

2. That the plaintiff was thereby deprived of the use of the cows and bullocks during that time, and incurred expense in feeding them and in getting them restored to him; and was also prevented from selling them at fair, as he otherwise would have done, and the said cows and bullocks are diminished in value to the plaintiff [*otherwise state the injury according to the facts*].

[*Demand of judgment.*]

No. 74.

FOR THE CONVERSION OF MOVEABLE PROPERTY

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff was in possession of certain goods described in the schedule hereto annexed [*or* of one thousand barrels of flour].

2. That on that day, at , the defendant converted the same to his own use, and wrongfully deprived the plaintiff of the use and possession of the same.

[*Demand of judgment.*]

The Schedule.

No. 75.

AGAINST A WAREHOUSEMAN FOR REFUSAL TO DELIVER GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, in consideration of the payment to him of rupees [*or*, rupees per barrel, per month, &c.], agreed to keep in his godown [one hundred barrels of flour], and to deliver the same to the plaintiff, on payment of the said sum.

2. That thereupon the plaintiff deposited with the defendant the said [hundred barrels of flour],

3. That on the day of 18 , the plaintiff requested the defendant to deliver the said goods, and tendered him rupees [*or*, the full amount of storage due thereon], but the defendant refused to deliver the same.

4. That the plaintiff was thereby prevented from selling the said goods to *E. F.*, and the same are lost to the plaintiff.

[*Demand of judgment.*]

No. 76.

FOR PROCURING PROPERTY BY FRAUD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, for the purpose of inducing the plaintiff to sell him certain goods, represented to the plaintiff that [he, the defendant, was solvent, and worth rupees over all his liabilities].

2. That the plaintiff was thereby induced to sell [and deliver] to the defendant [dry goods] of the value of rupees.

3. That the said representations were false [*or, state the particular falsehoods*], and were then known by the defendant to be so.

4. That the defendant has not paid for the said goods. [*Or, if the goods were not delivered*] That the plaintiff, in preparing and shipping the said goods and procuring their restoration, expended rupees.

[*Demand of judgment.*]

No. 77.

FOR FRAUDULENTLY PROCURING CREDIT TO BE GIVEN TO ANOTHER PERSON.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant represented to the plaintiff, that one *E. F.* was solvent and in good credit, and worth rupees over all his liabilities [*or*, that *E. F.* then held a responsible situation and was in good circumstances, and might safely be trusted with goods on credit].

2. That the plaintiff was thereby induced to sell to the said *E. F.* [rice] of the value of rupees [on month's credit].

3. That the said representations were false and were then known by the defendant to be so, and were made by him with intent to deceive and defraud the plaintiff [*or*, to deceive and injure the plaintiff].

4. That the said *E. F.* [did not pay for the said goods at the expiration of the credit aforesaid, *or*,] has not paid for the said rice, and the plaintiff has wholly lost the same by reason of the premises.

[*Demand of judgment.*]

No. 78.

FOR POLLUTING THE WATER UNDER THE PLAINTIFF'S LAND.

Title.)

A. B., the above-named plaintiff, states as follows:—

1. That he is, and at all the times hereinafter mentioned was, possessed of certain land called and situate in , and of a well therein, and of water in the said well, and was entitled to the use and benefit of the said well and of the said water therein, and to have certain springs and streams of water which flowed and ran into the said well to supply the same so flow or run without being fouled or polluted.

2. That on the day of 18 , the defendant wrongfully fouled and polluted the said well and the said water therein and the said springs and streams of water which flowed into the said well.

3. That by reason of the premises the said water in the said well became impure and unfit for domestic and other necessary purposes, and the plaintiff and his family are deprived of the use and benefit of the said well and water.

[*Demand of judgment.*]

No. 79.

FOR CARRYING ON A NOXIOUS MANUFACTURE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and at all the times hereinafter mentioned was, possessed of certain lands called situate in

2. That ever since the day of 18 , the defendant has wrongfully caused to issue from certain smelting works carried on by the defendant large quantities of offensive and unwholesome smoke and other vapours and noxious matter, which spread themselves over and upon the said lands, and corrupted the air, and settled on the surface of the said lands.

3. That thereby the trees, hedges, herbage and crops of the plaintiff growing on the said lands were damaged and deteriorated in value, and the cattle and live stock of the plaintiff on the said lands became unhealthy, and divers of them were poisoned and died.

4. That by reason of the premises the plaintiff was unable to depasture the said lands with cattle and sheep, as he otherwise might have done, and was obliged to remove his cattle, sheep and farming stock therefrom, and has been prevented from having so beneficial and healthy a use and occupation of the said lands as he otherwise would have had.

[*Demand of judgment.*]

No. 80.

FOR OBSTRUCTING A WAY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at the time hereafter mentioned was, possessed of [a house in the town of].

2. That he was accustomed to pass [with vehicles, *or*, on foot] along a certain way leading from his said house to [the highway].

3. That on the day , 18 , the defendant obstructed the said way, so that the plaintiff could not pass [with vehicles, *or*, on foot, *or*, in any manner] along the said way [and has ever since obstructed the same].

4. [*State special damage, if any.*]

[*Demand of judgment.*]

Another Form.

1. That the defendant wrongfully dug a trench and heaped up earth and stones in the public highway leading from to so as to obstruct it.

2. That thereby the plaintiff, while lawfully passing along the said highway, fell over the said earth and stones [*or*, into the said trench] and broke his arm, and suffered great pain, and was prevented from attending to his business for a long time, and incurred expense for medical attendance.

Demand of judgment.]

No. 81.

FOR DIVERTING A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and at the time hereinafter mentioned was, possessed of a mill situated on a [stream], known as the , in the village of district of

2. That by reason of such possession the plaintiff was entitled to the flow of the said stream for working the said mill.

3. That on the day of 18 , the defendant, by cutting the bank of the said stream, diverted the water thereof so that less water ran into the plaintiff's mill.

4. That by reason thereof, the plaintiff has been unable to grind more than sacks per day, whereas, before the said diversion of water, he was able to grind sacks per day.

[*Demand of judgment.*]

No. 82.

FOR OBSTRUCTING A RIGHT TO USE WATER FOR IRRIGATION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and was at the time hereinafter mentioned, possessed of certain lands situate, *&c.*, and entitled to take and use a portion of the water of a certain stream for irrigating the said lands.

2. That on the day of the defendant prevented the plaintiff from taking and using the said portion of the said water as aforesaid, by obstructing and diverting the said stream.

[*Demand of judgment.*]

No. 83.

FOR WASTE BY A LESSEE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant hired from him the [house No. street] for the term of

2. That the defendant occupied the same under such hiring.

3. That during the period of such occupation, the defendant greatly injured the premises [defaced the walls, tore up the floors, and broke down the doors; *or otherwise specify the injuries as far as possible*].

The plaintiff prays judgment for rupees compensation.

No. 84.

FOR ASSAULT AND BATTERY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

That on the day of 18 , at , the defendant assaulted and beat him.

The plaintiff prays judgment for rupees compensation.

No. 85.

FOR ASSAULT AND BATTERY, WITH SPECIAL DAMAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted and beat the plaintiff, until he became insensible.

2. That the plaintiff was thereby disabled from attending to his business for [six weeks thereafter], and was compelled to pay rupees for medical attendance, and has been ever since disabled [from using his right arm]. [*Or otherwise state the damage, as the case may be.*]

[*Demand of judgment.*]

No. 86.

FOR ASSAULT AND FALSE IMPRISONMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted the plaintiff and imprisoned him for days [*or* hours]; [*state special damage, if any, thus:*—]

2. That by reason thereof the plaintiff suffered great pain of body and mind and was exposed and injured in his credit and circumstances, and was prevented from carrying on his business and from providing for his family by his personal care and attention, and incurred expense in obtaining his liberation from the said imprisonment, [*or otherwise as the case may be*].

[*Demand of judgment.*]

No. 87.

FOR INJURIES CAUSED BY NEGLIGENCE ON A RAILROAD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendants were common carriers of passengers by railway between and

2. That on that day the plaintiff was a passenger in one of the carriages of the defendants on the said road.

3. That while he was such passenger, at [*or*, near the station of ; *or*, between the stations of and], a collision occurred on the said railway, caused by the negligence and unskilfulness of the defendants' servants, whereby the plaintiff was much injured [having his leg broken, his head cut, *&c.*, *and state the special damage, if any, as*], and incurred expense for medical attendance, and is permanently disabled from carrying on his former business as a salesman.

[*Demand of judgment.*]

[*Or thus:*—2. That on that day the defendants by their servants so negligently and unskilfully drove and managed an engine and a train of carriages attached thereto upon and along the defendants' railway which the plaintiff was then lawfully crossing, that the said engine and train were driven and struck against the plaintiff, whereby, *&c.*, *as in* § 3.]

No. 88.

FOR INJURIES CAUSED BY NEGLIGENT DRIVING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. The plaintiff is a shoe-maker, carrying on business at
The defendant is a merchant of

2. On the [23rd May 1875], the plaintiff was walking eastward along Chowringhee, in the city of Calcutta, at about three o'clock in the afternoon. He was obliged to cross Harington street, which is a street running into Chowringhee at right angles. While he was crossing this street, and just before he could reach the foot-pavement on the further side thereof, a carriage of the defendant's drawn by two horses, under the charge and control of the defendant's servants, was negligently, suddenly, and without any warning, turned at a rapid and dangerous pace out of Harington Street into Chowringhee. The pole of the carriage struck the plaintiff, and knocked him down, and he was much trampled by the horses.

3. By the blow and fall and trampling the plaintiff's left arm was broken, and he was bruised and injured on the side and back, as well as internally, and in consequence thereof the plaintiff was for four months ill and in suffering, and unable to attend to his business, and incurred heavy medical and other expenses, and sustained great loss of business and profits.

The plaintiff claims rupees damages.

(*Title.*)

Written Statement of Defendant.

1. The defendant denies that the carriage mentioned in the plaint was the defendant's carriage, or that it was under the charge or control of the defendant's servants. The carriage belonged to [Messrs. *E. F.* and *G. H.*] of Street, Calcutta, livery stable-keepers, employed by the defendant to supply him with carriages and horses; and the person under whose charge and control the said carriage was, was the servant of the said Messrs. *E. F.* and *G. H.*

2. The defendant does not admit that the said carriage was turned out of Harington Street either negligently, suddenly, or without warning, or at a rapid or dangerous pace.

3. The defendant says, that the plaintiff might and could, by the exercise of reasonable care and diligence, have seen the said carriage approaching him, and avoided any collision with it.

4. The defendant does not admit the statements of the third paragraph of the plaint.

No. 89.

FOR LIBEL; THE WORDS BEING LIBELLOUS IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant published in a newspaper, called the [*or*, in a letter addressed to *E. F.*], the following words, concerning the plaintiff:—

[*Set forth the words used.*]

2. That the said publication was false and malicious.

[*Demand of judgment.*]

NOTE.—If the libel was in a language not the language of the Court, set out the libel *verbatim* in the foreign language in which it was published, and then proceed thus:—"Which said words, being translated into the language, have the meaning and effect following, and were so understood by the persons to whom they were so published, that is to say, [*here set out a literal translation of the libel in the language of the Court.*]

No. 90.

FOR LIBEL; THE WORDS NOT BEING LIBELLOUS IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff [is, and] was, on and before the day of 18 , a merchant, doing business in the city of

2. That on the day of 18 , at , the defendant published in a newspaper, called the [*or*, in a letter addressed to *E. F.*, *or otherwise show how published*], the following words concerning the plaintiff:—

["*A. B.*, of this city, has modestly retired to foreign lands. It is said that creditors to the amount of rupees are anxiously seeking his address."]

3. That the defendant meant thereby that [the plaintiff had absconded to avoid his creditors, and with intent to defraud them].

4. That the said publication was false and malicious.

[*Demand of judgment.*]

No. 91.

FOR SLANDER; THE WORDS BEING ACTIONABLE IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant falsely and maliciously spoke, in the hearing of *E. F.* [*or*, sundry persons], the following words, concerning the plaintiff: "He is a thief"].

2. That, in consequence of the said words, the plaintiff lost his situation as in the employ of

[*Demand of judgment.*]

No. 92.

FOR SLANDER; THE WORDS NOT BEING ACTIONABLE IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant falsely and maliciously said to one *E. F.*, concerning the plaintiff: ["He is a young man of remarkably easy conscience"].

2. That the plaintiff was then seeking employment as a clerk, and the defendant meant, by the said words, that the plaintiff was not trustworthy as a clerk.

3. That, in consequence of the said words, [the said *E. F.* refused to employ the plaintiff as a clerk].

[*Demand of judgment.*]

No. 93.

FOR MALICIOUS PROSECUTION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at the defendant obtained a warrant of arrest from [a police magistrate of the said city, *or, as the case may be,*] on a charge of , and the plaintiff was arrested thereon, and imprisoned for [days, *or*, hours, and gave bail in the sum of rupees to obtain his release].

2. That in so doing, the defendant acted maliciously and without reasonable or probable cause.

3. That on the day of 18 , the said magistrate dismissed the complaint of the defendant, and acquitted the plaintiff.

4. That many persons, whose names are unknown to the plaintiff, hearing of the said arrest, and supposing the plaintiff to be a criminal, have ceased to do business with him; *or*, that, in consequence of the said arrest, the plaintiff lost his situation as clerk to one *E. F.*, *or*, that by reason of the premises the plaintiff suffered pain of body and mind, and was prevented from transacting his business, and was injured in his credit, and incurred expense in obtaining his release from the said imprisonment and in defending himself against the said complaint.

[*Demand of judgment.*]

D. PLAINTS IN SUITS FOR SPECIFIC PROPERTY.

No. 94.

BY THE ABSOLUTE OWNER FOR THE POSSESSION OF IMMOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That he is the absolute owner of [the estate, *or*, the share of the estate, called situate in the District of , the Government revenue of which is rupees , and the estimated value rupees *or*, of the house No. , street in the town of Calcutta the estimated value of which is rupees].

2. That the defendant withholds the possession thereof from the plaintiff.

The plaintiff prays judgment:

(1). For the possession of the said premises;

(2). For rupees compensation for withholding the same.

Another Form.

A. B., the above-named plaintiff, states as follows:—

1. On the day of , the plaintiff, by deed, let to the defendant a house and premises No. 52 Russell Street, in the for a term of five years from the day of , at the monthly rent of rupees 300.

2. By the said deed the defendant covenanted to keep the said house and premises in good and tenantable repair.

3. The said deed also contained a clause of re-entry, entitling the plaintiff to re-enter upon the said house and premises, in case the rent thereby reserved, whether demanded or not, should be in arrear for twenty-one days, or in case the defendant should make default in the performance of any covenant upon his part to be performed.

4. On the day of 187 a month's rent became due, and on the day of 187 another month's rent became due; on the day of 187 both had been in arrear for twenty-one days, and both are still due.

5. On the same day of 187 the house and premises were not and are not now in good or tenantable repair, and it would require the expenditure of a large sum of money to re-instate the same in good and tenantable repair, and the plaintiff's reversion is much depreciated in value. The plaintiff claims:

(1). Possession of the said house and premises;
(2). Rupees for arrears of rent;
(3). Rupees damages for the defendant's breach of his covenant to repair;
(4). Rupees for the occupation of the house and premises from the day of 187 to the day of recovering possession.

No. 95.

BY THE TENANT.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That one *E. F.* is the absolute owner of [a piece of land in the town of Calcutta, , bounded as follows:], the estimated value of which is rupees .

2. That on the day of 18 , the said *E. F.* let the said premises to the plaintiff for years, from .

3. That the defendant withholds the possession thereof from the plaintiff.

[*Demand of judgment.*]

No. 96.

FOR MOVEABLE PROPERTY WRONGFULLY TAKEN.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff owned [*or*, was possessed of] one hundred barrels of flour, the estimated value of which is rupees .

2. That on that day, at , the defendant took the same.

The plaintiff prays judgment:

(1.) For the possession of the said goods, or for rupees in case such possession cannot be had;
(2.) For rupees compensation for the detention thereof.

No. 97.

FOR MOVEABLES WRONGFULLY DETAINED.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff owned [*or, state facts showing a right to the possession*] the goods mentioned in the schedule hereto annexed [*or describe the goods*], the estimated value of which is rupees .

2. That from that day until the commencement of this suit, the defendant has detained the same from the plaintiff.

3. That before the commencement of this suit, to wit, on the day of 18 , the plaintiff demanded the same from the defendant, but he refused to deliver them.

The plaintiff prays judgment:

(1). For the possession of the said goods, or for rupees, in case such possession cannot be had;
(2.) For rupees compensation for the detention thereof.

The schedule.

No. 98.

AGAINST A FRAUDULENT PURCHASER AND HIS TRANSFEREE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant [*C. D.*], for the purpose of inducing the plaintiff to sell him certain goods, represented to the plaintiff that [he was solvent, and worth rupees over all his liabilities].

2. That the plaintiff was thereby induced to sell and deliver to the said *C. D.* [one hundred boxes of tea], the estimated value of which is rupees.

3. That the said representations were false, and were then known by the said *C. D.* to be so. [*Or*, That at the time of making the said representations, the said *C. D.* was insolvent, and knew himself to be so.]

4. That the said *C. D.* afterwards transferred the said goods to the defendant, *E. F.*

The plaintiff prays judgment:

(1). For the possession of the said goods, or for rupees, in case such possession cannot be had;
(2). For rupees compensation for the detention thereof.

E. PLAINTS IN SUITS FOR SPECIAL RELIEF.

No. 99.

FOR RESCISSION OF A CONTRACT ON THE GROUND OF MISTAKE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , *the defendant* represented to the plaintiff that a certain piece of ground belonging to the defendant, situated at , contained [*ten bighás*].

2. That the plaintiff was thereby induced to purchase the same at the price of rupees in the belief that the said representation was true, and signed an agreement, of which a copy is hereto annexed. But no conveyance of the same has been executed to him.

3. That on the day of 18 , the plaintiff paid the defendant rupees as part of such purchase-money.

4. That the said piece of ground contained in fact only [five bighás].

The plaintiff prays judgment:

(1). For rupees, with interest from the day of 18 ;
(2). That the said agreement of purchase be delivered up and cancelled.

No. 100.

FOR AN INJUNCTION RESTRAINING WASTE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is the absolute owner of [*describe the property*].
2. That the defendant is in possession of the same under a lease from the plaintiff.
3. That the defendant has [cut down a number of valuable trees, and threatens to cut down many more for the purpose of sale] without the consent of the plaintiff.

The plaintiff prays judgment, that the defendant be restrained by injunction from committing or permitting any further waste on the said premises.

[*Pecuniary compensation might also be prayed.*]

No. 101.

FOR ABATEMENT OF A NUISANCE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all the times hereinafter mentioned was, the absolute owner of [the house No. , street, Calcutta].

2. That the defendant is, and at all the said times was, the absolute owner of [a plot of ground in the same street].

3. That on the day of 18 , the defendant erected upon his said lot a slaughter-house, and still maintains the same; and from that day until the present time has continually caused cattle to be brought and killed there [and has caused the blood and offal to be thrown into the street opposite the said house of the plaintiff].

4. That [the plaintiff has been compelled, by reason of the premises, to abandon the said house, and has been unable to rent the same].

The plaintiff prays judgment, that the said nuisance be abated.

No. 102.

FOR AN INJUNCTION AGAINST THE DIVERSION OF A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

[*As in No.* 81.]

The plaintiff prays judgment, that the defendant be restrained by injunction from diverting the water as aforesaid.

No. 103.

FOR RESTORATION OF MOVEABLE PROPERTY, THREATENED WITH DESTRUCTION, AND FOR AN INJUNCTION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all times hereinafter mentioned was, the owner of [a portrait of his grandfather, which was executed by an eminent painter], and of which no duplicate exists [*or state any facts showing that the property is of a kind that cannot be replaced by money*].

2. That on the day of 18 , he deposited the same for safe-keeping with the defendant.

3. That on the day of 18 , he demanded the same from the defendant, and offered to pay all reasonable charges for the storage of the same.

4. That the defendant refuses to deliver the same to the plaintiff, and threatens to conceal, dispose of, cut or injure the same if required to deliver it up.

5. That no pecuniary compensation would be an adequate compensation to the plaintiff for the loss of the said [painting].

The plaintiff prays judgment:

(1). That the defendant be restrained by injunction from disposing of, injuring, or concealing the said [painting];

(2). That he return the same to the plaintiff.

[NOTE.—See *Wood* v. *Rowcliffe*, 3 Hare 309. And see 2 Giff. 64.]

No. 104.

INTERPLEADER

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That before the date of the claims hereinafter mentioned, one *G. H.* deposited with the plaintiff [*describe the property*] for [safe keeping].

2. That the defendant, *C. D.*, claims the same [under an alleged assignment thereof to him from the said *G. H.*]

3. That the defendant, *E. F.*, also claims the same [under an order of the said *G. H.* transferring the same to him].

4. That the plaintiff is ignorant of the respective rights of the defendants.

5. That he has no claim upon the said property, and is ready and willing to deliver it to such persons as the Court shall direct.

6. That this suit is not brought by collusion with either of the defendants.

The plaintiff prays judgment:

(1). That the defendants be restrained, by injunction, from taking any proceedings against the plaintiff in relation thereto;

(2). That they be required to interplead together concerning their claims to the said property;

[(3). That some person be authorized to receive the said property pending such litigation];

(4). That upon delivering the same to such [person], the plaintiff be discharged from all liability to either of the defendants in relation thereto.

No. 105.

ADMINISTRATION BY CREDITOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. *E. F.*, late of , was at the time of his death, and his estate still is, indebted to the plaintiff in the sum of [*here insert nature of debt and security, if any*].

2. The said *E. F.* made his Will, dated the day of and thereof appointed *C. D.* executor [*or*, devised his estate in trust, &c., *or*, died intestate, *as the case may be*].

3. The said Will was proved by the said *C. D.* [*or*, letters of administration were granted, &c.].

4. The defendant has possessed himself of the moveable [and immoveable, *or*, the proceeds of the immoveable,] property of the said *E. F.*, and has not paid the plaintiff his said debt.

5. The said *E. F.* died on or about the day of

6. The plaintiff prays that an account may be taken of the moveable [and immoveable] property of the said *E. F.*, deceased, and that the same may be administered under the decree of the Court.

No. 106.

ADMINISTRATION BY SPECIFIC LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—]

[*Omit paragraph* 1 *and commence paragraph* 2] *E. F.*, late of , duly made his last Will, dated the day of and thereof appointed *C. D.* executor and by such Will bequeathed to the plaintiff [*here state the specific legacy*].

For paragraph 4, *substitute*—

The defendant is in possession of the moveable property of the said *E. F.*, and, amongst other things, of the said [*here name the subject of the specific bequest*].

For the commencement of paragraph 6 *substitute*—

The plaintiff prays that the defendant may be ordered to deliver to him the said [*here name the subject of the specific bequest*] or that, &c.

No. 107.

ADMINISTRATION BY PECUNIARY LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—].

[*Omit paragraph* 1 *and substitute for paragraph* 2] *E. F.*, late of , duly made his last Will dated the day of , and thereof appointed *C. D.* executor and by such Will bequeathed to the plaintiff a legacy of rupees

In paragraph 4, *substitute* "legacy" *for* "debt."

Another Form.

Between *E. F.* ... ... *Plaintiff*

and

G. H. ... ... *Defendant*

A. B., the above-named plaintiff, states as follows:—

1. *A. B.* of *K* in the duly made his last Will, dated the [first day of March 1873], whereby he appointed the defendant and *M. N.* [who died in the testator's life-time] executors thereof, and bequeathed his property, whether moveable or immoveable, to his executors in trust, to pay the rents and income thereof to the plaintiff for his life; and after his decease, and in default of his having a son who should attain twenty-one, or a daughter who should attain that age or marry, upon trust as to his immoveable property for the person who would be the testator's heir-at-law, and as to his moveable property for the persons who would be the testator's next-of-kin if he had died intestate at the time of the death of the plaintiff, and such failure of his issue as aforesaid.

2. The testator died on the [first day of July 1873], and his Will was proved by the defendant on the [fourth of October 1873]. The plaintiff has not been married.

3. The testator was at his death entitled to moveable and immoveable property; the defendant entered into the receipt of the rents of the immoveable property and got in the moveable property; he has sold some part of the immoveable property.

The plaintiff claims—

(1). To have the moveable and immoveable property of *A. B.* administered in this Court, and for that purpose to have all proper directions given and accounts taken.

(2). Such further or other relief as the nature of the case may require.

Between *E. F.* ... ... *Plaintiff.*

and

G. H. ... ... *Defendant.*

Written Statement of Defendant.

1. *A. B's* Will contained a charge of debts; he died insolvent; he was entitled at his death to some immoveable property which the defendant sold, and which produced the nett sum of rupees and the testator had some moveable property which the defendant got in, and which produced the nett sum of rupees .

2. The defendant applied the whole of the said sums and the sum of rupees which the defendant received from rents of the immoveable property in the payment of the funeral and testamentary expenses and some of the debts of the testator.

3. The defendant made up his accounts and sent a copy thereof to the plaintiff on the [tenth of January 1875], and offered the plaintiff free access to the vouchers to verify such accounts, but he declined to avail himself of the defendant's offer.

4. The defendant submits that the plaintiff ought to pay the costs of this suit.

No. 108.

EXECUTION OF TRUSTS.

IN THE COURT OF AT

Civil Regular No.

A. B. of ... *Plaintiff,*

against

C. D. of the beneficiary [*or*, one of the beneficiaries], ... *Defendant.*

A. B., the above-named plaintiff, states as follows:—

1. That he is one of the trustees under an instrument of settlement bearing date on or about the day of made upon the marriage of the said *E. F.* and *G. H.* the father and mother of the defendant [*or*, an instrument of assignment of the estate and effects of *E. F.* for the benefit of *C. D.*, the defendant, and other the creditors of *E. F.*].

2. The said *A. B.* has taken upon himself the burden of the said trust, and is in possession of [*or*, of the proceeds of] the moveable and immoveable property conveyed [*or* assigned] by the before-mentioned deed.

3. The said *C. D.* claims to be entitled to a beneficial interest under the before-mentioned deed.

4. The plaintiff is desirous to account for all the rents and profits of the said immoveable property [and the proceeds of the sale of the said, *or* of part of the said, immoveable property, *or* moveable, *or* the proceeds of the sale of, *or* of part of, the said moveable, property, *or* the profits accruing to the plaintiff as such trustee in the execution of the said trust]; and he prays that the Court will take the accounts of the said trust, and also that the whole of the said trust estate may be administered in the Court for the benefit of the said *C. D.*, the defendant, and all other persons who may be interested in such administration, in the presence of the said *C. D.* and such other persons so interested as the Court may direct, or that the said *C. D.* may shew good cause to the contrary.

[*N. B.—Where the suit is by a beneficiary, the plaint may be modelled,* mutatis mutandis, *on the plaint by a legatee.*]

No. 109.

FORECLOSURE OR SALE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an instrument of mortgage bearing date on or about the day of 18 , a house with the garden and appurtenances, situated within the jurisdiction of this Court, were conveyed [*or* assigned] by the defendant to him the plaintiff, his heirs [*or* executors, administrators,] and assigns, for securing the principal sum of Rs. together with interest thereon after the rate of Rs. per centum per annum, subject to redemption upon payment by the said defendant of the said principal and interest at a day long since past.

2. There is now due from the defendant to the plaintiff the sum of Rs. for principal and interest on the said mortgage.

3. The plaintiff prays (*a*) that the Court will order the defendant to pay him the said sum of Rs. , with such further interest as may accrue between the filing of the plaint and the day of payment, and also the costs of this suit, on some day to be named by the Court, and in default that the equity of redemption of the said mortgaged premises may be foreclosed and the plaintiff placed in possession of the same premises; or (*b*) that the said premises may be sold, and the proceeds applied in and towards the payment of the amount of the said principal, interest and costs; and (*c*) that if such proceeds shall not be sufficient for the payment in full of such amount, the defendant do pay to the plaintiff the amount of the deficiency with interest thereon at the rate of six per cent. per annum until realization; and (*d*) that for that purpose all proper directions may be given and accounts taken by the Court

No. 110.

REDEMPTION.

(*Title.*)

[*Alter Form* 109 *thus*:—]

Transpose parties and also the facts in paragraph 1.

For paragraph 2, *substitute*—

2. There is now due from the plaintiff to the defendant, for principal and interest on the said mortgage, the sum of Rs. which the plaintiff is ready and willing to pay to the defendant, of which the defendant, before filing this plaint, had notice.

For paragraph 3, *substitute*—

The plaintiff prays that he may redeem the said premises and that the defendant may be ordered to re-convey [*or* re-assign] the same to him upon payment of the said sum of Rs. and interest, with such costs (if any), as the Court may order upon a day to be named by the Court, and that the Court will give all proper directions for the preparation and execution of such re-conveyance [*or* assignment], and doing such other acts as may be necessary to put him into possession of the said premises, freed from the said mortgage.

No. 111.

SPECIFIC PERFORMANCE. (No. 1).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an agreement dated the day of and signed by the above-named defendant, *C. D.*, he the said *C. D.* contracted to buy of [*or* sell to] him certain immoveable property, therein described and referred to, for the sum of Rs.

2. He has applied to the said *C. D.* specifically to perform the said agreement on his part, but he has not done so.

3. The said *A. B.* has been and still is ready and willing specifically to perform the agreement on his part, of which the said *C. D.* has had notice.

4. The plaintiff prays that the Court will order the said *A. B.* specifically to perform the said agreement, and to do all acts necessary to put the said *A. B.* in full possession of the said property [*or* to accept a conveyance and possession of the said property] and to pay the costs of the suit.

[*N. B.—In suit for delivery up, to be cancelled, of any agreement, omit paragraphs* 2 *and* 3, *and substitute a paragraph stating generally the grounds for requiring the agreement to be delivered up to be cancelled, such as that the plaintiff signed it by mistake, under distress, or by the fraud of the defendant, and alter the prayer according* to the *relief sought.*]

No. 112.

SPECIFIC PERFORMANCE. (No. 2).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant was absolutely entitled to certain immoveable property described in the agreement hereto annexed.

2. That on the same day, the plaintiff and defendant entered into an agreement, under their hands, a copy of which is hereto annexed.

3. That on the day of 18 , the plaintiff tendered rupees to the defendant, and demanded a conveyance of the said property.

4. That on the day of 18 , the plaintiff again demanded such conveyance. [*Or*, that the defendant refused to convey the same to the plaintiff.]

5. That the defendant has not executed such conveyance.

6. That the plaintiff is still ready and willing to pay the purchase-money of the said property to the defendant.

The plaintiff prays judgment:

(1). That the defendant execute to the plaintiff a sufficient conveyance of the said property [*following the terms of the agreement*];

(2). For rupees compensation for withholding the same.

No. 113.

PARTNERSHIP.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. He and the said *C. D.*, the defendant, have been for the space of years [*or* months] last past carrying on business together at within the jurisdiction of this Court, under certain articles of partnership in writing, signed by them respectively, [*or*, under a certain deed sealed and executed by them respectively, *or*, under a verbal agreement between them, the said plaintiff and defendant].

2. Divers disputes and differences have arisen between the plaintiff and defendant as such partners, whereby it has become impossible to carry on the said business in partnership with advantage to the partners.

3. The plaintiff desires to have the said partnership dissolved, and he is ready and willing to bear his share of the debts and obligations of the partnership according to the terms of the said articles [*or* deed, *or* agreement].

4. The plaintiff prays the Court to decree a dissolution of the said partnership, and that the accounts of the said partnership trading may be taken by the Court, and the assets thereof realized, and that each party may be ordered to pay into Court any balance due from him upon such partnership-account, and that the debts and liabilities of the said partnership may be paid and discharged, and that the costs of the suit may be paid out of the partnership-assets, and that any balance remaining of such assets, after such payment and discharge, and the payment of the said costs, may be divided between the plaintiff and defendant, according to the terms of the said articles [*or* deed, *or* agreement], or that, if the said assets shall prove insufficient, he the plaintiff and the said defendant may be ordered to contribute in such proportions as shall be just to a fund to be raised for the payment and discharge of such debts, liabilities and costs. And to give such other relief as the Court shall think fit.

This plaint was filed by of
Pleader for the plaintiff, *or* by

[*N. B.—In suits for winding-up of any partnership, omit the prayer for dissolution: but instead thereof insert a paragraph stating the fact of the partnership having been dissolved.*]

No. 114.

FORMS OF CONCISE STATEMENTS.

Money lent.	The plaintiff's claim is rs. for money lent [and interest].
Several demands.	The plaintiff's claim is rs., whereof rs. is for the price of goods sold, and rs. for money lent, and rs. for interest.
Rent.	The plaintiff's claim is rs. for arrears of rent.
Salary, &c.	The plaintiff's claim is rs. for arrears of salary as a clerk [*or, as the case may be*].
Interest.	The plaintiff's claim is rs. for interest upon money lent.
General average.	The plaintiff's claim is rs. for a general average contribution.
Freight &c.	The plaintiff's claim is rs. for freight and demurrage.
Banker's balance.	The plaintiff's claim is rs. for money deposited with the defendant as a banker.
Fees, &c., as solicitors.	The plaintiff's claim is rs. for fees for work done [and rs. money expended] as a pleader.
Commission.	The plaintiff's claim is rs. for commission earned as [*state character, as* auctioneer, cotton-broker, *&c.*].
Medical attendance, &c.	The plaintiff's claim is rs. for medical attendances.
Return of premium.	The plaintiff's claim is rs. for a return of premiums paid upon policies of insurance.
Warehouse rent.	The plaintiff's claim is rs. for the warehousing of goods.
Carriage of goods.	The plaintiff's claim is rs. for the carriage of goods by railway.
Use and occupation of houses.	The plaintiff's claim is rs. for the use and occupation of a house.
Hire of goods.	The plaintiff's claim is rs. for the hire of [furniture].
Work done.	The plaintiff's claim is rs. for work done as a [surveyor].
Board and lodging.	The plaintiff's claim is rs. for board and lodging.
Schooling.	The plaintiff's claim is rs. for the [board, lodging and] tuition of *X. Y.*
Money received.	The plaintiff's claim is rs. for money received by the defendant as pleader [*or* factor, *or* collector, *or*, *&c.*] of the plaintiff.
Fees of office.	The plaintiff's claim is rs. for fees received by the defendant under colour of the office of
Money overpaid.	The plaintiff's claim is rs. for a return of money overcharged for the carriage of goods by railway.
	The plaintiff's claim is rs. for a return of fees overcharged by the defendant as

Return of money by stake-holder.	The plaintiff's claim is rs. for a return of money deposited with the defendant as stake-holder.
Money won from stake-holder.	The plaintiff's claim is rs. for money entrusted to the defendant as stake-holder, and become payable to plaintiff.
Money entrusted to agent.	The plaintiff's claim is rs. for a return of money entrusted to the defendant as agent of the plaintiff.
Money obtained by fraud.	The plaintiff's claim is rs. for a return of money obtained from the plaintiff by fraud.
Money paid by mistake.	The plaintiff's claim is rs. for a return of money paid to the defendant by mistake.
Money paid for consideration which has failed.	The plaintiff's claim is rs. for a return of money paid to the defendant for [work to be done, *or* work left undone; *or*, a bill to be taken up, *or*, a bill not taken up, *or*, *&c.*]
	The plaintiff's claim is rs. for a return of money paid as a deposit upon shares to be allotted.
Money paid by surety for defendant.	The plaintiff's claim is rs. for money paid for the defendant as his surety.
Rent paid.	The plaintiff's claim is rs. for money paid for rent due by the defendant.
Money paid on accommodation-bill.	The plaintiff's claim is rs. upon a bill of exchange accepted [*or* indorsed] for the defendant's accommodation.
Contribution by surety.	The plaintiff's claim is rs. for a contribution in respect of money paid by the plaintiff as surety.
By co-debtor.	The plaintiff's claim is rs. for a contribution in respect of a joint debt of the plaintiff and the defendant, paid by the plaintiff.
Money paid for calls.	The plaintiff's claim is rs. for money paid for calls upon shares, against which the defendant was bound to indemnify the plaintiff.
Money payable under award.	The plaintiff's claim is rs. for money payable under an award.
Life-policy.	The plaintiff's claim is rs. upon a policy of insurance upon the life of *X. Y.*, deceased.
Money-bond.	The plaintiff's claim is rs. upon a bond to secure payment of rs. and interest.
Foreign judgment.	The plaintiff's claim is rs. upon a judgment of the Court in [the Empire of Russia].
Bills of exchange, &c.	The plaintiff's claim is rs. upon a cheque drawn by the defendant.
	The plaintiff's claim is rs. upon a bill of exchange accepted [*or* drawn, *or* indorsed] by the defendant.
	The plaintiff's claim is rs. upon a promissory note made [*or* indorsed] by the defendant.
	The plaintiff's claim is rs. against the defendant, *A. B.*, as acceptor, and against the defendant, *C. D.*, as drawer [*or* indorser] of a bill of exchange.
Surety.	The plaintiff's claim is rs. against the defendant as surety for the price of goods sold.
	The plaintiff's claim is rs. against the defendant *A. B.*, as principal, and against the defendant, *C. D.*, as surety, for the price of goods sold [*or* for arrears of rent, *or* for money lent, *or* for money received by the defendant, *A. B.*, as traveller for the plaintiff, *or*, *&c.*].
Calls.	The plaintiff's claim is rs. for calls upon shares.

Indorsement for costs, &c.

[*Add to the above Forms*] and rs. for costs; and if the amount claimed be paid to the plaintiff or his pleader within days [*or, if the writ is to be served out of the jurisdiction, or notice in lieu of service is allowed, insert the time for appearance limited by the order*] from the service hereof, further proceedings will be stayed.

Damages and other claims.

Agent, &c.	The plaintiff's claim is for damages for breach of a contract to employ the plaintiff as traveller.
	The plaintiff's claim is for damages for wrongful dismissal from the defendant's employment as traveller [and rs. for arrears of wages].
	The plaintiff's claim is for damages for the defendant's wrongfully quitting the plaintiff's employment as manager.
	The plaintiff's claim is for damages for breach of duty as factor [*or*, *&c.*,] of the plaintiff [and rs. for money received as factor, *or &c.*]
Apprentices.	The plaintiff's claim is for damages for breach of the terms of a deed of apprenticeship of *X. Y.* to the defendant [*or* plaintiff].
Arbitration.	The plaintiff's claim is for damages for non-compliance with the award of *X. Y.*
Assault, &c.	The plaintiff's claim is for damages for assault [and false imprisonment, and for malicious prosecution].
By husband and wife.	The plaintiff's claim is for damages for assault and false imprisonment of the plaintiff, *C. D.*
Against husband and wife.	The plaintiff's claim is for damages for assault by the defendant, *C. D.*

Pleader. The plaintiff's claim is for damages for injury by the defendant's negligence as pleader of the plaintiff.

Bailment. The plaintiff's claim is for damages for negligence in the custody of goods [and for wrongfully detaining the same].

Pledge. The plaintiff's claim is for damages for negligence in the keeping of goods pawned [and for wrongfully detaining the same].

Hire. The plaintiff's claim is for damages for negligence in the custody of furniture [*or*, a carriage] lent on hire, [and for wrongfully, *&c.*].

Banker. The plaintiff's claim is for damages for wrongfully neglecting [*or* refusing] to pay the plaintiff's cheque.

Bill. The plaintiff's claim is for damages for breach of a contract to accept the plaintiff's drafts.

Bond. The plaintiff's claim is upon a bond conditioned not to carry on the trade of a

Carrier. The plaintiff's claim is for damages for refusing to carry the plaintiff's goods by railway.
The plaintiff's claim is for damages for refusing to carry the plaintiff by railway.
The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of coals by railway.
The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of machinery by sea.

Charter-party. The plaintiff's claim is for damages for breach of charter-party of ship [*Mary*].

Claim for return of goods; damages. The plaintiff's claim is for return of household furniture, [*or*, *&c.*,] or their value, and for damages for detaining the same.

Damages for depriving of goods. The plaintiff's claim is for wrongfully depriving plaintiff of goods, household furniture, &c.

Defamation. The plaintiff's claim is for damages for libel.
The plaintiff's claim is for damages for slander.

Replevin; wrongful distress. The plaintiff's claim is for damages for improperly distraining.

[*This Form shall be sufficient whether the distress complained of be wrongful or excessive, or irregular, and whether the claim be for damages only, or for double value*].

Ejectment. The plaintiff's claim is to recover possession of a house, No. in Street, or of a farm called Blackacre, situate in the of in the of

To establish title and recover rents. The plaintiff's claim is to establish his title to [*here describe property*] and to recover the rents thereof.

[*The two previous Forms may be combined*].

Fishery. The plaintiff's claim is for damages for infringement of the plaintiff's right of fishing.

Fraud. The plaintiff's claim is for damages for fraudulent misrepresentation on the sale of a horse [*or* a business, *or* shares, *or*, *&c.*].

The plaintiff's claim is for damages for fraudulent misrepresentation of the credit of *A. B.*

Guarantee. The plaintiff's claim is for damages for breach of a contract of guarantee for *A. B.*
The plaintiff's claim is for damages for breach of a contract to indemnify the plaintiff as the defendant's agent to distrain.

Insurance. The plaintiff's claim is for a loss under a policy upon the ship [*Royal Charter*], and freight of cargo [*or* for return of premiums].

[*This Form shall be sufficient whether the loss claimed be total or partial*].

Fire insurance The plaintiff's claim is for a loss under a policy of fire insurance upon house and furniture.
The plaintiff's claim is for damages for breach of a contract to insure a house.

Landlord and tenant. The plaintiff's claim is for damages for breach of a contract to keep a house in repair.
The plaintiff's claim is for damages for breaches of covenants contained in a lease of a farm.

Medical man. The plaintiff's claim is for damages for injury to the plaintiff from the defendant's negligence as a medical man.

Mischievous animal. The plaintiff's claim is for damages for injury by the defendant's dog.

Negligence. The plaintiff's claim is for damages for injury to the plaintiff by the negligent driving of the defendant or his servants.
The plaintiff's claim is for damages for injury to the plaintiff while a passenger on the defendant's railway by the negligence of the defendant's servants.
The plaintiff's claim is for damages for injury to the plaintiff at the defendant's railway-station from the defective condition of the station.

Lord Campbell's Act. The plaintiff's claim is as executor of *A. B.* deceased, for damages for the death of the said *A. B.*, from injuries received while a passenger on the defendant's railway, by the negligence of the defendant's servants.

Promise of marriage. The plaintiff's claim is for damages for breach of promise of marriage.

Sale of goods. The plaintiff's claim is for damages for breach of contract to accept and pay for goods.
The plaintiff's claim is for damages for non-delivery [*or* short delivery, *or* defective quality, *or other breach of contract of sale*] of cotton [*or*, *&c.*].

Sale of goods. The plaintiff's claim is for damages for breach of warranty of a horse.

Sale of land. The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] land.
The plaintiff's claim is for damages for breach of a contract to let [*or* take] a house.
The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] the lease, with good-will, fixtures, and stock-in-trade of a public-house.
The plaintiff's claim is for damages for breach of covenant for title [*or* for quiet enjoyment, *or*, *&c.*] in a conveyance of land.

Trespass on land. The plaintiff's claim is for damages for wrongfully entering the plaintiff's land and drawing water from his well [*or* cutting his grass, *or* pulling down his timber, *or* pulling down his fences, *or* removing his gate, *or* using his road or path, *or* crossing his field, *or* depositing sand there, *or* carrying away gravel from thence, *or* carrying away stones from his river].

Support. The plaintiff's claim is for damages for wrongfully taking away the support of plaintiff's land [*or* house, *or* mine].

Way. The plaintiff's claim is for damages for wrongfully obstructing a way [public highway, *or* private, way].

Watercourse, &c. The plaintiff's claim is for damages for wrongfully diverting [*or* obstructing, *or* polluting, *or* diverting water from] a water-course.
The plaintiff's claim is for damages for wrongfully discharging water upon the plaintiff's land [*or* into the plaintiff's mine].
The plaintiff's claim is for damages for wrongfully obstructing the plaintiff's use of a well.

Pasture. The plaintiff's claim is for damages for the infringement of the plaintiff's right of pasture.

[*This Form shall be sufficient whatever the nature of the right to pasture be.*]

Light. The plaintiff's claim is for damages for obstructing the access of light to plaintiff's house.

Sporting. The plaintiff's claim is for damages for the infringement of the plaintiff's right of sporting.

Patent. The plaintiff's claim is for damages for the infringement of the plaintiff's patent.

Copy-right. The plaintiff's claim is for damages for the infringement of the plaintiff's copy-right.

Trade-mark. The plaintiff's claim is for damages for wrongfully using [*or* imitating] the plaintiff's trade-mark.

Work. The plaintiff's claim is for damages for breach of a contract to build a ship [*or* to repair a house, *&c.*].
The plaintiff's claim is for damages for breach of a contract to employ the plaintiff to build a ship, &c.

Nuisance. The plaintiff's claim is for damages to his house, trees, crops, &c., caused by noxious vapours from the defendant's factory [*or*, *&c.*].
The plaintiff's claim is for damages from nuisance by noise from the defendant's works [*or* stables, *or*, *&c.*].

Injunction. [*Add to indorsement*]:—and for an injunction.
[*Add to indorsement where claim is to land, or to establish title, or both*]:—

Mesne profits. and for mesne profits.

Arrears of rent. and for an account of rents or arrears of rent.

Breach of covenant. and for breach of covenant for [repairs].

1. *Creditor to administer Estate.*

The plaintiff's claim is as a creditor of *X. Y.*, of deceased, to have the moveable and immoveable property of the said *X. Y.* administered. The defendant, *C. D.*, is sued as the administrator of the said *X. Y.*, [and the defendants, *E. F.* and *G. H.*, as his cohsirs at law.]

2. *Legatee to administer Estate.*

The plaintiff's claim is as a legatee under the will dated the day of 18 , of *X. Y.*, deceased, to have the moveable and immoveable property of the said *X. Y.* administered. The defendant, *C. D.*, is sued as the executor of the said *X. Y.* [and the defendants, *E. F.* and *G. H.*, as his devisees].

3. *Partnership.*

The plaintiff's claim is to have an account taken of the partnership dealings between the plaintiff and defendant [under articles of partnership dated the day of], and to have the affairs of the partnership wound up.

4. *By mortgagee.*

The plaintiff's claim is to have an account taken of what is due to him for principal, interest and costs on a mortgage dated the day of , made between [*parties*] [*or*, by deposit of title-deeds], and that the mortgage may be enforced by foreclosure or sale.

5. *By mortgagor.*

The plaintiff's claim is to have an account taken of what, if any thing, is due on a mortgage dated and made between [*parties*], and to redeem the property comprised therein.

6. *Raising Portions.*

The plaintiff's claim is that the sum of rs. which by an indenture of settlement, dated , was provided for the portions of the younger children of may be raised.

7. Execution of Trusts.

The plaintiff's claim is to have the trusts of an indenture dated and made between [*parties*] carried into execution.

8. Cancellation, or Rectification.

The plaintiff's claim is to have a deed dated and made between [*parties*] set aside or rectified.

9. Specific Performance.

The plaintiff's claim is for specific performance of an agreement dated the day of for the sale by the plaintiff to the defendant of certain [freehold] hereditaments at

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No. 115.

PROBATE.

1. *By an executor or legatee propounding a will in solemn form.*

The plaintiff claims to be executor of the last will dated the day of of *C. W.* late of deceased, who died on the day of and to have the said will established. This summons is issued against you as one of the next-of-kin of the said deceased [*or, as the case may be*].

2. *By an executor or legatee of a former will, or a next-of-kin, &c., of the deceased seeking to obtain the revocation of a probate granted in common form.*

The plaintiff claims to be executor of the last will dated the day of of *C.D.*, late of deceased, who died on the day of and to have the probate of a pretended will of the said deceased, dated the day of revoked. This summons is issued against you as the executor of the said pretended will [*or, as the case may be*].

3. *By an executor or legatee of a will when letters of administration have been granted as in an intestacy.*

The plaintiff claims to be executor of the last will of *C. D.*, late of deceased, who died on the day of dated the day of The plaintiff claims that the grant of letters of administration of the estate of the said deceased obtained by you should be revoked, and probate of the said will granted to him.

4. *By a person claiming a grant of administration as a next-of-kin of the deceased, but whose interest as next-of-kin is disputed.*

The plaintiff claims to be the brother and sole next-of-kin of *C.D.* of deceased, who died on the day of intestate, and to have as such a grant of administration to the personal estate of the said intestate. This writ is issued against you because you have entered a caveat, and have alleged that you are the sole next-of-kin of the deceased [*or, as the case may be*].

Indorsements of character of Parties.

The plaintiff's claim is as executor [*or* administrator] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A.B.*, as executor [*or*, *&c.*] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A.B.*, as executor of *X. Y.* deceased, and against the defendant, *C.D.*, in his personal capacity, for, *&c.*

By husband and wife executrix. The claim of the plaintiff, *C.D.*, is as executrix of *X. Y.*, deceased, and the claim of the plaintiff, *A.B.*, as her husband, for

Trustees. The plaintiff's claim is as [*or*, the plaintiff's claim is against the defendant as] trustee under the will of *A.B.* [*or* under the settlement upon the marriage of *A.B.* and *X. Y.* his wife].

Public officer. The plaintiff's claim is as public officer of the Bank, for

The plaintiff's claim is against the defendant as public officer of the Bank, for

The plaintiff's claim is against the defendant, *A.B.*, as principal, and against the defendant, *C.D.*, as public officer, of the Bank, as surety, for

Heir and devisee. The plaintiff's claim is against the defendant as heir-at-law of *A.B.*, deceased.

The plaintiff's claim is against the defendant, *C.D.*, as heir-at-law, and against the defendant, *E.F.*, as devisee, of lands under the will of *A.B.*

F.—MISCELLANEOUS.

No. 116.

Section 58 of the Code of Civil Procedure.

Court of the holden at

Register of Civil Suits in the year 18 .

Date of presentation of plaint.	No. of Suit.	Plaintiff.			Defendant.			Claim.			Appearance.			Judgment.			Appeal.		Execution.					Return of Execution.	
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Particulars.	Amount or value.	When the Cause of Action accrued.	Day for parties to appear.	Plaintiff.	Defendant.	Date.	For whom.	For what, and amount.	Date of Appeal.	Judgment in Appeal.	Date of application.	Date of Order.	Against whom.	For what, and amount if money.	Amount of Costs.	Amount paid into Court.	Arrested.	Minute of other Return than payment of Arrest, and date of every Return.

No. 117.

SUMMONS FOR DISPOSAL OF SUIT.

Sections 64 and 68 of the Code of Civil Procedure.

(*Title.*)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any documents on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18 .

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 118.

SUMMONS FOR SETTLEMENT OF ISSUES.

Sections 64 and 68 of the Code of Civil Procedure.

(*Title.*)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the issues will be settled in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of any witness, and the production of any document that you have a right to call on the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 119.

SUMMONS TO APPEAR.

Section 68 of the Code of Civil Procedure.

NO. OF SUIT.

IN THE COURT OF AT

Plaintiff.
Defendant.

To (*Name, description and address.*)

WHEREAS [*here enter the name, description and address of the plaintiff*] has instituted a suit in this Court against you [*here state the particulars of the claim as in the register*]: you are hereby summoned to appear in this Court in person on the day of at in the forenoon [*If not specially required to appear in person, state*—"in person or by a pleader of the Court duly instructed and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions"] to answer the above-named plaintiff. [*If the summons be for the final disposal of the suit, this further direction shall be added here;* "and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day"]: and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you (or send by your agent) [*here mention any document the production of which may be required by the plaintiff*] which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

No. 120.

ORDER FOR TRANSMISSION OF SUMMONS FOR SERVICE IN THE JURISDICTION OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

The day of 18 .

WHEREAS it is stated in the plaint that , the defendant in the above suit is at present residing in , but that the right to sue accrued within the jurisdiction of this Court: it is ordered that a summons returnable on the day of 18 be forwarded for service on the said defendant, to the Court of with a duplicate of this proceeding.

L. S.

Judge.

No. 121.

TO ACCOMPANY RETURN OF SUMMONS OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Miscellaneous No. of 18 .

The day of 18 .

A. B. of
against
C. D. of

Read proceeding from the forwarding for service on in Civil No. of that Court.

Read bailiff's endorsement on the back of the process stating that the and proof of the above having been duly taken by me on the [oath *or*] affirmation of

and it is ordered that the
be returned to the with a copy of this proceeding.

L. S.

Judge.

NOTE.—This form will be applicable to process other than summons, the service of which may have to be effected in the same manner.

No. 122.

DEFENDANT'S STATEMENT.

Section 110 of the Code of Civil Procedure.

(*Title.*)

I, the undersigned defendant [*or* one of the defendants], disclaim all interest under the will of the said *E. F.* in the plaint named [*or*, as heir-at-law of, *or*, as next-of-kin, *or* one of the next-of-kin, of *E. F.*, deceased, in the said plaint named].

Or, I the undersigned defendant state, that I admit [*or* deny] [*here repeat in the language of the plaint the statements admitted or denied*].

Or, I the undersigned defendant submit that, upon the facts stated in the plaint, it does not appear that there is any agreement which can be legally enforced [*or*, that it appears upon the said plaint that I am jointly liable with one *E. F.*, who is not a party to the suit, and not severally liable as by the plaint appears, *or*, that it appears by the said plaint that *G. H.* should have been a joint plaintiff with the said *A. B.* in the said suit, *or, as the case may be*].

Or, that the plaintiff has conveyed [*or* assigned] his interest in the said mortgage [*or* equity of redemption] to one *I. J.* [*or*, that I have conveyed or assigned to *H. L.* by way of further charge for securing the sum of Rs. , the equity of redemption in the property sought by the suit to be foreclosed].

Or, that since the dissolution of the partnership the plaintiff has executed an instrument, whereby the plaintiff covenants to discharge all debts and liabilities of the partnership, and generally to release me from all claims and liabilities either by or to himself and others in respect of the said partnership trading [*or, as the case may be*].

(*Signed*) *C. D.*,
Defendant.

No. 123.

INTERROGATORIES.

Section 121 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18

A. B.
against
C. D., *E. F.* and *G. H.*

Interrogatories on behalf of the above-named *A. B.* [*or C. D.*] for the examination of the above-named [*E. F.* and *G. H.*, *or A. B.*].

1. Did not &c.

2. Has not &c.

The defendant *E. F.* is required to answer the interogatories numbered

The defendant *G. H* is required to answer the interrogatories numbered

No. 124.

FORM OF NOTICE TO PRODUCE DOCUMENTS.

Section 131 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18

A. B.
against
C. D.

Take notice that the plaintiff [*or* defendant] requires you to produce for his inspection the following documents referred to in your plaint [*or* written statement, *or* affidavit], dated the day of 18 .

Describe documents required.

X. Y. Pleader for the plaintiff [*or* the defendant].

To *Z.*

Pleader for the defendant [*or* plaintiff].

No. 125.

SUBPŒNA.

Section 159 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS your attendance is required to
on behalf of the in the above cause, you are hereby required [personally to appear before this Court] on the day of 18 , at the hour of A. M. [and] to bring with you or to send to this Court

A sum of Rs. , being your travelling and other expenses and subsistence-allowance for one day, is herewith sent. If you do not comply with this order, you will be subject to the consequence of non-attendance laid down in the Code of Civil Procedure, section 169.

Notice—(1). If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.

(2). If you are to be detained beyond the day aforesaid, a sum of Rs. will be tendered to you for each day's attendance beyond the day specified.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 126.

SUMMONS TO ATTEND AND GIVE EVIDENCE.

Section 163 of the Code of Civil Procedure.

NO. OF SUIT.

IN THE COURT OF AT

Plaintiff.
Defendant.

To (*Name, description and address.*)

You are hereby summoned to appear in this Court in person on the day of at in the forenoon, to give evidence on behalf of the plaintiff [*or* the defendant] in the above-mentioned suit, and to produce [*here describe with convenient certainty any document the production of which may be required. If the summons be only to give evidence, or if it be only to produce a document, it must be expressed accordingly*] and you are not to depart thence without the leave of the Court.

FORMS OF DECREES.

No. 127.

SIMPLE MONEY-DECREE.

(*Title.*)

Claim for

THIS cause coming on for final disposal before in the presence of , on the part of the plaintiff, and on the part of the defendant, it is ordered that the do pay to the the sum of Rs. , with interest thereon at the rate of per cent. per from to the date of realization of the said sum, and do also pay to the the costs of this suit as taxed by the officer of the Court, with interest thereon at the rate aforesaid from the date of taxation to the date of realization.

Costs of suit.

PLAINTIFF.	Rs.	A.	P.	DEFENDANT.	Rs.	A.	P.
1. Stamp for plaint ...				Stamp for power ...			
2. Do. for power ...				Do. petition ...			
3. Do. exhibits ...				Pleader's fee			
4. Pleader's fees on Rs. ...				Subsistence for witnesses ...			
5. Translation fee ...				Service of process ...			
6. Subsistence for witness for attendance ...				Translation fee ...			
7. Commissioner's fee ...				Commissioner's fee ...			
8. Service of process ...							
9. &c.							
TOTAL ...				TOTAL ...			

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 128.

DECREE FOR SALE IN A SUIT BY A MORTGAGEE OR PERSON ENTITLED TO A LIEN.

(*Title.*)

It is ordered that it be referred to the Registrar [*or* Taxing Officer] to take an account of what is due to the plaintiff for principal and interest on the mortgage [*or* lien] mentioned in the plaint, and to tax the plaintiff's costs of this suit, and that the Registrar do certify to the Court on the day of what he shall find to be due for principal and interest as aforesaid, and for costs; And upon the defendant paying into Court what shall be certified to be due to the plaintiff for principal and interest as aforesaid, together with the said costs, within six months after the Registrar [*or* Taxing Officer] shall have presented his certificate; it is ordered that the plaintiff do reconvey the said mortgaged premises free and clear from all incumbrances done by him, or any claiming by, from, or under him, and do deliver up to the Registrar [*or* Taxing Officer] all deeds and writings in his custody or power relating thereto, and that upon such reconveyance being made, and deeds and writings being delivered up, the Registrar [*or* Taxing Officer] shall pay out to the plaintiff the said sum so paid in as aforesaid for principal, interest and costs; but in default of the defendant paying into Court such principal, interest and costs as aforesaid by the time aforesaid, then it is ordered that the said mortgaged premises [*or* the premises subject to the said lien] be sold with the approbation of the Registrar [*or* Taxing Officer]. And it is ordered that the money to arise by such sale be paid into Court, to the end that the same may be duly applied in payment of what shall be found due to the plaintiff for principal, interest and costs as aforesaid, and that the balance (if any) shall be paid to the defendant.

No. 129.

FINAL DECREE FOR FORECLOSURE.

(*Title.*)

Whereas it appears to the Court that the defendant has not paid into Court the sum which was on the day of last certified by the Registrar to be due to the Plaintiff for principal and interest upon the mortgage in the plaint mentioned, and for costs, pursuant to the order made in this suit on the day of last, and that the period of six months has elapsed since the said day of

It is ordered that the Defendant do stand absolutely debarred and foreclosed of and from all equity of redemption of, in, and to, the said mortgaged premises.

No. 130.

PRELIMINARY ORDER—ADMINISTRATION SUIT.

Section 213 of the Code of Civil Procedure.

(*Title.*)

It is ordered that the following accounts and inquiries be taken and made; that is to say:—

In creditor's suit—

1. That an account be taken of what is due to the Plaintiff and all other the creditors of the deceased.

In suits by legatees—

2. An account be taken of the legacies given by the testator's will.

In suits by next-of-kin—

An inquiry be made and account taken of what, or of what share, if any, the plaintiff is entitled to as next-of-kin [*or* one of the next-of-kin] of the intestate.

[*After the first paragraph, the Order will, where necessary, order, in a creditor's suit, inquiry and accounts for legatees, devisees, heirs-at-law, and next-of-kin. In suits by claimants other than creditors, after the first paragraph, in all cases, an order to inquire and take an account of creditors will follow the first paragraph, and such of the others as may be necessary will follow, omitting the first formal words. The form is continued as in a creditor's suit.*]

3. An account of the funeral and testamentary expenses.

4. An account of the moveable property of the deceased come to the hands of the Defendant, or to the hands of any other person by his order or for his use.

5. An inquiry what part (if any) of the moveable property of the deceased is outstanding and undisposed of.

6. And it is further ordered, that the Defendant do, on or before the day of next, pay into Court all sums of money which shall be found to have come to his hands, or to the hands of any person by his order or to his use.

7. And that if the Registrar shall find it necessary for carrying out the objects of the suit to sell any part of the moveable property of the deceased, that the same be sold accordingly, and the proceeds paid into Court.

8. And that Mr. *E. F.* be Receiver in the suit [*or* proceeding], and receive and get in all outstanding debts and outstanding moveable property of the deceased, and pay the same into the hands of the Registrar [and shall give security by bond for the due performance of his duties to the amount of rupees].

9. And it is further ordered, that if the moveable property of the deceased be found insufficient for carrying out the objects of the suit, then the following further inquiries be made, and accounts taken, that is to say,—

(*a*) an inquiry what immoveable property the deceased was seised of or entitled to at the time of his death;

(*b*) an inquiry what are the incumbrances (if any) affecting the immoveable property of the deceased, or any part thereof;

(*c*) an account, so far as possible, of what is due to the several incumbrancers, and to include a statement of the priorities of such of the incumbrancers as shall consent to the sale hereinafter directed.

10. And that the immoveable property of the deceased, or so much thereof as shall be necessary to make up the fund in Court sufficient to carry out the object of the suit, be sold with the approbation of the Judge, free from incumbrances (if any) of such incumbrancers as shall consent to the sale, and subject to the incumbrances of such of them as shall not consent.

11. And it is ordered, that *G. H.* shall have the conduct of the sale of the immoveable property, and shall prepare the conditions and contracts of sale subject to the approval of the Registrar, and that in case any doubt or difficulty shall arise the papers shall be submitted to the Judge to settle.

12. And it is further ordered, that, for the purpose of the inquiries hereinbefore directed, the Registrar shall advertise in the newspapers according to the practice of the Court, or shall make such inquiries in any other way which shall appear to the Registrar to give the most useful publicity to such inquiries.

13. And it is ordered, that the above inquiries and accounts be made and taken, and that all other acts ordered to be done be completed, before the day of and that the Registrar do certify the result of the inquiries, and the accounts, and that all other acts ordered are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

14. And, lastly, it is ordered, that this suit [*or* matter] stand adjourned for making final decree to the day of

[*Such part only of this Order is to be used as is applicable to the particular case.*]

No. 131.

FINAL DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE.

Section 213 of the Code of Civil Procedure.

1. It is ordered that the defendant do on or before the day of pay into Court the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the estate of , the testator, and also the sum of Rs. for interest, at the rate of Rs. per centum per annum, from the day of to the day of amounting together to the sum of Rs.

2. Let the Registrar [*or* Taxing Officer] of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said costs, when so taxed, be paid out of the said sum of Rs. ordered to be paid into Court as aforesaid, as follows:—

(*a.*)—The costs of the plaintiff to Mr. , his attorney [*or* pleader], and the, costs of the defendant to Mr. , his attorney [*or* pleader].

(*b.*)—And (*if any debts are due*), with the residue of the said sum of Rs. after payment of the plaintiff's and defendant's costs as aforesaid, let the sums found to be owing to the several creditors mentioned in the schedule to the Registrar's certificate, together with subsequent interest on such of the debts as bear interest, be paid; and after making such payments, let the amount coming to the several legatees mentioned in the schedule, together with subsequent interest (*to be verified as aforesaid*), be paid to them.

3. And if there should then be any residue, let the same be paid to the residuary legatee.

DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE, WHERE AN EXECUTOR IS HELD PERSONALLY LIABLE FOR THE PAYMENT OF LEGACIES.

Section 213 of the Code of Civil Procedure.

1. Declare that the defendant is personally liable to pay the legacy of Rs. bequeathed to the plaintiff;

2. And it is ordered, that an account be taken of what is due for principal and interest on the said legacy;

3. And it is also ordered, that the defendant do within weeks after the date of the Registrar's certificate, pay to the plaintiff the amount of what the Registrar shall certify to be due for principal and interest;

4. And it is ordered, that the defendant do pay the plaintiff his costs of suit, the same to be taxed in case the parties differ.

FINAL DECREE IN AN ADMINISTRATION SUIT BY NEXT-OF-KIN.

Section 213 of the Code of Civil Procedure.

1. Let the Registrar of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said plaintiff's costs, when so taxed, be paid by the defendant to the plaintiff out of the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the personal estate of *E. F.*, the intestate, within one week after the taxation of the said costs by the said Registrar, and let the defendant retain for her own use out of such sum her costs, when taxed.

2. And it is ordered, that the residue of the said sum of Rs. , after payment of the plaintiffs' and defendant's costs as aforesaid, be paid and applied by defendant as follows:—

(*a.*)—Let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay one-third share of the said residue to the plaintiffs, *A. B.*, and *C.*, his wife, in her right, as the sister and one of the next-of-kin of the said *E. F.*, the intestate.

(*b.*)—Let the defendant retain for her own use one other third share of the said residue, as the mother, and one other of the next-of-kin of the said *E. F.*, the intestate.

(*c.*)—And let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay the remaining one-third share of the said residue to *G. H.*, as the brother and the other next-of-kin of the said *E. F.*, the intestate.

No. 132.

ORDER—DISSOLUTION OF PARTNERSHIP.

Section 214 of the Code of Civil Procedure.

(*Title.*)

It is declared that the partnership in the plaint mentioned between the plaintiff and defendant ought to stand dissolved as from the day of , and it is ordered that the dissolution thereof as from that day be advertised in the *Gazette, &c.*

And it is ordered that be the Receiver of the partnership-estate and effects in this suit, and do get in all the outstanding book-debts and claims of the partnership.

And it is ordered that the following accounts be taken:—

The account of the credits, property and effects now belonging to the said partnership.

2. An account of the debts and liabilities of the said partnership;

3. An account of all dealings and transactions between the plaintiff and defendant, from the foot of the settled account exhibited in this suit and marked (A), and not disturbing any subsequent settled accounts.

And it is ordered that the good will of the business heretofore carried on by the plaintiff and defendant as in the plaint mentioned, and the stock-in-trade, be sold on the premises, and that the Registrar may, on the application of any of the parties, fix a reserved bidding for all or any of the lots at such sale, and that either of the parties is to be at liberty to bid at the sale.

And it is ordered that the above accounts be taken and all the other acts required to be done be completed before the day of , and that the Registrar do certify the result of the accounts, and that all other acts are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

And, lastly, it is ordered that this suit stand adjourned for making a final decree to the day of

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No. 133.

PARTNERSHIP. FINAL DECREE.

Section 214 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of

It is ordered that the fund now in Court, amounting to the sum of Rs. be applied as follows:—

1. In payment of the debts due by the partnership set forth in the Registrar's certificate amounting in the whole to Rs.

2. In payment of the costs of all parties in this suit, amounting to Rs.
[*These costs must be ascertained before the decree is drawn up*].

3. In payment of the sum of Rs. to the Plaintiff as his share of the partnership-assets, of the sum of Rs. , being the residue of the said sum of Rs. now in Court to the Defendant as his share of the partnership-assets.

[*Or*, And that sainder of the said sum of Rs. be paid to the said Plaintiff (*or* Defendant) in part payment of the sum of Rs. certified to be due to him in respect of the partnership-accounts.

And that the defendant (*or* plaintiff) do on or before the day of pay to the plaintiff (*or* defendant) the sum of Rs. being the balance of the said sum of Rs. due to him, which will then remain due].

No. 134.

NOTICE TO SHOW CAUSE WHY EXECUTION SHOULD NOT ISSUE.

Section 248 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for execution of decree in Civil Regular No. 18 , this is to give you notice that you are to appear before this Court on the day of 18 , either in person or by a Pleader of this Court, or agent duly authorized and instructed to show cause, if any, why execution should not be granted.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

No. 135.

WARRANT OF ATTACHMENT OF MOVEABLE PROPERTY IN DEFENDANTS POSSESSION IN EXECUTION OF A DECREE FOR MONEY.

Section 255 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS on the day of 18 , was ordered, by decree of this Court, passed of 18 , in Regular Suit No. , to pay to the plaintiff the sum of Rs. as noted in the margin; and whereas the said sum of Rs. has not been paid

DECREE.			
Principal			
Interest			
Costs			
Total of decree . .			
Interest thereon . .			
Costs of attachment			
TOTAL . .			

THESE ARE TO COMMAND YOU to attach the moveable property of the said as set forth in the list hereunto annexed, or which shall be pointed out to you by the said , and unless the said shall pay to you the said sum of Rs. together with Rs. , the costs of this attachment, to hold the same until further orders from this Court.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 , with an endorsement certifying the date and manner in which it has been executed, or why it has not been executed.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 136.

WARRANT TO THE BAILIFF TO GIVE POSSESSION OF LAND, &c.

Section 263 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS , in the occupancy of has been decreed to , the plaintiff in this suit: you are hereby directed to put the said in possession of the same, and you are hereby authorized to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 137.

ORDER FOR COMMITTAL FOR RESISTING, &c., EXECUTION OF DECREE FOR LAND.

Section 329 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS it appears to the Court that has without just cause resisted (*or* obstructed) the execution of the decree of the Court

passed against on the day of 18 , in Civil Regular Suit, No. of 18 , whereby certain land or immoveable property was adjudged to , it is ordered that the said be committed to custody for a period of days.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 138.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSON TO THE IMMEDIATE POSSESSION THEREOF.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 in favour of for Rs. it is ordered that the Defendant be, and is hereby, prohibited and restrained, until the further order of this Court, from receiving from the following property in the possession of the said that is to say, to which the defendant is entitled, subject to any claim of the said , and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any person or persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 139.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF DEBTS NOT BEING NEGOTIABLE INSTRUMENTS.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 , in Civil Regular No. of 18 , in favour of for Rs. : it is ordered that the defendant be, and hereby, prohibited and restrained, until the further order of this Court, from receiving from you a certain debt alleged now to be due from you to the said defendant, namely, and that you, the said , be, and you are hereby, prohibited and restrained, until the further order of this Court, from making payment of the said debt, or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 140.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &c.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

Defendant, and to

, Manager of

Company

WHEREAS has failed
to satisfy a decree passed against
on the day of 18 , in Civil Regular No. of 18
in favour of for Rs.
it is ordered that you, the defendant, be, and you are hereby, prohibited and restrained, until the further order of this Court, from making any transfer of shares in the aforesaid Company, namely,
or from receiving payment of any dividends thereof; and you
, the manager of the said Company, are hereby prohibited and restrained from permitting any such transfer or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 141.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 274 of the Code of Civil Procedure.

(*Title.*)

To

Defendant.

WHEREAS you have failed to satisfy a decree passed against you on the day of 18 , in Civil Regular suit No. of 18 , in favour of for Rs. : it is ordered that you, the said , be, and you are hereby, prohibited and restrained, until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 142.

ATTACHMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY OR OF ANY SECURITY IN THE HANDS OF A COURT OF JUSTICE OR OFFICER OF GOVERNMENT.

Sections 272 and 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

SIR,

THE plaintiff having applied, under section of the Code of Civil Procedure, for an attachment of certain money now in your hands (*here state how the money is supposed*

to be in the hands of the person addressed, on what account, &c.), I request that you will hold the said money subject to the further order of this Court.

I have the honour to be,
SIR,
Your most obedient Servant,

L. S.

Dated the day of 18 . *Judge.*

No. 143.

ORDER FOR PAYMENT TO THE PLAINTIFF, &c., OF MONEY, &c., IN THE HANDS OF A THIRD PARTY.

Section 277 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .
Miscellaneous No. of 18

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT AND TO

WHEREAS the following property has been attached in execution of a decree in Civil Regular No. of 18 , passed on the day of 18 , in favour of for Rs. : it is ordered that the property so attached, consisting of Rs. in money, and Rs. in Bank Notes, or a sufficient part thereof to satisfy the said decree, shall be paid over by you the said , to , and that the said property, so far as may be necessary for the satisfaction of the said decree, shall be sold by you, the Bailiff of the Court, by public auction in the manner prescribed for sale in execution of decrees, and that the money which may be realized by such sale, or a sufficient part thereof to satisfy the said decree, shall be paid over to the said , and the remainder, if any, shall be paid to you, the said

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 144.

APPOINTMENT OF A MANAGER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has been attached in execution of a decree passed in the above suit on the day of 18 , in favour of : you are hereby (subject to your giving security to the satisfaction of the Registrar) appointed Manager of the said property under section 269 of the Code of Civil Procedure, with full powers under the provisions of that section.

YOU are required to render a due and proper account of your receipts and disbursements in respect of the said property on . You will be entitled to remuneration at the rate of per cent. upon your receipts under the authority of this appointment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 145.

AUTHORITY TO THE COLLECTOR TO STAY PUBLIC SALE OF LAND ON SECURITIES BEING GIVEN.

Section 325 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

To

Collector of

SIR,

In answer to your communication No. , dated , representing that the sale in execution of decree in this suit of land, lying within your district, paying revenue to Government, is objectionable, I have the honour to inform you that you are authorized, on security to the amount of Rs. decreed to the in the above suit, being given to your satisfaction, to make provision for the satisfaction of the said decree in the manner recommended by you instead of proceeding to a public sale of

I have the honour to be,

SIR,

Your obedient Servant,

L. S.

Judge.

No. 146.

WARRANT OF SALE OF PROPERTY IN EXECUTION OF A DECREE FOR MONEY.

Section 287 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

Miscellaneous No. of 18

A. B. of

against

C. D. of

TO THE BAILIFF OF THE COURT.

THESE ARE TO COMMAND YOU to sell by auction, after giving days' previous notice, by affixing the same in this Court-house, and after making due proclamation,* the right, title and interest of in and to the property attached under a Warrant from this Court dated the of 18 in execution of a decree in favour of in suit No. of 18 or so much of the said property as shall realize the sum of Rs. , being the of the said decree and costs still remaining unsatisfied.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 with an endorsement certifying the manner in which it has been executed, or the reason why it has not been executed.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

* This proclamation shall specify the time, the place of sale, the property to be sold, the revenue assessed, should the property consist of land paying revenue to Government, and the amount for the recovery of which the sale is ordered; you shall also declare that the sale extends only to the right, title and interest of the defendant in the property specified therein.

No. 147.

ORDER CONFIRMING SALE OF LAND, &C.

Section 312 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

WHEREAS the right, title and interest of in the following land (or immoveable property) was on the day of 18 sold by the Bailiff of this Court in execution of the decree in this suit; and whereas thirty days have elapsed and no application has been made (*or* objection allowed) to the said sale, it is ordered that the said sale be, and the said sale is hereby, confirmed.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 148.

CERTIFICATE OF SALE OF LAND.

Section 316 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

THIS is to certify that has been declared the purchaser at a sale by public auction on the day of 18 of the right, title and interest of in in execution of decree in this suit, and that the said sale has been duly confirmed by the Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 149.

NOTICE TO PERSON IN POSSESSION OF MOVEABLE PROPERTY SOLD IN EXECUTION.

Section 316 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

To

WHEREAS has been the purchaser at a sale by auction in execution of the decree in the above suit of now in your possession, you are hereby prohibited from delivering possession of the said to any persons except the said .

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 150.

ORDER FOR DELIVERY TO CERTIFIED PURCHASER OF LAND AT A SALE IN EXECUTION.

Section 318 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has become the certified purchaser of at a sale in execution of decree in Civil Regular No. of 18 , and whereas such land is in the possession of , you are hereby ordered to put the said , the certified purchaser, as aforesaid, into possession of the said and if need be, to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 151.

PROHIBITORY ORDER AGAINST PAYMENT OF DEBTS SOLD IN EXECUTION TO ANY OTHER THAN THE PURCHASER.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

and to

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain debt due from you to you , that is to say , it is ordered that you be and you are hereby prohibited from receiving, and you from making payment of, the said debt to any person or persons except the said

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

No. 152.

PROHIBITORY ORDER AGAINST THE TRANSFER OF SHARES SOLD IN EXECUTION.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

and Manager of Company.

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain shares in the above Company, that is to say of

standing in the name of you it is ordered that you be, and you are hereby, prohibited from making, any transfer of the said shares to any person except the said the purchaser aforesaid, or from receiving any dividends thereon: and you , Manager of the said Company, from permitting any such transfer or making any such payment to any person except the said , the purchaser aforesaid.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 153.

WARRANT OF ARREST IN EXECUTION.

IN THE COURT OF AT

Civil Regular No. of 18 .
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS was adjudged by a decree of the Court, in Regular No. of 18 , dated 18 , to pay to the plaintiff the sum of Rs. as noted in the margin, and whereas the said sum of Rs. has not been paid to the said plaintiff in satisfaction of the said decree, these are to command you to arrest the said defendant, and unless the said defendant shall pay to you the said sum of Rs. , together with Rs. for the costs of executing this process, to bring the said defendant before the Court. You are further commanded to return this warrant on or before the day of 18 , with an endorsement certifying the day and manner in which it has been executed, or the reason why it has not been executed.

Principal			
Interest			
Costs			
Execution			
TOTAL .			

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 154.

CERTIFICATE OF NON-SATISFACTION OF DECREE.

Section 225 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D of

CERTIFIED that no [*or* partial, *as the case may be, and if partial, state to what extent*] satisfaction of the decree of this Court, in Civil Regular No. of 18 a copy of which is hereunto attached, has been obtained by execution within the jurisdiction of this Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 155.

NOTICE TO ATTACHING CREDITOR.

Section 278 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

Miscellaneous No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for the removal of attachment on placed at your instance in execution of the decree in Civil Regular No. of 18 this is to give you notice to appear before this Court on , the day of , 18 , either in person or by a Pleader of the Court duly instructed, to support your claim as attaching creditor.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 156.

NOTICE OF PAYMENT INTO COURT.

IN THE 187 .
B. No.

A. B. v. *C. D.*

TAKE notice that the defendant has paid into Court Rs. and says that that sum is enough to satisfy the plaintiff's claim [*or* the plaintiff's claim for, *&c.*].

To Mr. *X. Z.*,
the Plaintiff's Pleader,
Z.,
Defendant's Pleader.

No. 157.

COMMISSION TO EXAMINE ABSENT WITNESSES.

Section 386 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS the evidence of is required by the in the above suit; and whereas you are requested to take the examination on interrogatories [*or* viva voce] of such witnesses and you are hereby appointed a Commissioner for that purpose, and you are further requested to make return of such examination so soon as it may be taken [Process to require the attendance of the witness will be issued by this Court on your application.]*

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

* Not necessary where the commission goes to another Court.

No. 158.

COMMISSION FOR A LOCAL INVESTIGATION, OR TO EXAMINE ACCOUNTS.

Sections 392 and 395 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS it is deemed requisite, for the purposes of this suit, that a commission for should be issued; you are hereby appointed Commissioner for the purpose of [process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on your application.]*

A sum of Rs. , being your fee in the above, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

* Not necessary where the commission goes to another Court.

No. 159.

WARRANT OF ARREST BEFORE JUDGMENT.

Section 478 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the plaintiff in the above suit, has proved to the satisfaction of the Court that there is probable cause for believing that the defendant is about to , these are to command you to take the said into custody, and to bring before the Court, in order that he may show cause why he should not furnish security to the amount of rupees for personal appearance before the Court, until such time as the said suit shall be fully and finally disposed of, and until execution or satisfaction of any decree that may be passed against in the suit.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 160.

ORDER FOR COMMITTAL.

Section 481 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS , Plaintiff in this suit, has made application to the Court that security be taken for the appearance of the Defendant to answer any judgment that may be passed against in the suit; and whereas the Court has called upon the Defendant to furnish such security, or to offer a sufficient deposit in lieu of

security, which has failed to do; it is ordered that the said Defendant be committed to custody until the decision of the suit; or if judgment be given against until the execution of the decree.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 161.

ATTACHMENT BEFORE JUDGMENT, WITH ORDER TO CALL FOR SECURITY FOR FULFILMENT OF DECREE.

Section 484 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has proved to the satisfaction of the Court that the Defendant in the above suit these are to command you to call upon the said Defendant on or before the day of either to furnish security for the sum of rupees to produce and place at the disposal of this Court when required or the value thereof, or such portion of the value as may be sufficient to fulfil any decree that may be passed against or to appear and show cause why should not furnish security; and you are further ordered to attach the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to the Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 162.

ATTACHMENT BEFORE JUDGMENT, ON PROOF OF FAILURE TO FURNISH SECURITY.

Section 485 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the Plaintiff in this suit, has applied to the Court to call upon , the Defendant, to furnish security to fulfil any decree that may be passed against in the suit, and whereas the Court has called upon the said to furnish such security which has failed to do ; these are to command you to attach the property of the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to this Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

No. 163.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED, SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSONS TO THE IMMEDIATE POSSESSION THEREOF.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To Defendant.

IT is ordered that you the said be, and you are hereby, prohibited and restrained until the further order of this Court from receiving from the following property in the possession of the said that is to say to which the defendant is entitled, subject to any claim of the said and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 164.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To Defendant.

IT is ordered that you the said be, and you are hereby prohibited and restrained, until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby, prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 165.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY IN THE HANDS OF OTHER PERSONS, OR OF DEBTS NOT BEING NEGOTIABLE INSTRUMENTS.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

IT is ordered that the defendant be, and he is hereby, prohibited and restrained, until the further order of this Court, from receiving the [money now in

hands belonging to the said defendant *or* debts, *as the case may be, describing them*] and that the said be and hereby prohibited and restrained, until the further order of this Court, from making payment of the said [money, *&c.*], or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 166.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &c.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18

A. B. of
against
C. D. of

To Defendant and

to

Manager of Company.

It is ordered that , the defendant, be and hereby prohibited and restrained, until the further order of the Court, from making any transfer of shares being in the aforesaid Company, or from receiving payment of any dividends thereof, and you Manager of the said Company, are hereby prohibited and restrained from permitting any such transfer, or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 167.

TEMPORARY INJUNCTIONS.

Section 492 of the Code of Civil Procedure.

Upon motion made unto this Court by Pleader of (*or* Counsel for) the plaintiff *A. B.*, and upon reading the petition of the said plaintiff in this matter filed (this day) [*or* the plaint filed in this cause on the day of , *or* the written statement of the said plaintiff filed on the day of] and upon hearing the evidence of and in support thereof, [*if after notice and defendant not appearing, add,* and also the evidence of as to service of notice of this motion upon the defendant *C.D.*] This Court doth order that an injunction be awarded to restrain the defendant *C. D.*, his servants, workmen and agents from pulling down, or suffering to be pulled down the house in the plaint in the said suit of the plaintiff mentioned [*or* in the written statement *or* petition of the plaintiff and evidence at the hearing of this motion mentioned] being No. 9, Oilmongers Street, Hindúpur, in the Taluq of and from selling the materials whereof the said house is composed, until the hearing of this cause or until the further order of this Court.

Dated this day of 187 .

Civil Judge.

[*Where the injunction is sought to restrain the negotiation of a bill, note or security, the ordering part of the order may run thus* :—]

defendants to restrain the and from parting with out of the custody of them or any of them, or endorsing, assigning or negotiating the promissory note in question, dated on or about the *&c.*, the plaintiff's plaint [*or* petition] and the evidence heard at this motion, until of this cause, or until the further order of this Court.

[*In copyright cases*] to restrain the defendant, *C. D.*, his servants, agents, or workmen from printing, publishing, or vending a book, called , or any part thereof, until the, *&c.*

[*Where part only of a book is to be restrained*] to restrain the defendant, *C. D.*, his servants, agents, or workmen, from printing, publishing, selling, or otherwise disposing of such parts of the book in the plaint [*or* petition and evidence, *&c.*,] mentioned to have been published by the defendant as hereinafter specified, namely, that part of the said book which is entitled and also that part which is entitled (*or* which is contained in p. to p. both inclusive) until the, *&c.*

[*In patent cases*] to restrain the defendant, *C. D.*, his agents, servants and workmen, from making or vending any perforated bricks (*or, as the case may be*) upon the principle of the inventions in the plaintiff's plaint [*or* petition, *&c.*, *or* written statement, *&c.*,] mentioned, belonging to the plaintiffs, or either of them, during the remainder of the respective terms of the patents in the plaintiff's plaint (*or, as the case may be*) mentioned, and from counterfeiting, imitating or resembling the same inventions, or either of them, or making any addition thereto, or subtraction therefrom, until the hearing, &c.

[*In cases of trade-marks*] to restrain the defendant, *C. D.*, his servants, agents or workmen, from selling, or exposing for sale, or procuring to be sold, any composition or blacking (*or, as the case may be*) described as or purporting to be blacking manufactured by the plaintiff, *A. B.*, in bottles having affixed thereto such labels as in the plaintiff's plaint [*or* petition, *&c.*] mentioned, or any other labels so contrived or expressed as, by colorable imitation or otherwise, to represent the composition or blacking sold by the defendant to be the same as the composition or blacking manufactured and sold by the plaintiff, *A. B.*, and from using trade-cards so contrived or expressed as to represent that any composition or blacking sold or proposed to be sold by the defendant is the same as the composition or blacking manufactured or sold by the plaintiff, *A. B.*, until the, &c.

[*To restrain a partner from in any way, interfering in the business*] to restrain the defendant, *C. D.*, his agents and servants, from entering into any contract, and from accepting, drawing, endorsing or negotiating any bill of exchange, note or written security, in the name of the partnership firm of *B. & D.*, and from contracting any debt, buying and selling any goods, and from making or entering into any verbal or written promise, agreement or undertaking, and from doing or causing to be done, any act, in the name or on the credit of the said partnership firm of *B. & D.*, or whereby the said partnership firm can or may in any manner become or be made liable to or for the payment of any sum of money, or for the performance of any contract, promise or undertaking, until the, &c.

No. 168.

NOTICE OF APPLICATION FOR INJUNCTION.

Section 494 of the Code of Civil Procedure.

IN THE COURT OF AT

A. B. of
against
C. D. of

Take notice that I, *A. B.*, intend to apply at the sitting of the Court at aforesaid, on the day of for an injunction to restrain *C. D.* from further prosecuting a suit which he has commenced against me in to recover damages for the breach of the contract for the specific performance of which this suit was commenced [*or* to restrain him from receiving and giving discharges for any of the debts due to the partnership in the matter of the partnership between us for the winding up of which the suit was commenced, *or* from digging the turf from the land which was agreed to be sold by him to me by the agreement, the specific performance of which this suit is commenced to enforce, *or, as the case may be*].

Dated this day of 18 .

To *C.D.* *A. B.*

[*N. B.—Where the injunction is to be applied for against a party whose name and address does not appear upon any proceeding already filed in the suit, it must be stated in full to enable the proper officer to serve the notice.*]

No. 169.

BOND TO BE GIVEN BY RECEIVER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of

A. B. of
against
C. D. of

KNOW all men by these presents, that we , *A. B.* of, &c., and *C. D.* of, &c., and *E. F.* &c., are jointly and severally bound to *G. H.*, Registrar of the Court of

in Rs. , to be paid to the said *G. H.* or his attorney, executors, administrators or assigns. For which payment to be made we bind ourselves, and each of us, in the whole, our and each of our heirs, executors and administrators, jointly and severally, by these presents.

Dated this day of one thousand eight hundred and

And whereas a plaint has been filed in this Court by *A. B.* against *C. D.* for the purpose of (*here insert object of suit*).

And whereas the said *A. B.* has been appointed, by order of the above-mentioned Court, to receive the rents and profits of the immoveable property, and to get in the outstanding moveable property of *C. D.*, the testator in the said plaint named.

Now the condition of this obligation is such, that if the above-bounden *A. B.* shall duly account for all and every the sum and sums of money which he shall so receive on account of the rents and profits of the immoveable property, and in respect of the moveable property of the said *C. D.* [*or, as may be*] at such periods as the said Court shall appoint, and shall duly pay the balances which shall from time to time be certified to be due from him as the said Court hath directed or shall hereafter direct, then this obligation shall be void, otherwise it shall remain in full force.

A. B. (L. S.)
C. D. (L. S.)

Signed, and delivered by the above-bounden in the presence of

NOTE.—*If deposit of money be made, the memorandum thereof should follow the terms of the condition of the bond.*

No. 170.

ORDER OF REFERENCE TO ARBITRATION UNDER AGREEMENT OF PARTIES.

Section 508 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS the above-mentioned plaintiff and defendant have agreed to refer the matters in difference between them in the above suit to your arbitration and award, you are hereby appointed accordingly to determine all the said matters in difference between the parties, and with power, by consent of the parties, to determine which party shall pay the costs of this reference.

You are required to deliver your award in writing to this Court on or before the day of 18 , or such other day as this Court may further fix.

Process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on our application, and you are empowered to administer to such witnesses oath or affirmation.

A sum of Rs. , being your fee in the above suit, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 171.

ORDER OF REFERENCE TO ARBITRATION BY COURT, WITH CONSENT.

Section 508 of the Code of Civil Procedure.

(*Title.*)

UPON reading a petition of the plaintiff, filed this day, and on the consent of for the defendant, and upon hearing for the plaintiff and for the defendant, it is ordered, by and with the consent of all the parties, that all matters in difference in this suit, including all dealings and transactions between all parties, be referred to the final determination of , who is to make his award in writing and submit the same to this Court, together with all proceedings, depositions, and exhibits in this suit, within one month from the date hereof. And it is ordered further, by and with the like consent, that the said arbitrator is to be at liberty to examine the parties and their witnesses upon oath or affirmation, which he is empowered to administer, and that the said arbitrator shall have all such powers or authorities as are vested in arbitrators under the Code of Civil Procedure, including therein power to call for all books of account that he may consider necessary. And it is further ordered, by and with the like consent, that the costs of this suit, together with the costs of reference to arbitration to and including the award of the said arbitrator, and the enforcement thereof, do a

the result of the finding of the said arbitrator. And it is further ordered, by and with the like consent, that the said arbitrator be at liberty to appoint a competent accountant to assist him in the investigation of the several matters referred to him as aforesaid, and that the remuneration of such accountant and other charges attending thereto be in the discretion of the said arbitrator.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No 172.

SUMMONS IN SUMMARY SUIT ON NEGOTIABLE INSTRUMENT.

Section 532 of the Code of Civil Procedure.

No. OF SUIT.

IN THE HIGH COURT OF AT

Plaintiff.
Defendant.

To [*Here enter the defendant's name, description and address.*]

Whereas [*here enter the plaintiff's name, description and address*] has instituted a suit in this Court against you under Chapter XLII of the Code of Civil Procedure for Rs. principal and interest [*or* Rs. balance of principal and interest] due to him as the payee [*or* indorsee] of a bill of exchange [*or* hundí *or* promissory note], of which a copy is hereto annexed, you are hereby summoned to obtain leave from the Court within seven days from the service hereof, inclusive of the day of such service, to appear and defend the suit, and within such time to cause an appearance to be entered for you. In default whereof the plaintiff will be entitled at any time after the expiration of such seven days to obtain a decree for any sum not exceeding the sum of Rs. [*here state the sum claimed*] and the sum of Rs. for costs.

Leave to appear may be obtained on an application to the Court supported by affidavit or declaration showing that there is a defence to the suit on the merits, or that it is reasonable that you should be allowed to appear in the suit.

[*Here copy the bill of exchange, hundí or promissory note, and all endorsements upon it.*]

No. 173.

MEMORANDUM OF APPEAL.

Section 540 of the Code of Civil Procedure.

MEMORANDUM OF APPEAL.

(*Name, &c., as in Register.*) Plaintiff—Appellant.
(*Name, &c., as in Register.*) Defendant—Respondent.

[*Name of Appellant*] [plaintiff *or* defendant] above-named appeals to the High Court at [*or* District Court at , *as the case may be*] against the decree of in the above suit, dated the day of , for the following reasons, namely [*here state the grounds of objection*].

No. 174.

REGISTER OF APPEALS.

Section 550 of the Code of Civil Procedure.

COURT (*OR* HIGH COURT) AT

REGISTER OF APPEALS FROM DECREES in the year 18 .

Date of Memorandum.	No. of appeal.	APPELLANT. Name.	Description.	Place of abode.	RESPONDENT. Name.	Description.	Place of abode.	APPEARANCE. Appellant.	Respondent.	Day for parties to appear.	DECREE APPEALED FROM. Amount or Value.	Particulars.	No. of Original Suit.	Of what Court.	JUDGMENT. Date.	Confirmed, reversed or altered.	For what, or Amount.

No. 175.

NOTICE TO RESPONDENT OF THE DAY FIXED FOR THE HEARING OF THE APPEAL.

Section 553 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

APPEAL from the of the Court of dated the day of 18 .

Respondent.

To

Take notice that an appeal from the decree of in this case has been presented by and registered in this Court, and that the day of 18 has been fixed by this Court for the hearing of this appeal.

IF no appearance is made on your behalf by yourself, your pleader, or by some one by law authorized to act for you in this appeal, it will be heard and decided *ex parte* in your absence.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

NOTE.—If a stay of execution has been ordered, intimation should be given of the fact on this notice.]

No. 176.

DECREE ON APPEAL.

Section 579 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

Appeal from the of the Court of dated the day of 18 .

Memorandum of Appeal.

, *Plaintiff*.

, *Defendant*.

Plaintiff [*or* defendant] above-named appeals to the Court at against the decree of in the above suit, dated the day of 18 , for the following reasons, namely;

[*here state the reasons*]

This appeal coming on for hearing on the day of 18 , before , in the presence of for the Appellant, and of for the Respondent, it is ordered—

[*here state the relief granted*]

The costs of this appeal, amounting to , are to be paid by
The costs of the original suit are to be paid by

GIVEN under my hand, this day of 18 .

Judge.

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No. 177.

REGISTER OF APPEALS FROM APPELLATE DECREES.

Section 587 of the Code of Civil Procedure.

HIGH COURT AT

REGISTER OF APPEALS FROM APPELLATE DECREES.

Date of Memorandum.	No. of Appeal.	Appellant.			Respondent.			Decree Appealed from.				Appearance.			Judgment.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Of what Court.	No. of Original suit and of Appeal.	Particulars.	Amount or Value.	Day for parties to appear.	Appellant.	Respondent.	Date.	Confirmed, reversed or altered.	For what, or Amount.

No. 178.

NOTICE TO SHOW CAUSE WHY A REVIEW SHOULD NOT BE GRANTED.

Section 626 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Plaintiff*, v. , *Defendant*.

To

TAKE notice that has applied to this Court for a review of its judgment passed on the day of 18 in the above case. The day of 18 is fixed for you to show cause why the Court should not grant a review of its judgment in this case.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 179.

NOTICE OF CHANGE OF PLEADER.

IN THE COURT OF AT

A. B. of
against
C. D. of

TO THE REGISTRAR OF THE COURT.

TAKE notice that I, *A. B.* [*or C. D.*], have hitherto employed as my pleader *G. H.* of in the above-mentioned cause, but that I have ceased to employ him, and that my present pleader is *J. K.* of

A. B. [*or C. D.*]

No. 180.

MEMORANDUM TO BE PLACED AT FOOT OF EVERY SUMMONS, NOTICE, DECREE, OR ORDER OF COURT, OR ANY OTHER PROCESS OF THE COURT.

Hours of attendance at the office of the Registrar [*place of office*] from *ten* till *four*, except on [*here insert the day on which the office will be closed*], when the office will be closed at *one*.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 14, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following further Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 21st September 1876:—

We, the undersigned Members of the Select Committee to which the Bill for consolidating and amending the laws relating to the Procedure of the Courts of Civil Judicature in British India was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Despatch from Secretary of State, No. 4, dated 4th February 1875.
From Sheriff of Calcutta, No. 50, dated 15th April 1875.
Office Memo. from Military Department, No. 181J., dated 9th June 1875, and enclosures.
Despatch from Secretary of State, No. 34, dated 3rd June 1875.
From certain inhabitants of Farrukhábád, dated 6th September 1875.
Endorsement, Home Department, No. 1388J., dated 7th September 1875, forwarding—
Translation of an opinion by Ganpant Rao Yeswant of Satára.
Observations by J. Pitt Kennedy, Esq., Standing Counsel, dated 20th September 1875.
From Government, North-Western Provinces, No. 605A., dated 7th October 1875, and enclosure.
" Government of Bengal, No 3192, dated 4th November 1875, and enclosures.
" Officiating Chief Commissioner, Oudh, No. 5200, dated 9th November 1875, and enclosures.
" Officiating Chief Commissioner, Central Provinces, No. 4071—106, dated 10th November 1875, and enclosure
" Officiating Chief Commissioner, British Burma, No. 1530 194, dated 20th November 1875, and enclosures.
" Vakils of the Madras High Court, dated 26th November 1875.
" Chief Commissioner of Oudh, No. 5687, dated 7th December 1875.
" Registrar, High Court, Calcutta, dated 22nd December 1875, and enclosures.
" Government of Bombay, No. 144, dated 8th January 1876, and enclosures.
" Registrar, High Court, Calcutta, No. 62, dated 15th January 1876, and enclosure.
Endorsement, Department of Revenue, Agriculture and Commerce, No. 105, dated 8th February 1876, forwarding—
Letter from Government of Bombay, No. 7194, dated 22nd December 1875.
From Government of Bengal, No. 470, dated 11th February 1876, and enclosures.
" Government of Madras, No. 243, dated 12th February 1876, and enclosure.
" Government of Madras, No. 436J., dated 8th March 1876, and enclosures.
" Government, North-Western Provinces, No. 62, dated 13th April 1876, and enclosures.
" Remarks by L. P. D. Broughton, Esq.
Note by John Shaw, Esq., Registrar, High Court, Madras, dated 22nd May 1876.
Observations by the District Munsif of Travellore, Madras.
From Government of Bombay, No. 3968, dated 6th July 1876, and enclosures.
" Government of the Panjáb, No. 204C, dated 5th August 1876, and enclosures.
" Government of Bombay, No. 4082, dated 10th July 1876, and enclosure.

PRELIMINARY.

We have amended the definition of 'pleader' so as to make it include an attorney of a High Court, and have modified the definition of 'subordinate' Court so as to give District Courts power to control Courts of

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Small Causes, and we have added definitions of 'Judge,' 'judgment-debtor,' 'decree-holder,' 'affidavit' and 'public officer.' With the view of encouraging printing in legal proceedings, we have defined 'written' to include 'printed' and 'lithographed.' We have also amended the definition of 'Foreign Court' so as to exclude the Judicial Committee of the Privy Council. We have saved the Central Provinces Courts Act, 1865, the Panjáb Courts Act, 1865, Act XXVII of 1867, and all local laws prescribing a special procedure between landlord and tenant. We have struck out the obsolete references to trials by military officers of small suits in Madras and to District and Military Panchâyats in that Presidency.

CHAPTER I.—OF THE JURISDICTION OF THE COURTS AND RES JUDICATA.

We have amended the section (13) as to *res judicata* (*a*) by extending it so as to provide for estoppels against defendants, (*b*) by explaining, in accordance with a decision in 10 Bom. 293, that any matter which might and ought to have been made ground of defence in a former suit brought by the defendant against the plaintiff shall be deemed to be a matter substantially in issue in such suit, and (*c*) by providing that decisions alterable on review may be final within the meaning of this section. We have also struck out the clause relating to decisions obtained by arrangement; and we have omitted the illustrations as unnecessary.

CHAPTER II.—OF THE PLACE OF SUING.

We have here provided (section 15) for the venue of suits for compensation for wrongs to immoveable property. In section 19 we have provided for giving notice of motions to stay proceedings where the whole cause of action did not arise within the jurisdiction and all the defendants do not reside therein. Where a Court stays proceedings, we have declared (section 20) that the time required for proceeding from that Court to the Court in which the suit is re-instituted shall be excluded in computing the proper period of limitation.

We have provided (sections 21, 22, 23) for giving notice to the plaintiff where the defendant applies to transfer a suit capable of being instituted in different Courts (*a*) subordinate to the same Appellate Court, or (*b*) not so subordinate.

CHAPTER III.—OF PARTIES, THEIR APPEARANCES, APPLICATIONS AND ACTS.

For sections 27, 28, 29, 30, 40 and 41 of Bill No. III, we have substituted eight sections as to parties, taken, with some modifications, from the Orders framed under the Supreme Court of Judicature Act, 1875.

We have provided (section 37) that certificated mukhtárs holding special powers of attorney may be recognized agents, and declared that in the Panjáb, Oudh and the Central Provinces recognized agents shall be such persons as the Local Government may by notification declare. This will enable the Local Government to keep, if it thinks fit, the special rules on this subject now in force in those territories.

We have amended the section (41) relating to the appointment of agents to receive process.

CHAPTER IV.—OF THE FRAME OF THE SUIT.

For the sections (44, 45, 46, 47) of Bill No. III, as to joinder of causes of action and multifariousness, we have substituted four sections taken from the Orders above mentioned. When the plaint is amended by excluding any cause of action, we have provided (section 47) that the amendment shall be attested by the Judge's signature.

CHAPTER V.—OF THE INSTITUTION OF SUITS.

We have here provided (section 49) that where English is not the language of the Court, the plaint may, with the permission of the Judge and the consent of the defendant, be in English.

Where the plaintiff has allowed a set-off, or relinquished part of his claim, we have required (section 50) that his plaint should state the amount so allowed or relinquished.

We think that, when once issues have been settled, the plaint should not be rejected, returned for amendment or amended; and we have altered section 53 (=52 of Bill No. III) accordingly. We have provided (section 52) for examining the witness to the verification. We have provided (section 54) for the rejection, &c., of the plaint if it is not framed so as to afford ground for a single decision on the whole subject in dispute and for the attestation of the amendments by the signature of the Judge. Where a plaint is returned we have required (section 57) that the endorsement be made by the Judge himself.

When the plaint is admitted we have required (section 58) the plaintiff to present as many copies as there are defendants, unless the Court permits him to file a like number of concise statements of the nature of the claim made, in which case he will file a like number of such statements. We have made provision in the same section for ascertaining the correctness of thesecopies and statements and of the memoranda of documents filed with the plaint.

Where the plaintiff relies on documents not in his possession, we have provided (section 60) that he shall state in whose possession they are, and where they are in the possession of a stranger to the suit, that he shall take out a summons requiring them to be filed in Court.

From the operation of the section (63) declaring the inadmissibility as evidence for the plaintiff of documents not produced when the plaint is filed, we have excluded documents produced for the examination of the defendant's witnesses or in answer to any case set up by him.

CHAPTER VI.—OF THE ISSUE AND SERVICE OF SUMMONS.

We have provided (section 65) that no summons to the defendant to appear and answer shall be issued when he has appeared at the presentation of the plaint and admitted the plaintiff's claim.

Even where railway communication exists, we think that no party should be ordered to appear in person who resides more than two hundred miles from the Court-house, and we altered section 67 (=section 64 of Bill No. III) accordingly.

Where the defendants are partners, we have provided (section 74) for service of the summons on any person having the management of the partnership business.

For the purpose of the section (76) relating to service on an agent by whom the defendant carries on business, we have declared that the master of a ship is the agent of the owner or charterer.

We think (section 81) that the practice of fixing a copy of the summons on the defendant's house should be discontinued, and that when he refuses to receive the copy or sign the acknowledgment of service, and where the serving-officer cannot find the defendant, and there is no one on whom service can be made, the serving-officer should return the summons with an endorsement that he has been unable to serve it, and we have required (section 82) the Court to examine him on oath touching the non-service. A similar provision, where the summons is sent to another Court to be served, is made in section 85.

We have inserted a section (84 = section 58 of Act VIII of 1859) providing that when service is substituted by order of the Court, a time shall be fixed for the defendant's appearance.

We have provided (section 95) for the service of notices and orders in writing.

CHAPTER VII.—OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

Where neither party appears, we think (section 98) that the suit need not be dismissed when the Judge for reasons recorded under his hand otherwise directs. Where the plaintiff does not appear, but the defendant appears and admits part only of the plaintiff's claim, we have provided (section 102) that the Court shall dismiss the suit so far as relates to the remainder. Where the defendant appears and the suit is wholly or partially dismissed owing to the non-appearance of the plaintiff, and the plaintiff applies for an order to set the dismissal aside, we have provided in the same section that the defendant shall be served with notice of the application.

We have added to this chapter sections corresponding with chapter XXIII of Bill No. III as to setting aside decrees by default and *ex parte*.

CHAPTER VIII.—OF WRITTEN STATEMENTS AND SET-OFF.

To the section corresponding with section 105 of Bill No. III, we have added a few illustrations and a clause expressly providing that where the defendant, for the purpose of bringing the sum to be set-off within the pecuniary limits of the Court's jurisdiction, intentionally relinquishes any portion of his claim against the plaintiff, the provision in section 43, barring subsequent suits for sums so relinquished by plaintiffs, shall not apply.

We have allowed (section 112) written statements to be received, with the permission of the Court, at any time for the purpose of answering written statements made by the opposite party at the first hearing. And we think (section 115) that the Court should be expressly empowered to examine witnesses as to the signatures to written statements.

We have provided (section 117) that allegations of fact in written statements shall, if not denied, or stated to be not admitted, by the opposite party, be taken to be admitted *for the purposes of the suit*. We have here made no exception of minors and persons of unsound mind, and in this respect, and in the insertion of the words italicised, the section differs from the English Order XIX, rule 17.

CHAPTER IX.—OF THE EXAMINATION OF THE PARTIES BY THE COURT.

We have here provided (section 118) that the Court may, if it think fit, put in the course of the examination questions suggested by either party, and (section 119) that the substance of the examination shall be reduced to writing by the Judge and form part of the record.

CHAPTER X.—OF DISCOVERY AND OF THE ADMISSION, INSPECTION, PRODUCTION, IMPOUNDING AND RETURN OF DOCUMENTS.

The first seven sections of this chapter are new. They empower parties to deliver interrogatories in writing and provide for inquiring into the propriety of exhibiting them, for striking out improper interrogatories, for making objections to answering interrogatories, and

for compelling persons to answer sufficiently. They correspond with the English Order XXXI, rules 1 to 10.

As to the admission of documents, we have amended section 128 (=113 of Bill No. III) by requiring the demand for admission to be served through the Court.

We have inserted sections (129, 130) empowering the Court to order production during the suit, and to direct parties to make discovery of documents relating to matters in question. And we have amplified (sections 131, 132, 133) the section (114) of Bill No. III relating to inspection of documents.

Where any discovery or inspection is objected to, and the Court is satisfied that the right to such discovery or inspection depends on the determination of any question in dispute in the suit, we have empowered (section 135) the Court to order that question to be first determined.

We have declared (section 136) that any person disobeying any order to answer interrogatories or for discovery or inspection, which has been served personally upon him, shall be deemed guilty of an offence under section 188 of the Penal Code, and that he shall also, if a plaintiff, be liable to have his suit dismissed, and, if a defendant, to be placed in the same position as if he had not defended.

The power which the Courts now possess under Act VIII of 1859, section 138, of sending for papers from nonjudicial public offices has, we find, been abused. We have therefore withdrawn this power, and persons applying to the Court to send for papers from judicial records will be required (section 137) to show that they cannot obtain the originals or authenticated copies.

We have expressly confined the section (138) requiring documentary evidence to be in readiness at the first hearing to documents in the possession or power of the parties.

We have provided (section 141) that no document shall be placed on the record unless it has been regularly proved or admitted. In the absence of such a provision questions frequently arise on appeal as to whether a document was in evidence or not.

We have provided (section 144) for the return of documents in suits in which an appeal is not allowed, and in all cases we have authorized their return when certified copies are delivered to the proper officer.

CHAPTER XI.—OF THE SETTLEMENT OF ISSUES.

We have exempted (section 146) the Court from the duty of framing and recording issues where the defendant at the first hearing makes no defence. When issues both of law and of fact arise in the same suit, and the Court considers that the case may be disposed of on the issues of law only, we have provided in the same section that the Court shall (not 'may') try the issues of law first. This, we think, will save expense, and will prevent cases being remanded for trial of issues of fact which, in the result, prove wholly irrelevant. As to issues by agreement of parties, we have provided (section 150) that, unless with the special permission of the Judge, no such agreement shall be filed after the Court has recorded issues in the suit.

CHAPTER XII.—OF THE DISPOSAL OF THE SUIT AT THE FIRST HEARING.

We have here made no change requiring notice.

CHAPTER XIII.—OF ADJOURNMENTS.

We think that the provision in section 138 of Bill No. III that, when the hearing of evidence has once begun, the hearing of the suit shall not be adjourned, except from day to day, might occasionally have led to great inconvenience. We have therefore in section 156 substituted the following: "Provided that, when the hearing of evidence has once begun, the hearing of the suit shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the hearing to be absolutely necessary for reasons to be recorded by the hand of the Judge."

CHAPTER XIV.—OF THE SUMMONING AND ATTENDANCE OF WITNESSES.

We have omitted the power to insert in a summons the names of any number of persons. We have declared (section 165) that the rules contained in chapter VI as to proof of service shall apply in the case of all summonses served on persons required to give evidence or produce documents. Before attaching the property of a witness alleged to have absconded, we think that the serving officer should be examined on oath touching the non-service, and we have made a provision to this effect in section 167. We have omitted as useless the provision of the present law as to payment by the Collector of the costs of summoning a witness.

We have provided (section 173) that no witness who has been summoned and attends shall depart, unless he has been examined and the Court has risen, or he has obtained the Court's leave to go.

We have empowered (section 174) the Court to inflict a fine of Rs. 500 on persons failing to prove that they had a lawful excuse for not obeying the summons; and we have provided that non-payment or non-tender of reasonable viaticum shall be deemed a lawful excuse. When any such person is brought before the Court and cannot, owing to the absence

of parties, give the evidence or produce the document which he has been summoned to produce or give, we have by the same section authorized the Court to release him on bail.

We have declared (section 177) that no witness shall be bound to attend in person unless he resides (*a*) within the local limits of the Court's original jurisdiction, or (*b*) without those limits and less than fifty or (where there is railway communication) two hundred miles from the Court-house. It is obvious that there should be some limit beyond which parties should not be required to travel even by railway.

We have struck out the six sections (157 to 163 of Bill No. III) relating to the examination of parties as witnesses. This matter seems sufficiently provided for by the declaration contained in section 178 (=section 165 of Bill No. III), that when any party to a suit is summoned as a witness, the rules as to witnesses contained in the Code shall apply to him so far as they are applicable.

CHAPTER XV.—OF THE HEARING OF THE SUIT AND EXAMINATION OF WITNESSES.

We have inserted (section 179) rules as to the right to begin.

We have provided (section 184) that any Judge may take down the evidence in English if the Local Government permits him to do so, or if the parties do not object.

Where the Judge taking down any evidence is removed from the Court before the conclusion of the suit, we have empowered (section 191) his successor to deal with the evidence as if he himself had taken it down.

Where a witness about to leave the jurisdiction is examined immediately, we have provided (section 192) that his evidence before being used as such shall be read over to him and, if he admits it to be correct, signed by him.

We have empowered the Court (section 193), at any stage of the suit, to recall and re-examine a witness who has not departed.

CHAPTER XVI.—OF AFFIDAVITS.

This chapter is wholly new. It empowers the Court to order any particular fact to be proved by affidavit: provides that evidence may be given by affidavit on any application or petition: indicates the matters to which affidavits should be confined: and lastly, specifies the officers by whom the oaths of declarants may be administered.

CHAPTER XVII.—OF JUDGMENT AND DECREE.

In accordance with a ruling of the Calcutta High Court, we have authorized (section 199) a Judge to deliver a judgment written by his predecessor but not delivered.

We think that, as a rule, the judgment should be written in the language of the Court, but we have provided (section 200) that if such language be not English or the Judge's mother-tongue, the judgment may be written either in English or his mother-tongue. We think (section 201) that the judgment need not be translated, unless any of the parties so require.

We have provided (section 202) that the judgment shall not be altered or added to, save to correct verbal errors or on review.

We think (section 203) that all judgments (save those of Small Cause Courts) should contain a concise statement of the case in addition to the matters mentioned in section 183 of Bill No. III.

We have provided (section 205) that the Judge before signing the decree shall satisfy himself that it has been drawn up in accordance with the judgment.

We have given power to amend the decree not only when it is at variance with the judgment, but also in case of clerical or arithmetical errors: but in all such cases we have provided (section 206) for notice to the parties or their pleaders.

In money-decrees, we think (section 209) that the interest allowed from the date of the decree should not exceed six per cent. per annum. This, we hope, will abolish the practice of treating such decrees as desirable investments.

We think (section 210) that no application for an order to pay the amount of a decree by instalments should be allowed after six months from the date of the decree, and we have provided for notice to the plaintiff of such applications.

In administering the assets of persons dying after the Code comes into force, we have provided (section 213) that the Courts shall be guided by the same rules as to rights of creditors, proveable debts and valuation of annuities, and future and contingent liabilities, as are in force as to the estates of persons adjudged insolvent, and that all persons who would be entitled to dividends out of the estate of any such deceased person, may come in under the decree and make their claims against the estate. We have declared in the same section that applications under section 265 of the Indian Contract Act, to wind up the business of a partnership, shall be deemed to be administration suits.

We think (section 216) that certified copies of the judgment and decree should not be furnished except at the expense of the parties applying for them.

CHAPTER XVIII.—OF COSTS.

We have here made no substantial change.

CHAPTER XIX.—OF THE EXECUTION OF DECREES.

We have distributed the matter of this long and important chapter under eight heads, namely, (*a*) Courts by which decrees may be executed, (*b*) application for execution, (*c*) staying execution, (*d*) the mode of executing decrees, (*e*) attachment of property, (*f*) sale and delivery of property, (*g*) resistance to execution, and (*h*) arrest and imprisonment.

Courts by which decrees may be executed.

For section 330 of Bill No. III, we have substituted a section (223) as to the Court by which a decree may be executed, and prescribing the procedure for sending a decree for execution to a Court other than that which passed it. When the Court passing the decree is subordinate to a District Court, we think it should send the decree to the District Court to which it is subordinate and that such Court should deal with the decree as if it had been passed by itself.

Application for execution.

When a decree has been transferred by assignment, we have provided (section 232) that notice of any application to execute it shall be given to the transferor and the judgment-debtor, and that it shall not be executed until the Court has heard their objections (if any) to such execution.

When the judgment-debtor dies before the decree is fully executed, and application is made to have it executed against his legal representative to the extent of the assets which are in his hands, we have empowered (section 234) the Court to compel the representative to produce his accounts.

We think (section 235) that applications for the execution of decrees should be verified like plaints, and that they should state whether any and what previous applications have been made, and with what result.

We have provided (section 236) for the verification of the descriptions of immoveable property sought to be attached.

The mode of executing decrees.

In section 244 (=section 329 of Bill No. III) we have omitted the clause as to questions relating to sums alleged to have been paid in discharge or satisfaction of a decree. This will get rid of the ambiguity arising from the provisions of section 206 of Act VIII of 1859 as compared with section 11 of Act XXIII of 1861.

We have directed (section 245) that applications for execution shall be rejected or returned for amendment when the needful particulars or inventories are wanting. Every such amendment will be attested by the Judge's signature. We have provided in the same section that in executing a decree for money, the value of the property attached shall as nearly as possible correspond with the amount of the decree.

We have omitted as useless the clause as to the execution of a decree for the share of a dwelling-house of an undivided Hindú family.

When a decree against a surety is executed, we have provided (section 253) for giving him previous notice.

We have introduced a section (254 = Order xlii, Rule 8) providing for the execution of a decree against partners in the name of the firm.

We have provided (section 258) that, when moneys payable under a decree are paid out of Court to the decree-holder, he shall certify the payment to the Court whose duty it is to execute the decree. We have omitted the proviso in section 203 of Bill No. III that decrees for the recovery of wives were to be declaratory only. We are informed that, in the Panjáb at least, such a rule would have worked unsatisfactorily.

We have provided (section 260) for the enforcement of injunctions, and declared in the same section that no attachment issued to enforce an injunction, or a decree for specific performance, shall remain in force for more than a year.

Attachment of Property.

We have exempted (section 266) from attachment and sale in execution of a decree the following articles:—the necessary wearing apparel of the judgment-debtor's wife and children, the tools of artizans: implements of husbandry: cattle kept *bond fide* for agricultural purposes: the materials of houses and other buildings belonging to and occupied by agriculturists: political pensions: the salaries of servants of Railway Companies: the pay and allowances of persons to whom the Native Articles of War apply: the wages of labourers and domestic servants.

We think that general attachments of the moveable property of judgment-debtors should no longer be permitted, and we have accordingly struck out the clauses (210, 235, 236, and part of 231) of Bill No. III relating to this subject. Ample power to obtain discovery as to such property is given by section 267.

We have provided (section 268) that no attachment to enforce a decree for a specific moveable shall remain in force for more than six months, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award the decree-holder such compensation as it thinks fit, and pay the balance to the judgment-debtor.

We have empowered (section 269) the Local Government to make rules for the maintenance and custody of livestock and other moveable property while under attachment, and directed the attaching officer to act in accordance with such rules.

We have provided rules (section 271) for the attachment of moveable property in rooms actually occupied by native women.

We have introduced a section (273) dealing with the attachment of decrees.

We have provided (section 275) for withdrawing an attachment when the decree under which it has been made is set aside or reversed.

We have struck out the section (307 of Bill No. III = section 272 of Act VIII of 1859) empowering the Court to order the proceeds of property attached under a decree obtained fraudulently to be paid in satisfaction of another decree. The power is rarely used, and the case contemplated is, we think, one for a regular suit, not a summary proceeding.

Sale and delivery of Property.

We think (section 288) that the proclamation of execution sales should state the incumbrances (if any) to which the interest about to be sold is liable, and we have provided that no Judge, &c., shall be answerable for error in the proclamation unless it has been committed dishonestly.

We have struck out the clause (section 280 of Bill No. III) allowing process for attachment and sale of moveables to be issued either successively or simultaneously.

We have provided (section 291) for adjournments of execution-sales, and for stopping them on tender of the debt and costs, or on proof that the amount has been paid into the Court which ordered the sale.

We have forbidden (section 292) all officers conducting or otherwise concerned in sales to bid for or purchase the property sold.

In lieu of providing that the attaching creditor shall be first paid out of the assets realized, and that the surplus shall be distributed amongst the other execution-creditors, we have declared (section 295) that such assets shall (after deducting the costs) be divided rateably among all persons who have, prior to the realization, applied for execution of money-decrees against the judgment-debtor and have not obtained satisfaction. We have also provided that when any property liable to be sold in execution is subject to a mortgage, the Court may, with the assent of the mortgagee, order that the property be sold free from the mortgage, giving to the mortgagee, the same right against the proceeds as he had against the property sold.

Courts inferior to District Courts should not, in our opinion (section 303), have power to sell immoveable property in execution of a decree; but when any such inferior Court thinks that such a sale should be made, we have provided (section 304) that such Court shall refer the case to the District Court to which it is subordinate, and declared that the District Court may then sell as if the decree had been made by itself.

We have amended the section (309) empowering the co-sharer in an undivided estate to claim at sale price a share of such estate sold in execution. If the claim be made before sunset on the day of sale and the claimant then repay to the purchaser the amount of his deposit, the claimant will be substituted for the auction-purchaser.

We have fixed (section 312) sixty days as the time within which the purchaser of immoveable property may apply to set aside the sale on the ground that the judgment-debtor had no legally saleable interest therein.

We have by section 316 provided (in accordance with Act XI of 1859, section 28, and Schedule A) that the purchase shall be deemed to take effect from the date of the attachment.

As to sales of land by Collectors, we have substituted for section 276 of Bill No. III a clause (320) providing that the Local Government may, transfer to the Collector of any District the execution of decrees in cases in which a Court has ordered any interest in immoveable property to be sold. And we think (section 321) that whenever the execution of a decree has been so transferred, the Collector, if he thinks that the debts of the judgment-debtor can be discharged without a sale of the whole of the property, should, notwithstanding the order, have power to sell only part, or to mortgage the whole or any part, of the land, or to let or manage it himself for a term not exceeding twenty years from the date of the order. Where the Collector lets or manages we have provided (sections 322, 323) for giving notice to the judgment-creditors to come in; for excluding all other claimants from any right to payment out of the proceeds; for preventing the debtor from incumbering during the term the property so let or managed; and, if at the end of the term the requisite amount has not been raised, for selling such property. Where the Collector sells or exercises the power to mortgage, let or manage, we have required him (section 324) to inform the Court which made the order of sale, to render accounts to such Court and to hold the balance in his hands at its disposal.

Where the sale of immoveable property has been postponed to enable the judgment-debtor to raise the amount of the decree, and the Court authorizes him to sell, mortgage or let the property, we have provided (section 324) that all moneys payable under such sale, mortgage or lease shall be paid into Court and not to the judgment-debtor.

We have omitted (section 325) as unnecessary the power to order security to be taken from the defendant when the Court authorizes the Collector to stay the public sale of land. We have expressly empowered the Local Government (section 326) to make special rules for any territory prohibiting the sale of any class of interests in land in execution of money-decrees.

Arrest and Imprisonment.

We have provided (section 335) that a judgment-debtor may be arrested in execution at any hour and on any day, and that he shall thereupon be brought before the Court, except when the decree is for money and the judgment-debtor pays the amount of the decree and the costs of the arrest. When he is brought before the Court we have directed the Judge to inform him that he may obtain relief under Chapter XX, and if he express his intention so to apply, and if he furnish security for his appearance at any time when called upon, the Court will release him.

When the judgment-debtor fails to pay the amount of principal and interest, we have directed (section 337) the serving-officer to bring him before the Court, and when the serving-officer cannot execute the warrant, we think (section 343) that the Court should examine him on oath as to his inability.

We think (section 339) that no judgment-debtor should be arrested unless and until the decree-holder pays into Court a proper sum for the subsistence of the judgment-debtor from his arrest until he is brought before the Court. We have empowered the Local Government to fix scales of monthly allowances for the subsistence of judgment-debtors in prison.

As to imprisonment in execution of a decree, we have provided (section 341) that a judgment-debtor may be discharged from jail without the order of the Court when the term of his imprisonment is completed; and we think (section 342) that no person should be imprisoned for a longer period than six months, or when the decree is for the payment of a sum not more than Rs. 50, for a longer period than six weeks.

CHAPTER XX.—INSOLVENT JUDGMENT-DEBTORS.

We have here made numerous small amendments, the chief of which are the following:—As to fraudulent transfers, we think (section 351) that the Court need only see that they were not made within two months next before the date of the decree in execution of which the insolvent was arrested or imprisoned. We have provided (section 352) that all creditors, whether mentioned or not in the debtor's application, shall prove their debts. We have provided (section 355) that the receiver of the insolvent's property shall give security, and (section 356) that he may retain as remuneration five per cent. upon the amount of the balance distributed to the creditors. And we have reduced (section 359) from two years to one year the term for which a fraudulent insolvent may be imprisoned.

CHAPTER XXI.—OF THE DEATH, MARRIAGE AND INSOLVENCY OF PARTIES.

We have added two illustrations to the section (361) as to non-abatement by death where the cause of action survives.

We have provided a limitation (sections 364, 366) for applications under this chapter.

When a suit abates or is dismissed under this chapter, we have permitted (section 371) the person claiming to be the plaintiff's representative to apply to set aside the order of abatement or dismissal.

We have provided (section 372) for cases of assignment pending the suit.

CHAPTER XXII.—OF THE WITHDRAWAL AND ADJUSTMENT OF SUITS.

We have provided here (section 373) for the case of abandonment of part of the plaintiff's claim, and (section 375) for the finality of decrees passed in accordance with compromises. We have made no other substantial change.

CHAPTER XXIII.—OF PAYMENT INTO COURT.

We have given the Court (section 376) a discretionary power with regard to the payment of deposits in Court to the plaintiff.

Where the Court decides that the defendant's deposit was a full satisfaction of the plaintiff's claim, we have provided (section 379) that the plaintiff shall pay, not the costs of the suit, but the costs incurred after the deposit and the costs incurred previous thereto, so far as they were caused by excess in the plaintiff's claim.

CHAPTER XXIV.—OF REQUIRING SECURITY FOR COSTS.

We think that the plaintiff should not be required to furnish security for costs unless a defendant so require. We have altered this chapter (section 380) accordingly.

CHAPTER XXVI.—OF COMMISSIONS.

When a Court inferior to a District Court issues a commission to examine a person residing within its jurisdiction, we have provided (section 385) that the selection of the person to execute the commission shall be subject to such rules as the District Court may prescribe.

We have provided (section 386) that any District Court and Court of Small Causes may issue commissions for the examination of officers of Government who cannot attend the Court without detriment to the public service, and of persons who are about to leave the jurisdiction before the date on which the suit in which their evidence is required is set down for hearing.

No Court inferior to a District Court, other than a Court of Small Causes, should, we think, issue commissions for the examination of persons resident beyond its jurisdiction. We have made a provision to this effect in section 386.

We have declared (section 391) that the provisions contained in this chapter as to the execution and return of commissions shall apply to commissions issued by Foreign Courts. We have struck out the section (385 of the Bill No. III) as to taking the evidence of prisoners. The matter is sufficiently provided for by the Prisoners' Testimony Act.

We have extended to proceedings as well as to suits the sections (392, 395) as to commissions for local investigations, and to examine accounts. In the case of the former class of commissions, when the Local Government has made rules as to the persons to be appointed commissioners, we have required the Court to comply with such rules.

CHAPTER XXVI.—SUITS BY PAUPERS.

We have added (section 402) libel to the list of civil injuries in respect of which a pauper should not be allowed to sue as such.

We think (section 407) that a pauper suing on the original side of the High Court should show that he does not possess property worth Rs. 100 except his wearing apparel and the subject-matter of the suit; and as to fraudulent disposals of property by a pauper, we have provided that the Court need only consider whether such disposal was effected within the two months next before the presentation of the pauper's petition.

We have struck out the sections (406, 407 of Bill No. III) authorizing parties to obtain summonses to witnesses and empowering the Court to make local investigations.

We have provided (section 411) that the Court-fees which would have been payable by the plaintiff, if he had not been allowed to sue as a pauper, shall be a first charge on the subject-matter, if any, recovered by him.

We think (section 414) the plaintiff should be dispaupered if he has entered into any agreement under which any other person has obtained an interest in the subject-matter of the suit.

CHAPTER XXVII.—SUITS BY OR AGAINST GOVERNMENT AND PUBLIC OFFICERS.

We think (section 416) that suits against Government and against public officers for acts done in their official capacity should not be instituted in any Court inferior to a District Court (a similar provision is made by the Bombay Civil Courts Act XIV of 1869, section 32); but we have provided that any such suit may be transferred to a subordinate Court.

We think (section 420) that in suits against a public officer, as well as in those against Government, the summons should be served on the Government Pleader, or on some person appointed to receive process in behalf of Government.

We have provided (section 424) that no suit shall be brought against Government or against a public officer as such until two months next after delivery of a notice in writing, stating the cause of action and the name and residence of the intending plaintiff. We have also provided that every suit against a public officer must be commenced within six months next after the accrual of the cause of action. Similar provisions are contained in the Police Act (V of 1861), section 42, and in various Municipal Acts.

CHAPTER XXVIII.—SUITS BY ALIENS AND BY OR AGAINST FOREIGN AND NATIVE RULERS.

We have laid down rules (section 430) as to when aliens may sue in the Courts of British India. We have declared (section 431) that a Foreign State may sue in our Courts, provided that it has been recognized by the Governor General in Council, and that the object of the suit is to enforce the private rights of the head or of the subjects of the Foreign State. We have also declared in the same section that the Courts shall take judicial notice of the fact that a Foreign State has not been recognized by our Government. We have barred suits (section 433) against Sovereign Princes, ruling Chiefs, ambassadors and envoys, except with the consent of Government, and declared that such consent shall not be given except in certain cases. We have exempted their persson from arrest under the Code, and we have declared that no decree shall be executed against their property unless with the permission in writing of a Secretary to Government. We have provided (section 434) for the execution in British India of the decrees of the Courts of Native States in alliance with Her Majesty.

CHAPTER XXIX.—SUITS BY AND AGAINST CORPORATIONS AND COMPANIES,

and

CHAPTER XXX.—SUITS BY AND AGAINST TRUSTEES, EXECUTORS AND ADMINISTRATORS.

We have made no change in either of the above chapters.

CHAPTER XXXI.—SUITS BY AND AGAINST MINORS AND PERSONS OF UNSOUND MIND.

We have provided (section 442) that notice of application to take off the file plaints filed by or on behalf of minors without next friends, shall be given to the person presenting the plaint. We have altered section 445 (= section 439 of Bill No. III) so as to enable married women to act as next friends. We have required (section 443) the Court in every case, on being satisfied of a defendant's minority, to appoint a guardian *ad litem*, and have consequently omitted the sections (453 and 454 of Bill No. III) as to the assignment of a guardian at the instance of the plaintiff. We have taken the opportunity of declaring (section 443), contrary to the recent decision of Pontifex, J., that a guardian *ad litem* is not a guardian of person or property within the meaning of the Indian Majority Act, 1875. We have struck out as unsuited to the Mufassal the rule requiring an order to change a minor's pleader, and the rule against not giving a day to shew cause, when a decree is made against a minor defendant, and as to making payment to the receiver of money, &c., decreed to a minor. We have omitted from section 463, the provision as to the nature of the evidence contained in the corresponding section (462) of Bill No. III. We have exempted (section 464) from several sections of this chapter minors under the jurisdiction of the Court of Wards, and minors for whose persons or property guardians or managers have been appointed by the Civil Courts under any local law.

CHAPTER XXXII.—SUITS BY AND AGAINST MILITARY MEN.

We have here provided (section 463) for the case where the soldier concerned is serving in military staff employment.

CHAPTER XXXIII.—INTERPLEADER.

We have here merely amended the drafting of two of the sections.

CHAPTER XXXIV.—OF ARREST AND ATTACHMENT BEFORE JUDGMENT.

We have expressly stated (section 477) that the suits in which plaintiffs may apply that security be taken for the defendant's appearance, are suits other than suits for the possession of immoveable property. Where the defendant is imprisoned for failing to give security, we think (section 481) that the maximum term of imprisonment should be six months.

We have provided (section 482) that subsistence allowance shall be paid into Court in the case of every arrest under this chapter.

We have provided (section 488) for removing the attachment when the suit is dismissed. Where property is attached under this chapter, and a decree is given in favour of the plaintiff, we have declared (section 490) that it shall not be necessary to re-attach the property in execution of the decree.

We have struck out the section (492 of Bill No. III) empowering the Court to stay the sale of property already under attachment, when execution of a decree fraudulently obtained is applied for. The reasons for omitting section 308 of that Bill are equally applicable to section 492.

CHAPTER XXXV.—OF TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS.

We have empowered (section 492) the Court to grant an injunction to stay a wrongful sale in execution of a decree. We have been informed that the corresponding clause of Act VIII of 1859 (section 92, first sentence,) has been held not to apply to such a case.

We have provided (section 493) that the imprisonment by which injunctions granted under this chapter may be enforced shall not exceed six months.

We have added sections (498, 499, 500) empowering the Court to order the interim sale of perishable articles: the detention, preservation, or inspection of any property forming the subject of the suit; and, for the purposes aforesaid, the entry on or into any land or building in the possession of any party to the suit, the taking of samples, making of observations and trial of experiments. They correspond with the English Order 32, rules 2, 3 and 4.

CHAPTER XXXVI.—APPOINTMENT OF RECEIVERS AND MANAGERS.

We have here expressly provided (section 503) that Receivers and Managers shall pass their accounts, pay the balance due thereon, and be responsible for loss occasioned by their wilful default or gross negligence. We think (section 505) that the powers conferred by this chapter should be exercised only by High Courts and District Courts.

CHAPTER XXXVII.—REFERENCE TO ARBITRATION.

Where an umpire is appointed, we have required (section 509) the Court to fix a reasonable time for the delivery of his award.

We have provided (section 514) for superseding the arbitration where, owing to the fault of the parties, the arbitrator cannot complete his award within the specified period.

We have provided (section 522) that decrees following judgments according to awards shall be final.

When the arbitrator is not named in an agreement to refer, and the parties cannot agree as to the nomination, we have empowered (section 523) the Court to nominate him.

CHAPTER XXXVIII.—OF PROCEEDINGS ON AGREEMENT OF PARTIES.

We have here merely added a direction (section 527) that cases stated under this chapter shall be divided into consecutively numbered paragraphs, and concisely state such facts and documents as may be necessary to enable the Court to decide the questions raised thereby.

CHAPTER XXXIX.—OF SUMMARY PROCEDURE ON NEGOTIABLE INSTRUMENTS.

This chapter corresponds with 18 & 19 Vic., c. 67 and Act V of 1866, sections 2 to 8. We have here declared (in accordance with decisions of Bramwell B. and Phear J.) that the defendant shall not be required to pay into Court the sum mentioned in the summons, unless the Court thinks his defence not to be *primâ facie* sustainable or feels reasonable doubt as to its good faith. And we have taken the opportunity of declaring (contrary to the decision of the latter Judge) that the clause corresponding with Act V of 1866, section 2, is not confined to cases in which the bill sued upon, together with mere lapse of time, is sufficient to establish a *primâ facie* right to recover.

Act V of 1866 is now in force in the Charter High Courts, the Chief Court of the Panjáb, the Rangoon Recorder's Court, and the Small Cause Court of Madras. We propose (section 538) to extend the corresponding chapter of the Code also to the Small Cause Courts of Calcutta and Bombay and to the Court of the Judge of Karáchi.

We have omitted chapter XLI of Bill No. III (Bar of Appeals not expressly permitted) as unnecessary. No appeal can lie unless it is allowed by the Code or some other law for the time being in force.

CHAPTER XL.—OF APPEALS FROM ORIGINAL DECREES.

We have struck out the clause requiring appeals to the High Court to be heard by two or more Judges. It would limit the discretion expressly conferred by Act of Parliament and Royal Charter.

We have provided (section 540) that the memorandum of appeal shall be presented by the appellant or his pleader, and shall be accompanied by a copy not only of the decree, but also of the judgment on which the decree is founded.

We have struck out, as likely to work unsatisfactorily, the provisions contained in sections 548—553 of Bill No. III, which authorize the appellant merely to state generally his dissatisfaction with the decree appealed against, and to file his grounds of objection separately.

Where a memorandum of appeal is amended, we have required (section 543) the Judge to attest the amendment.

We have empowered (section 550) the appellate Court, after hearing the appellant, if he appears, to confirm the decision appealed against without sending notice of the appeal to the lower Court or serving such notice on the respondent. A similar rule exists in the Panjáb (Act IX of 1873, section 7), and has been found to work well.

We have laid down rules (section 555) as to the right to begin (*a*) where the appeal is from the whole decree, (*b*) where there are cross-appeals, and (*c*) where the appeal is from only a portion of the decree and there is no cross-appeal.

We have provided (section 560) a period of limitation for applications to re-hear, where judgment has been given *ex-parte* against the respondent.

Where a case is remanded with direction to take specified evidence, we have authorized (section 563) the Court to receive evidence tendered to contradict evidence so taken.

We have redrawn the section (575 = section 589 of Bill No. III) as to decisions of appeals heard by Benches of two or more Judges who differ. When there is no majority on the Appellate Bench which concurs in reversing or varying the decree appealed against, we think that decree should stand.

We have omitted as useless the provision as to sealing the decree in appeal.

CHAPTER XLI.—OF APPEALS FROM APPELLATE DECREES.

We have struck out the clause requiring the pleader presenting an appeal to certify that the grounds are reasonable, and forbidding him to give such certificate unless he has been authorized by the High Court. We have also omitted the clause declaring that an application for a second appeal shall be argued only by the pleader signing such certificate.

CHAPTER XLII.—OF APPEALS FROM ORDERS.

We have declared (section 588) that an appeal shall lie from orders determining whether immoveable property is or is not within the local limits, from orders striking out or adding the names of persons as plaintiffs or defendants, from orders under section 44 adding a cause of action, from orders under section 47 excluding a cause of action, from orders under section 234 as to questions relating to the execution of decrees, from orders under section 176 where a party refuses to give evidence called for by the Court, from orders rejecting applications under section 371, from orders disallowing objections under section 373, and from orders under section 518 modifying an award.

Appeals from orders in insolvency will in all cases lie (section 589) directly to the High Court.

CHAPTER XLIII.—OF PAUPER APPEALS.

Except some trifling omissions, we have made no change in this chapter.

CHAPTER XLIV.—OF APPEALS TO THE QUEEN IN COUNCIL.

We have here provided (section 610) for estimating in Indian currency sums expressed in orders of Her Majesty in Council to be payable in British currency, and we have authorized (section 613) the High Courts to make rules as to the recovery of costs incurred in British India in connection with appeals to Her Majesty in Council.

CHAPTER XLV.—OF REFERENCE TO THE HIGH COURT.

We have extended (section 617) this chapter to questions arising before or in the hearing of a suit and in the execution of a decree. We have struck out the clause providing that references shall be heard by not less than two Judges of the High Court. We have provided (section 621) that when a case is referred, the High Court may alter, cancel or set aside any decree which the Court making the reference may have passed in the suit. We have omitted as useless the section requiring the High Court to fix an early day for hearing references. Our other changes here are merely verbal.

CHAPTER XLVI.—OF REVIEW OF JUDGMENT.

We think (section 622) that powers similar to those given by this chapter to High Courts may usefully be given to District Courts as to cases decided by subordinate Courts, including Courts of Small Causes.

We have struck out the clause empowering an appellant to abandon his appeal and apply for a review. We have extended the clause (624) forbidding (except in certain cases) applications for review of judgments to be made to Judges other than those who delivered them, to cases in which a clerical error has been discovered on the face of the decree. Where the business of the Court whose judgment is sought to be reviewed has been transferred to another Court, we have authorized (section 626) the application to be made to the latter Court. But we think (section 624) that except on the discovery of some new and important matter or evidence or of some clerical error apparent on the face of the decree, no application for the review of a judgment should be made to any Judge other than the Judge who delivered it. Where a review is granted, we have required (section 626) the Judge to record with his own hand his reasons for so doing.

We have omitted the clauses forbidding subordinate Courts to grant reviews without permission of the higher Court.

We think (section 629) that the order granting a review or rejecting an application for a review should be final except where the review has been granted without jurisdiction. Where the application has been rejected in consequence of the failure of the parties to appear, we have provided for restoring in proper cases the application to the file. We have also expressly forbidden the Courts to entertain applications to review orders passed on review or on applications for review.

CHAPTER XLVII.—SPECIAL RULES RELATING TO THE HIGH COURTS.

We have here omitted the following sections of Bill No. III for the reasons respectively appended thereto—

665 (as to the extraordinary original jurisdiction of the High Court): provided for by the Charters,

666 (power to High Court to provide for the exercise of its jurisdiction): ditto,

668 (decision when Judges differ): provided for in the prior part of the Bill,

670 (declaring that acts required to be done by a pleader may be done by an attorney): ditto,

672, 673 (power to refer matters for investigation in chambers): provided for by the Charters,

37, 674 (signature of the Registrar): provided for by the former part of the Bill,

675 (language): unnecessary,

676 (assessors): ditto,

677 (interlocutory orders): ditto,

678 (appearance of vakils on the original side): can be provided for under the Charters,

681 (obtaining summonses from Registrar): unnecessary,

684 (procedure in testamentary and intestate cases): provided for by rule.

We have empowered the High Court to declare by rule what shall be deemed to be "acts not of a judicial nature," which may be done by the Registrar.

We have declared (section 640) that the following portions of the Code shall not apply to the High Court in the exercise of its ordinary and extraordinary original civil jurisdictions, *viz.*:—

37, recognised agents;

54, clause (*a*), rejection of plaint where relief sought is under-valued;

160, payment into Court of expenses of witnesses;

206, contents of decree;

263, decree for execution of conveyances or endorsement of negotiable instruments.

We have expressly empowered (section 641) the High Court to prescribe forms for its own use.

CHAPTER XLVIII.—MISCELLANEOUS.

We have struck out as now unnecessary the clause (section 686 of Bill No. III) declaring that where the highest Civil Court of appeal consists of a single Judge, he shall have the powers which were (but are not now) vested by this Code in two or more Judges.

We have amended (section 643) the rules as to the names of persons exempt from appearance in Court. We have omitted the following sections of Bill No. III—

687, 688, as to assessors (obsolete and useless),

697, as to verifying false plaints (provided for by the Penal Code),

705, as to ministerial officers (can be provided for executively),

708, as to deposits in lieu of bail (useless).

We have also struck out the clause empowering the Government of India to invest a Chief Commissioner with the powers of a Local Government under the Code. This matter is sufficiently provided for by Act XXXII of 1867.

We have redrawn the section (644) relating to exemption from arrest. It now provides that no judicial officer shall be liable to arrest under the Code while going to, presiding in, or returning from, his Court, and that the parties to a suit and their pleaders, recognized agents and witnesses shall be similarly exempt while going to or attending a Civil Court for the purpose of such suit, and while returning from such Court.

We have struck out the section (698 of Bill No. III) as to certain offences in Court not relating to documents. The matter seems sufficiently provided for by the Code of Criminal Procedure.

We have introduced a section (648 = Act XI of 1865, section 42) enabling registrars of Mufassal Courts of Small Causes to state cases for the opinion of the Judge.

We have provided (section 650) for attaching property situate outside the local limits of the jurisdiction of the Court making the order of attachment.

We have provided (section 653) a punishment for escape from civil custody.

We have empowered (section 654) the High Court to make rules to regulate any matter connected with the procedure of the Courts of Civil Judicature.

SCHEDULE I.—REPEALS.

We have added to this schedule the Lords Day Act (29 Car. II, c. 7): sections 8, 9, 10, 11, the second clause of section 19, sections 22 to 28 (inclusive), 42, and part of 32 of the Mufassal Small Cause Courts Act XI of 1865, parts of Acts XIV and XIX of 1865, and the unrepealed part of Act XXIV of 1866, the whole of Act X of 1867, and so much of sections 15 and 16 of Act XV of 1869 as relates to process issued by a Civil Court. We have also added Act IX of 1873, sections 7, 9 and 10, and Madras Regulation XIV of 1816, section 27.

SCHEDULE II.—SECTIONS EXTENDING TO MUFASSAL COURTS OF SMALL CAUSES.

We have made a few changes in this schedule, the most important of which is the addition of the chapters on interpleader and on reference to the High Court.

SCHEDULE IV.—FORMS.

We have added a few forms—concise statements of claim: statements of defence: temporary injunctions; and we have amended some of the forms of decrees.

We have also made numerous small changes in the wording and arrangement of the Bill, and we think that it has been so altered that it should be republished with this report in the *Gazette of India* and the local Gazettes, and that its further consideration should be stayed till the Council re-assembles in Calcutta.

We desire, in conclusion, to express our acknowledgments of the learning, acuteness and industry evinced by many of the communications respecting the Bill. We would in particular mention those by Mr. Pitt Kennedy the Standing Counsel, Mr. Belchambers the Registrar of the High Court at Fort William, Mr. Plowden the Government Advocate, Panjáb, Mr. Nelson of the Madras Civil Service, Messrs. Field, Maclean, Crosthwaite, and J. W. Smyth, all of the Bengal Civil Service, and Hukm Chand, Extra Assistant Commissioner, Montgomery.

A. HOBHOUSE.
E. C. BAYLEY.
J. INGLIS.
F. R. COCKERELL.
T. C. HOPE.

SIMLA;
The 13th *September* 1876.

5 *d*

No. IV.

THE CODE OF CIVIL PROCEDURE.

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THE FIRST SCHEDULE.—*A.*—Statute repealed.
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A Bill to consolidate and amend the Laws relating to the Procedure of the Courts of Civil Judicature.

Preamble.

Whereas it is expedient to consolidate and amend the laws relating to the procedure of the Courts of Civil Judicature; It is hereby enacted as follows:—

PRELIMINARY.

Short title. Commencement.

1. This Act may be cited as "The Code of Civil Procedure:" and it shall come into force on the day of 1876.

Local extent.

This section and section 3 extend to the whole of British India. The other sections extend to the whole of British India except the Scheduled Districts as defined in Act No. XIV of 1874.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context—

"chapter." "chapter" means a chapter of this Code:

"district." "District Court." "district" means the local limits of the jurisdiction of a principal civil Court of original jurisdiction, (hereinafter called a 'District Court') and includes the local limits of the ordinary original civil jurisdiction of a High Court: every Court of a grade inferior to that of a District Court and every Court of Small Causes shall, for the purposes of this Code, be deemed to be subordinate to the High Court and the District Court.

"jail." "jail" means the civil jail of the district, or any place appointed by the Local Government for the confinement of persons under civil process:

"pleader." "pleader" means every person entitled to appear and plead for another in Court, and includes an Advocate, a vakíl and an attorney of a High Court:

"Collector." "Collector" means every officer performing the duties of a Collector of land-revenue:

"the cause of action." "a part of the cause of action." "the cause of action" means the whole of the circumstances which a plaintiff must allege in order to shew a right to sue, and "a part of the cause of action" means some one of those circumstances:

"judgment." "judgment" means the statement given by the Judge as the grounds of the order or decision by which a suit or appeal is determined:

"decree." "decree" means the formal order of the Court in which the result of the decision of the suit or appeal is embodied. An order on appeal, remanding a suit for re-trial, is not within this definition:

"Judge." "Judge" means the presiding officer of a Court:

"judgment-debtor." "judgment-debtor" means any person against whom a decree or order has been made:

"decree-holder." "decree-holder" means any person in whose favour a decree has been made, and includes any person to whom such decree is transferred:

"affidavit." "affidavit" means a declaration in writing sanctioned by the oath of the declarant administered by a Court or person duly authorized for that purpose:

"written." "written" includes printed and lithographed, and "writing" includes print and lithography:

"foreign Court." "foreign court" means a court situate beyond the limits of British India and not having authority in British India nor established by the Governor General in Council:

"foreign judgment." "foreign judgment" means the judgment of a foreign Court:

"public officer" defined. "public officer" means a person falling under any of the following descriptions, (namely)—

Every Judge;

Every covenanted servant of Her Majesty;

Every commissioned officer in the military or naval forces of Her Majesty while serving under Government;

Every officer of a Court of Justice whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate, or keep any document, or to take charge or dispose of any property, or to execute any judicial process, or to administer any oath, or to interpret, or to preserve order in the Court, and every person specially authorized by a Court of Justice to perform any of such duties;

Every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;

Every officer of Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or convenience;

Every officer whose duty it is, as such officer, to take, receive, keep, or expend any property on behalf of Government, or to make any survey, assessment, or contract on behalf of Government, or to execute any revenue process, or to investigate, or to report on any matter affecting the pecuniary interests of Government, or to make, authenticate, or keep any document relating to the pecuniary interests of Government, or to prevent the infraction of any law for the protection of the pecuniary interests of Government, and

every officer in the service or pay of Government, or remunerated by fees or commission for the performance of any public duty.

"Government." And in any part of British India in which this Code operates, "Government" includes the Government of India as well as the Local Government.

Enactments repealed.

3. The enactments specified in the first schedule hereto annexed are hereby repealed to the extent mentioned in the third column of the same schedule.

References in previous Acts.

But when in any Act, Regulation or Notification passed or issued prior to the day on which this Code comes into force, reference is made to Act VIII of 1859, Act XXIII of 1861, or the 'Code of Civil Procedure,' or to any other Act hereby repealed, such reference shall, so far as may be practicable, be read as applying to this Code or the corresponding part thereof;

Saving of certain Acts affecting Oudh, Panjáb, Central Provinces and Burma.

4. Save as provided in section 3, nothing herein contained shall be deemed to affect the following enactments (namely)—

The Central Provinces Courts Act, 1865:
The Panjáb Courts Act, 1865:
Act No. XXVII of 1867:
The Oudh Civil Courts Act, 1871:
The Panjáb Appeals Act, 1873:
The Burma Courts Act, 1875:

or any local law prescribing a special procedure for suits between landlord and tenant.

Sections extending to Mufussil Small Cause Courts.

5. The chapters and sections specified in the second schedule hereto annexed, extend (so far as they are applicable) to Courts of Small Causes constituted under Act No. XI of 1865. The other chapters and sections do not extend to such Courts. But nothing herein contained shall be deemed to enlarge the powers which such Courts now possess for the purposes of effecting attachments or executing decrees.

Saving of jurisdiction and procedure—

(a) of Military Courts of Request;

6. Nothing in this Code affects the jurisdiction or procedure—

(*a*) of Military Courts of Request;

(b) of officers appointed to try small suits in Bombay;

(*b*) of a single officer duly appointed in the Presidency of Bombay to try small suits in military bázárs at Cantonments and Stations occupied by the troops of that Presidency; or

(c) of Village Munsifs and Village Panchayats in Madras.

(*c*) of Village Munsifs or Village Panchayats under the provisions of the Madras Code.

Saving of certain Bombay laws.

7. With respect to—

(*a*) the jurisdiction exercised by certain jágírdárs and other authorities invested with powers under the provisions of Bombay Regulation XIII of 1830 and Act XV of 1840 in those cases therein mentioned; and

(*b*) cases of the nature defined in the enactments specified in the third schedule hereto annexed,

the procedure in such cases and in the appeals to the civil Courts allowed therein, shall be according to the rules laid down in this Code, except where those rules are inconsistent with any specific provisions contained in the enactments mentioned or referred to in this section.

Code not to apply to Presidency Small Cause Courts, till specially extended.

8. Save as provided in sections 25, 86, 225 and Chapter XXXIX, this Code shall not extend to any suit or proceeding in any Court of Small Causes established in the towns of Calcutta, Madras and Bombay.

But the Local Government may, by notification published in the official Gazette, extend to any such Court this Code or any part thereof, except so far as relates to appeals and reviews of judgment.

Division of Code.

9. This Code is divided into ten Parts as follows:—

The first Part: Suits in General.
The second Part: Incidental Proceedings.
The third Part: Suits in Particular Cases.
The fourth Part: Provisional Remedies.
The fifth Part: Special Proceedings.
The sixth Part: Appeals.
The seventh Part: References to the High Court.
The eighth Part: Review of Judgment.
The ninth Part: Special Rules relating to the High Court.
The tenth Part: Certain Miscellaneous Matters.

PART I.

OF SUITS IN GENERAL.

CHAPTER I.

OF THE JURISDICTION OF THE COURTS AND RES JUDICATA.

No person exempt from jurisdiction by reason of descent or place of birth.

10. No person shall, by reason of his descent or place of birth, be in any civil proceeding exempted from the jurisdiction of any of the Courts.

Courts to try all civil suits unless specially barred.

11. The Courts shall (subject to the provisions herein contained) have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is barred by any enactment for the time being in force.

Pending suits.

12. Except where a suit has been stayed under section 19, the Court shall not try any suit in which the matter in issue is also substantially in issue in a previously instituted suit between the same parties, or between parties under whom they or any of them claim, pending in the same or any other Court, whether superior or inferior, in British India, or in any Court beyond the limits of British India established by the Governor General in Council, or before Her Majesty in Council.

Explanation.—The pendency of a suit in a foreign Court does not preclude the Courts in

British India from trying a suit founded on the same cause of action.

Res judicata.

13. No Court shall take cognizance of any suit, nor shall it try any issue, in which the matter substantially in issue has been heard and finally decided by a Court of competent jurisdiction, in a former suit between the same parties, or between parties under whom they or any of them claim, litigating under the same title.

Explanation I.—The matter above referred to must in the former suit have been alleged by one party and either denied or confessed, expressly or impliedly, by the other.

Explanation II.—Any matter which might and ought to have been made ground of defence in a former suit brought by the defendant against the plaintiff, shall be deemed to have been a matter substantially in issue in such suit.

Explanation III.—Where a foreign judgment is relied on, the production of the judgment duly authenticated is presumptive evidence that the Court which made it had competent jurisdiction, unless the contrary appear on the record; but such presumption may be removed by proving the want of jurisdiction.

No foreign judgment shall operate as a bar to a suit in British India—

(*a*) if it has not been given on the merits of the case:

(*b*) if it appears on the face of the proceedings to be founded on an incorrect view of international law or of any law in force in British India:

(*c*) if it is in the opinion of the Court before which it is produced contrary to natural justice:

(*d*) if it has been obtained by fraud:

(*e*) if it sustains a claim founded on a breach of any law in force in British India.

Explanation IV.—A decision is final within the meaning of this section when it is such as the Court making it could not alter (except on review) on the application of either party or reconsider of its own motion. A decision liable to appeal may be final within the meaning of this section until the appeal is made.

CHAPTER II.

OF THE PLACE OF SUING.

Court in which suit to be instituted.

14. Every suit shall be instituted in the Court of the lowest grade competent to try it.

Suits to be instituted where subject-matter situate.

15. Subject to the pecuniary or other limitations prescribed by any law, suits

(*a*) for the recovery of immoveable property,

(*b*) for the partition of immoveable property,

(*c*) for the foreclosure or redemption of a mortgage of immoveable property,

(*d*) for the determination of any other right to or interest to or in immoveable property,

(*e*) for compensation for wrong to immoveable property,

(*f*) for the recovery of moveable property distrained or attached,

shall be instituted in the Court within the local limits of whose jurisdiction the property is situate:

Provided that suits to obtain relief respecting immoveable property held by or on behalf of the defendant may, when the relief sought can be entirely obtained through his personal obedience, be instituted either in the Court within the local limits of whose jurisdiction the property is situate, or in the Court within the local limits of whose jurisdiction he actually or voluntarily resides, or carries on business, or personally works for gain.

Explanation.—In this section 'property' means property situate in British India.

Suits to be instituted where defendants reside or cause of action arose.

16. Subject to the limitations aforesaid, all other suits shall be instituted in a Court within the local limits of whose jurisdiction—

(*a*) all the defendants, at the time of the commencement of the suit, actually and voluntarily reside, or carry on business, or personally work for gain; or

(*b*) any of the defendants, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works for gain: provided that either the leave of the Court is given, or the defendants who do not reside, or carry on business, or personally work for gain as aforesaid acquiesce in such institution; or

(*c*) the cause of action arises; or

(*d*) a part of the cause of action arises.

Explanation I.—Where a person has a permanent dwelling at one place and also a lodging at another place for a temporary purpose only, he shall be deemed to reside at both places in respect of any cause of action arising at the place where he has such temporary lodging.

Explanation II.—A Corporation or Company shall be deemed to carry on business at its sole or principal office in British India or, in respect of any cause of action arising at any place where it has also a subordinate office, at such place.

Illustrations.

(*a.*) A is a tradesman in Calcutta. B carries on business in Dehli. B, by his agent in Calcutta, buys goods of A, and requests A to deliver them to the East Indian Railway Company. A delivers the goods accordingly in Calcutta. A may sue B for the price of the goods either in Calcutta, where the cause of action has arisen, or in Dehli, where B carries on business.

(*b.*) A, resides at Simla, B at Calcutta, and C at Dehli A, B and C being together at Benares, B and C make a joint promissory note payable on demand, and deliver it to A. A may sue B and C at Beneras, where the cause of action arose. He may also sue them at Calcutta, where B resides, or at Delhi, where C resides; but in each of these cases, if the non-resident defendant objects, the suit cannot be maintained without the leave of the Court.

(*c.*) A draws in Simla, a bill on B, who accepts the bill in Calcutta, and returns it by post to A. The bill does not mention any place of payment. It is presented to B in Calcutta, and he fails to pay. One part of the cause of action has arisen at Simla and others at Calcutta. The suit may therefore be brought either in Simla or in Calcutta.

(*d.*) A signs a contract in Calcutta for the delivery of rice to B at Dehli, and delivers it accordingly. B does not pay the price, and A sues him for it. One part of the cause of action has arisen in Calcutta and another in Dehli. The suit may therefore be brought either in Calcutta or in Dehli.

(*e.*) A, lets a house in Howrah to B, at a monthly rent payable in Howrah. A dies intestate. C obtains in Calcutta, a grant of letters of administration to A's estate. B allows the rent to fall into arrear. One part of the cause of action has arisen in Calcutta and another in Howrah, and C may therefore sue B for the arrears either in Calcutta or in Howrah.

Forum in suits for compensation for wrongs.

17. In suits for compensation for wrong done to person or moveable property, if the wrong was done within the local limits of the jurisdiction of one Court and the defendant resides, or carries on business, or personally works for gain within the local limits of the jurisdiction of another Court, the plaintiff may at his option sue in either of the said Courts.

Illustrations.

(*a.*) A, residing in Dehli, beats B in Calcutta. B may sue A either in Calcutta or in Dehli.

(*b.*) A, residing in Dehli, publishes in Calcutta statements defamatory of B. B may sue A either in Calcutta or in Dehli.

(*c.*) A, travelling on the line of a Railway Company whose principal office is at Howrah, is upset and injured at Allahabad by negligence imputable to the Company. He may sue the Company either at Howrah or at Allahabad.

Suits for immoveable property situate in single districts, but within jurisdictions of different Courts.

18. If the suit be for immoveable property situate within the limits of a single district, but within the jurisdiction of different Courts, the suit may be instituted in the Court within whose jurisdiction any portion of the property is situate; provided that, in respect of the value of the subject-matter of the suit, the entire claim be cognizable by such Court.

Suits for immoveable property situate in different districts.

If the immoveable property be situate within the limits of different districts, the suit may be instituted in any Court, otherwise competent to try it, within whose jurisdiction any portion of the property is situate.

Power to stay proceedings where the whole cause of action did not arise within jurisdiction.

19. If a suit which may be instituted in more than one Court is instituted in a Court within the local limits of whose jurisdiction only part of the cause of action arose, and where the defendant or all the defendants does not or do not actually and voluntarily reside, or carry on business, or personally work for gain, the defendant or any defendant may, after giving notice in writing to the other parties of his intention to apply to the Court to stay proceedings, apply to the Court accordingly;

and if the Court, after hearing such of the parties as desire to be heard, is satisfied that justice is more likely to be done by the suit being instituted in some other Court, it may stay proceedings either finally or till further order, and make such order as it thinks fit as to the costs already incurred by the parties or any of them.

In such case, if the plaintiff so requires, the Court shall return the plaint with an endorsement thereon of the order staying proceedings.

Application when to be made.

Every such application shall be made at the earliest possible opportunity, and in all cases before the issues are settled; and any defendant not so applying shall be deemed to have acquiesced in the institution of the suit.

Exemption of Court-fee when suit instituted in another Court.

Where the Court, under section 19, stays proceedings, and the plaintiff re-institutes his suit in another Court, the plaint shall not be chargeable with any court-fee: provided that the proper fee has been levied on the institution of the suit in the former Court, and that the plaint has been returned by such Court.

Computation of period of limitation for such suits.

The interval between the institution of the suit and the date of so staying proceedings and the time requisite for proceeding from the Court in which proceedings are stayed to the Court in which the suit is re-instituted shall be excluded in computing the period of limitation prescribed for such suit.

Procedure where Courts in which suit may be instituted are subordinate to the same appellate Court.

21. Where a suit may be instituted in more Courts than one, and such Courts are subordinate to the same appellate Court, any defendant, after giving notice in writing to the other parties of his intention to apply to such Court to transfer the suit to another Court, may apply accordingly; and the appellate Court, after hearing the other parties if they desire to be heard, shall determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where they are not so subordinate.

22. Where such Courts are subordinate to different appellate Courts, but are subordinate to the same High Court, any defendant, after giving notice in writing to the other parties of his intention to apply to the High Court to transfer the suit to another Court having jurisdiction, may apply accordingly. If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate. The High Court may, after considering the objections, if any, of the other parties, determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where they are subordinate to different High Courts.

23. Where such Courts are subordinate to different High Courts, any defendant may, after giving notice in writing to the other parties of his intention to apply to the High Court within whose jurisdiction the Court in which the suit is brought is situate, apply accordingly.

If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate,

and such High Court shall, after considering the objections, if any, of the other parties, determine in which of the several Courts having jurisdiction the suit shall proceed.

Suit for immoveable property alleged to be within another local jurisdiction.

24. If, in a suit for immoveable property, the defendant object to the hearing of the suit on the ground that no part of the property is situate within the local limits of the jurisdiction of the Court in which the suit is instituted, or to which it has been transferred, the Court may by order determine the point;

and if the Court find that the property or any part thereof is situate within such limits, it shall proceed to try the suit.

Transfer of suits.

25. The High Court or the District Court may, either of its own motion or on the application of any of the parties, after giving notice to the parties and hearing such of them as desire to be heard, with-

draw any suit instituted in any Court subordinate to such High Court or District Court, as the case may be, and try the suit itself, or transfer it for trial to any other such subordinate Court competent to try the same in respect of its nature and the amount or value of its subject-matter.

For the purposes of this section the Courts of Additional and Assistant Judges shall be deemed to be subordinate to the District Court.

The Court trying any suit withdrawn under this section from a Court of Small Causes shall, for the purposes of such suit, be deemed to be a Court of Small Causes.

CHAPTER III.

OF PARTIES AND THEIR APPEARANCES, APPLICATIONS AND ACTS.

26. All persons may be joined as plaintiffs in whom the right to any relief claimed is alleged to exist, whether jointly, severally, or in the alternative, in respect of the same cause of action. And judgment may be given for such one or more of the plaintiffs as may be found to be entitled to relief, for such relief as he or they may be entitled to, without any amendment. But the defendant, though unsuccessful, shall be entitled to his costs occasioned by so joining any person who is not found entitled to relief, unless the Court in disposing of the costs of the suit otherwise directs.

Persons who may be joined as plaintiffs.

27. Where a suit has been instituted in the name of the wrong person as plaintiff, or where it is doubtful whether it has been instituted in the name of the right plaintiff, the Court may, if satisfied that the suit has been so commenced through a *bonâ fide* mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person or persons to be substituted or added as plaintiff or plaintiffs upon such terms as may seem just.

Court may substitute or add plaintiff for or to plaintiff suing.

28. All persons may be joined as defendants against whom the right to any relief is alleged to exist, whether jointly, severally or in the alternative, in respect of the same cause of action. And judgment may be given against such one or more of the defendants as may be found to be liable, according to their respective liabilities, without any amendment.

Persons who may be joined as defendants.

29. The plaintiff may, at his option, join as parties to the same suit all or any of the persons severally, or jointly and severally, liable on any one contract, including parties to bills of exchange, hundís and promissory notes.

Joinder of parties liable on same contract.

30. Where there are numerous parties having the same interest in one suit, one or more of such parties may sue or be sued, or may be authorized by the Court to defend in such suit, on behalf or for the benefit of all parties so interested.

One party may sue or defend on behalf of all in same interest.

31. No suit shall be defeated by reason of the misjoinder of parties, and the Court may in every suit deal with the matter in controversy so far as regards the rights and interests of the parties actually before it.

Suit not to fail by reason of misjoinder.

32. The Court may, at any time before the issues are settled, either upon or without the application of either party, and on such terms as may appear to the Court to be just, order that the name of any party whether as plaintiff or as defendant, improperly joined, be struck out; and that the name of any party whether plaintiff or defendant, who ought to have been joined, or whose presence before the Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and settle all the questions involved in the suit, be added.

Court may dismiss or add parties.

No person shall be added as a plaintiff, or as the next friend of a plaintiff, without his own consent thereto.

No one to be added as plaintiff or as next friend without his consent.

All parties whose names are so added as defendants shall be served with a summons in manner hereinafter mentioned, and the proceedings as against them shall be deemed to have begun only on the service of such summons.

Defendants added to be served.

33. Where a defendant is added, the plaint, if previously filed, shall, unless the Court direct otherwise, be amended in such manner as may be necessary, and an amended copy of the summons shall be served on the new defendant and the original defendants.

Where defendant added, plaintiff to amend.

34. All objections for want of parties, or for joinder of parties who have no interest in the suit, or for misjoinder as co-plaintiffs or co-defendants, shall be taken at the earliest possible opportunity, and in all cases before the issues are settled; and any such objection not taken before the issues are settled shall be deemed to have been waived by the defendant.

Time for taking objections as to non-joinder or misjoinder of parties.

35. When there are more plaintiffs than one, any one or more of them may be authorized by any other of them to appear, plead, or act for such other in any proceeding under this Code: and in like manner when there are more defendants than one, any one or more of them may be authorized by any other of them to appear, plead or act for such other in any such proceeding.

Each of several plaintiffs or defendants may authorize any other to appear, &c., for him.

The authority shall be in writing, signed by the party giving it, and shall be filed in Court.

Authority to be in writing signed and filed.

Recognized Agents and Pleaders.

36. Any appearance, application or act in or to any Court, required or authorized by law to be made or done by a party to a suit in such Court, may, except when otherwise expressly provided by this Code, be made or done by the party in person, or by his recognized agent, or by a pleader duly appointed to act on his behalf:

Appearances, &c., may be in person, by recognized agent or by pleader.

Provided that any such appearance shall be made by the party in person if the Court so direct.

37. The recognized agents of parties by whom such appearances, applications and acts may be made or done are—

Recognized agents.

(*a*). persons holding general powers-of-attorney from parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, authorizing them to make and do such appearances, applications and acts on behalf of such parties.

Persons holding powers-of-attorney from parties out of jurisdiction.

(*b*). mukhtárs certificated under any law for the time being in force, and holding special powers of attorney authorising them to do, on behalf of their principals, such acts as may legally be done by mukhtárs.

Certificated mukhtárs.

(*c*). persons carrying on trade or business for and in the names of parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, in matters connected with such trade or business only, where no other agent is expressly authorized to make and do such appearances, applications and acts.

Persons carrying on trade or business for parties out of jurisdiction.

Nothing in the former part of this section applies to the territories now administered respectively by the Lieutenant-Governor of the Panjáb, and the Chief Commissioners of Oudh and the Central Provinces; but in those territories the recognized agents of parties by whom such appearances, applications and acts may be made and done shall be such persons as the Local Government may from time to time, by notification in the official Gazette, declare in this behalf.

Recognized agents in Panjáb, Oudh and Central Provinces.

38. Processes served on the recognized agent of a party to a suit shall be as effectual as if the same had been served on the party in person, unless the Court otherwise directs.

Service of process on recognized agent.

The provisions of this Code for the service of process on a party to a suit shall apply to the service of process on his recognized agent.

39. The appointment of a pleader to make or do any appearance, application or act as aforesaid shall be in writing under the hand of his client and shall be filed in Court.

Appointment of pleader.

When so filed, it shall be considered to be in force until revoked with the permission of the Court, by a writing signed by the client and filed in Court, or until the client or the pleader dies, or the decree or final order is drawn up.

No advocate of any High Court established by Royal Charter shall be required to file or present any document empowering him to act.

40. Processes served on the pleader of any party or left at the office or ordinary residence of such pleader, relative to a suit, and whether the same be for the personal appearance of the party or not, shall be presumed to be duly communicated and made known to the party whom the pleader represents; and, unless the Court otherwise directs, shall be as effectual for all purposes in relation to the suit as if the same had been given to or served on the party in person.

Service of process on pleader.

41. Besides the recognized agents described in section 37, any person residing within the jurisdiction of the Court may be appointed an agent to accept service of process.

Agent to receive process.

Such appointment may be special or general, and shall be made by an instrument in writing signed by the principal, and such instrument, or, if the appointment be general, a duly attested copy thereof, shall be filed in Court.

His appointment to be in writing and to be filed in Court.

CHAPTER IV.

OF THE FRAME OF THE SUIT.

42. Every suit shall, as far as practicable, be so framed as to afford ground for a final decision upon the subjects in dispute, and so to prevent further litigation concerning them.

Suit how to be framed.

43. Every suit shall include the whole of the claim arising out of the cause of action; but a plaintiff may relinquish any portion of his claim in order to bring the suit within the jurisdiction of any Court.

Suit to include the whole claim.

If a plaintiff omit to sue for, or intentionally relinquish, any portion of his claim, a suit for the portion so omitted or relinquished shall not afterwards be entertained.

Relinquishment of part of claim.

44. *rule a.*—No cause of action shall, unless by order of the Court, be joined with a suit for the recovery of land, except claims in respect of mesne profits or arrears of rent in respect of the premises claimed, and damages for breach of any contract under which the same or any part thereof are or is held.

Only certain claims to be joined with suit for recovery of land.

rule b.—Claims by or against husband and wife may be joined with claims by or against either of them separately.

Claims by or against husband and wife.

rule c.—Claims by or against an executor or administrator as such, may be joined with claims by or against him personally, provided the last mentioned claims are alleged to arise with reference to the estate in respect of which the plaintiff or defendant sues or is sued as executor or administrator.

Claims by or against executor.

rule d.—Rules *b* and *c* shall be subject to the provisions of sections 45, 46 and 47.

45. The plaintiff may unite in the same suit several causes of action, and any plaintiffs having causes of action against the same defendant or defendants, may unite such causes of action in the same suit.

Plaintiff may join several causes of action.

But if it appear to the Court that any such causes of action cannot be conveniently tried or disposed of together, the Court may, at any time before the issues are settled, of its own motion or on the application of the defendant, order separate trials of any such causes of action.

Court may order separation.

to be had, or may make such other order as may be necessary or expedient for the separate disposal thereof.

When causes of action are so united, the jurisdiction of the Court to hear the suit shall depend on the amount or value of the aggregate subject-matters.

Defendant may apply to confine suit.

46. Any defendant alleging that the plaintiff has united in the same suit several causes of action which cannot be conveniently disposed of in one suit, may at any time before the issues are settled apply to the Court for an order confining the suit to such of the causes of action as may be conveniently disposed of in one proceeding.

Court on hearing application may exclude some causes an order amendment.

47. If, on the hearing of such application, it appears to the Court that the causes of action are such as cannot all be conveniently disposed of in one suit, the Court may order any of such causes of action to be excluded, and may direct the plaint to be amended accordingly, and may make such order as to costs as may be just.

Every amendment made under this section shall be attested by the signature of the Judge.

CHAPTER V.

OF THE INSTITUTION OF SUITS.

Suits to be commenced by plaint.

48. Every suit shall be instituted by presenting a plaint to the Court or such officer as it appoints in this behalf.

Language of plaint.

49. The plaint must be distinctly written in the language of the Court: provided that if such language is not English, the plaint may (with the permission of the Court and the consent of the defendant) be written in English.

Particulars to be contained in plaint.

50. The plaint must contain the following particulars:—

(*a*) the name of the Court in which the suit is brought;

(*b*) the name, description and place of abode of the plaintiff;

(*c*) the name, description and place of abode of the defendant, so far as they can be ascertained;

(*d*) a plain and concise statement of the circumstances constituting the cause of action, and where and when it arose;

(*e*) a demand of the relief which the plaintiff claims; and

(*f*) if the plaintiff has allowed a set-off or relinquished a portion of his claim, the amount so allowed or relinquished.

In money-suits.

If the plaintiff seek the recovery of money, the plaint must state the precise amount, so far as the case admits.

Illustration.

A sues for mesne profits:

A sues for the amount which will be found due to him on taking unsettled accounts between him and B.

In each of these cases the plaint need only state approximately the amount sued for.

Where plaintiff sues as a representative.

When the plaintiff sues in a representative character, the plaint should shew, not only that he has an actual existing interest in the subject-matter, but that he has taken the steps necessary to enable him to institute a suit concerning it.

Illustrations.

(*a.*) A sues as B's executor. The plaint must state that A has proved B's will.

(*b.*) A sues as C's administrator. The plaint must state that A has taken out administration to C's estate.

(*c.*) A sues as guardian of D, a Muhammadan minor. A is not D's guardian according to Muhammadan law and usage. The plaint must state that A has been specially appointed D's guardian.

Defendant's interest and liability to be shewn.

The plaint must shew that the defendant is or claims to be interested in the subject-matter, and that he is liable to be called upon to answer the plaintiff's demand.

Illustration.

A dies leaving B his executor, C his legatee, and D a debtor to A's estate. C sues D to compel him to pay his debt in satisfaction of C's legacy. The plaint must shew that B has causelessly refused to sue D, or that B and D have colluded for the purpose of defrauding C, or other such circumstances rendering D liable to C.

Grounds of exemption from limitation-law.

If the cause of action arose beyond the period ordinarily allowed by any law for instituting the suit, the plaint must shew the ground upon which exemption from such law is claimed.

Plaint to be subscribed and verified.

51. The plaint shall be subscribed by the plaintiff and his pleader (if any), and shall be verified at the foot by the plaintiff or, with the permission of the Court, by some person acquainted with the facts of the case.

Contents of verification.

52. The verification must be to the effect that the same is true to the knowledge of the person making it, except as to matters stated on information and belief, and that as to those matters he believes it to be true.

When the plaint is verified by any person other than the plaintiff, such person shall set forth his knowledge or the grounds of his belief on the subject, and the reason why the verification was not made by the plaintiff.

Verification to be signed and attested.

The verification shall be signed by the person making it in the presence of a witness, who shall also sign it.

The Court may in any case examine such witness as to the fact of the signature, and shall so examine him when the person making the verification does not appear.

When the plaint may be rejected, returned for amendment, or amended.

53. The plaint may, at the discretion of the Court, and at any time before the issues are settled, be rejected, returned for amendment within a time to be fixed by the Court, or amended then and there, upon such terms as to the payment of costs occasioned by the amendment as the Court thinks fit,

(*a*) if it do not state correctly and without prolixity the several particulars hereinbefore required to be specified therein; or

(*b*) if it contain any particulars other than those so required; or

(*c*) if it be not subscribed and verified as hereinbefore required; or

(*d*) if it do not disclose a cause of action; or

(*e*) if it is not framed in accordance with section 42.

Proviso.

Provided that a plaint cannot be altered so as to convert a suit of one character into a suit of another and inconsistent character.

Attestation of amendment.

When a plaint is amended, the amendment shall be attested by the signature of the Judge.

When the plaint shall be rejected.

54. The plaint shall be rejected in the following cases:—

(*a.*) If the relief sought is undervalued, and the plaintiff, on being required by the Court to correct the valuation within a time to be fixed by the Court, fails to do so:

(*b.*) If the relief sought is properly valued, but the plaint is written upon paper insufficiently stamped, and the plaintiff, on being required by the Court to supply the requisite stamp-paper within a time to be fixed by the Court, fails to do so:

(*c.*) If, in the case mentioned in section 381, the plaintiff fail to furnish security for the payment of the costs that may be incurred by the defendant:

(*d.*) If the suit appear from the statement in the plaint to be barred by any positive rule of law.

Procedure on rejecting a plaint.

55. When a plaint is rejected, the Judge shall record with his own hand an order to that effect with the reason for such order.

When rejection of plaint does not preclude presentation of fresh plaint.

56. The rejection of the plaint on any of the grounds hereinbefore mentioned shall not of its own force preclude the plaintiff from presenting a fresh plaint in respect of the same cause of action.

When the plaint shall be returned to be presented to the proper Court.

57. The plaint shall be returned to be presented to the proper Court in the following cases:—

(*a.*) If a suit has been instituted in a Court whose grade is lower or higher than that of the Court competent to try it, where such Court exists, or where no option as to the selection of the Court is allowed by law:

(*b.*) If, in a suit relating to immoveable property, but not coming under the proviso to section 16, it appear that no part of such property is situate within the local limits of the Court's jurisdiction:

(*c.*) If, in any other case, it appear that the cause of action, or a material part thereof, did not arise, and that none of the defendants are dwelling or carrying on business, or personally working for gain, within such local limits.

Procedure on returning plaint.

On returning a plaint, the Judge shall, with his own hand, endorse thereon the date of its presentation and return, the name of the party presenting it, and a brief statement of the reason for returning it.

Procedure on admitting plaint.

58. If the Court consider the plaint admissible, it shall cause the plaintiff to endorse thereon, or to annex thereto, a memorandum of the documents (if any) which he has filed along with it; and the plaintiff shall present as many copies on plain paper of the plaint as there are defendants, unless the Court by reason of the length of the plaint or the number of the defendants, or for any other sufficient reason, permit him to file a like number of concise statements of the nature of the claim made, or of the relief or remedy required in the suit, in which case he shall file such statements.

Concise statements.

If the plaintiff sues, or the defendant or any of the defendants is sued, in a representative capacity, the statement shall show in what capacity the plaintiff or defendant sues or is sued.

The plaintiff may, by leave of the Court, amend any such statement so as to make it correspond with the plaint.

The chief ministerial officer of the Court shall sign such endorsement and copies or statements if, on examination, he finds them to be correct.

The Court shall also cause the particulars mentioned in section 50 to be entered in a book to be kept for the purpose and called the Register of civil suits. Such entries shall be numbered in every year according to the order in which the plaint is admitted.

Production of document on which plaintiff sues.

59. If a plaintiff sue upon a document in his possession or power, he shall produce it in court when the plaint is presented, and shall at the same time deliver the document or a copy thereof to be filed with the plaint.

Delivery of document or copy.

List of other documents.

If he rely on any other documents (whether in his possession or power or not) as evidence in support of his claim, he shall enter such documents in a list to be added or annexed to the plaint.

Procedure in case of documents not in his possession or power.

60. In the case of any document not in his possession or power he shall, if possible, state in whose possession or power it is, and, when it is in the possession or power of a person not a party to the suit, shall take out a summons against such person, requiring him to file the document in court within such time after the service of the summons as the Court in each case directs, and stating the time so directed.

Suits on lost negotiable instruments.

61. In case of any suit founded upon a bill of exchange or other negotiable instrument, if it be proved that the instrument is lost, and if an indemnity be given by the plaintiff, to the satisfaction of the Court, against the claims of any other person upon such instrument, the Court may make such decree as it would have made if the plaintiff had produced the instrument in court when the plaint was presented, and had at the same time delivered a copy of the instrument to be filed with the plaint.

Production of shop-book.

62. If the document on which the plaintiff sues be an entry in a shop-book or other book in his possession or power, the plaintiff shall produce

the book at the time of filing the plaint, together with a copy of the entry on which he relies.

Original entry to be marked and returned.

The Court, or such officer as it appoints in this behalf, shall forthwith mark the document for the purpose of identification; and after examining and comparing the copy with the original and attesting the copy if found correct, shall return the book to the plaintiff.

Inadmissibility of document not produced when plaint filed.

63. A document which ought to be produced in court by the plaintiff when the plaint is presented, or to be entered at the foot of the plaint, and which is not produced or entered accordingly, shall not, without the leave of the Court, be received in evidence on his behalf at the hearing of the suit.

Nothing in this section applies to documents produced for cross-examination of the defendant's witnesses, or in answer to any case set up by the defendant, or handed to a witness merely to refresh his memory.

CHAPTER VI.

OF THE ISSUE AND SERVICE OF SUMMONS.

Issue of Summons.

Summons.

64. When the plaint has been registered, and the copies or statements required by section 58 have been filed, a summons may be issued to the defendant to appear and answer the claim on a day to be therein specified, or as soon thereafter as may be practicable,

(*a*) in person, or

(*b*) by a pleader duly instructed and able to answer all material questions relating to the suit, or

(*c*) by a pleader accompanied by some other person able to answer all such questions.

Every such summons shall be signed by the Judge or such officer as he appoints, and shall be sealed with the seal of the Court:

Provided that no such summons shall be issued when the defendant has appeared at the presentation of the plaint and admitted the plaintiff's claim.

Indorsement of claim.

65. Every such summons shall be accompanied with one of the copies or statements mentioned in section 58.

Court may order defendant or plaintiff to appear in person.

66. If the Court see reason to require the personal appearance of the defendant, the summons shall order him to appear in person in court on the day therein specified.

If the Court see reason to require the personal appearance of the plaintiff on the same day, it may make an order for such appearance.

No party to be ordered to appear in person unless resident within 50 or, where there is a railway, 200, miles.

67. No party shall be ordered to appear in person unless he resides—

(*a*) within the local limits of the Court's ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty, or, where there is railway communication between the place where he resides and the place where the Court is situate, two hundred, miles from the court-house.

Summons to be either to settle issues or for final disposal.

68. The Court shall determine, at the time of issuing the summons, whether it shall be for the settlement of issues only, or for the final disposal of the suit; and the summons shall contain a direction accordingly:

Provided that, in every suit cognizable by Courts of Small Causes, the summons shall be for the final disposal of the suit.

Fixing day for appearance of defendant.

69. The day for the appearance of the defendant shall be fixed by the Court with reference to its current business, the place of residence of the defendant and the time necessary for the service of the summons; and the day shall be so fixed as to allow the defendant sufficient time to enable him to appear and answer on such day.

What shall be deemed 'sufficient time' must be determined with reference to the circumstances of the case.

Summons to order defendant to produce documents required by plaintiff or relied on by defendant.

70. The summons to appear and answer shall order the defendant to produce any document in his possession or power, containing evidence relating to the merits of the plaintiff's case, or upon which the defendant intends to rely in support of his case.

On issue of summons or final disposal, parties to be directed to produce their witnesses.

71. When the summons is for the final disposal of the suit, it shall direct the defendant to produce, on the day fixed for his appearance, the witnesses upon whose evidence he intends to rely in support of his case.

Service of Summons.

Delivery of summons for service.

72. The summons shall be delivered to the proper officer of the Court, to be served by him or one of his subordinates.

Mode of service.

73. Service of the summons shall be made by delivering or tendering a copy thereof signed by the Judge or such officer as he appoints in this behalf, and sealed with the seal of the Court.

Service on several defendants.

74. When there are more defendants than one, service of the summons shall be made on each defendant:

Provided that, if the defendants are partners, and the suit relates to a partnership-transaction, the service may be made, unless the Court directs otherwise, either (*a*) on one defendant for himself and for the other defendants, or (*b*) on any person having the management of the business of the partnership at the principal place, within the local limits of the Court's ordinary original civil jurisdiction, of such business.

Service to be on defendant in person, when practicable, or on his agent.

75. Whenever it may be practicable, the service shall be on the defendant in person, unless he have an agent empowered to accept the service, in which case service on such agent shall be sufficient.

Service on agent by whom defendant carries on business.

76. In a suit relating to any business or work against a person who does not reside within the local limits of the jurisdiction of the Court from which the summons issues, service on any manager or agent, who, at the time of service, personally carries on such business or work for such person within such limits, shall be deemed good service.

For the purpose of this section, the master of a ship is the agent of his owner or charterer.

Service on agent in charge, in suits for immoveable property.

77. In a suit for immoveable property, if the summons cannot be served on the defendant in person, and the defendant have no agent empowered to accept the service of the summons, it may be served on any agent of the defendant in charge of the property.

When service may be on male member of defendant's family.

78. If in any suit the defendant cannot be found and if he have no agent empowered to accept the service of the summons on his behalf, the service may be made on any adult male member of the family of the defendant who is residing with him.

Explanation.—A servant is not a member of the family within the meaning of this section.

Person served to sign acknowledgment.

79. When the serving-officer delivers or tenders the copy of the summons to the defendant personally, or to an agent or other person on his behalf, the serving-officer shall require the signature of the person to whom the copy is so delivered or tendered to an acknowledgment of service endorsed on the original summons or on a copy thereof signed and sealed as aforesaid.

Endorsement of time and manner of service.

80. The serving-officer shall, in all cases in which the summons has been served under section 79, endorse or cause to be endorsed on the original summons, or on a copy thereof signed and sealed as aforesaid, the time when and the manner in which the summons was served.

Procedure when defendant refuses to accept service, or cannot be found.

81. If the defendant or other person refuse to sign the acknowledgment or to receive the copy of the summons,

or if the serving officer cannot find the defendant, and there is no agent empowered to accept the service of the summons on his behalf, nor any other person on whom the service can be made,

the serving-officer shall return the summons to the Court from which it issued, with an endorsement thereon that he has been unable to serve it.

Substituted service.

82. When a summons is returned without having been served, the Court shall examine the serving-officer on oath touching the non-service; and if the Court is satisfied that there is reason to believe that the defendant is keeping out of the way for the purpose of avoiding the service, or that for any other reason the summons cannot be served in the ordinary way, the Court shall order the summons to be served by affixing a copy thereof in some conspicuous place in the court-house, and also upon some conspicuous part of the house, if any, in which the defendant is known to have last resided, or in such other manner as the Court thinks fit.

Effect of substituted service.

83. The service substituted by order of the Court, shall be as effectual as if it had been made on the defendant personally.

When service is substituted, time for appearance to be fixed.

84. Whenever service is substituted by order of the Court, the Court shall fix such time for the appearance of the defendant as the case may require.

Service of summons when defendant resides within jurisdiction of another Court and has no agent to accept service.

85. If the defendant resides within the jurisdiction of any Court other than the Court in which the suit is instituted, and has no agent resident within the local limits of the jurisdiction of the latter Court empowered to accept the service of the summons, such Court shall send the summons, either by one of its officers or by post, to any Court, not being a High Court, having jurisdiction at the place where the defendant resides, by which it can be most conveniently served, and shall fix such time for the appearance of the defendant as the case may require.

The Court to which the summons is sent shall, upon receipt thereof, deliver it to the proper officer of such Court, to be served, endorsed and returned in the manner hereinbefore directed.

Upon the return of the summons by the serving-officer, if it has not been served, the Court to which it has been sent shall examine him on oath touching the non-service and record the result; and the summons shall be sent back to the Court from which it originally issued, together with the record (if any) made under this paragraph.

Service within Presidency towns and Rangoon of process issued by Mufassal Courts.

86. Whenever any process issued by any Court established beyond the limits of the towns of Calcutta, Madras, Bombay and Rangoon is to be served within any such town, it shall be sent to the Court of Small Causes within whose jurisdiction the process is to be served,

and such Court of Small Causes shall cause it to be served in the same manner as if it had issued from such Court,

and, after having been so served, the process shall be returned to the Court from which it issued.

Service on defendant in jail.

87. If the defendant be in jail, the summons shall be delivered to the officer in charge of the jail in which the defendant is confined, and such officer shall cause the summons to be served upon the defendant.

The summons shall be returned to the Court from which it issued, with a statement of the service endorsed thereon and signed by the officer in charge of the jail and by the defendant.

Procedure if jail be in a different district.

88. If the jail in which the defendant is confined is not in the district in which the suit is instituted, the summons may be sent by post or otherwise to the officer in charge of such jail, and such officer shall cause the summons to be served upon the defendant, and shall return the summons to the Court from which it

issued, with a statement of the service endorsed thereon, and signed as provided in section 87.

Service when defendant resides out of British India and has no agent to accept service.

89. If the defendant resides out of British India, and has no agent in British India empowered to accept the service, the summons shall be addressed to the defendant at the place where he is residing, and forwarded to him by post if there be postal communication between such place and the place where the Court is situate.

Service through British Resident or Agent of Government.

90. If there be a British Resident or Agent of Government in or for the territory in which the defendant resides, the summons may be sent to such Resident or Agent, by post or otherwise, for the purpose of being served upon the defendant; and if the Resident or Agent return the summons with an endorsement under his hand that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be conclusive evidence of the service.

Substitution of letter for summons.

91. Nothing herein contained shall prevent the Court from substituting for the summons a letter signed by the Judge or such officer as he appoints in this behalf, when the defendant is, in the opinion of the Court, of a rank which entitles him to such mark of consideration.

The letter shall contain all the particulars required to be stated in the summons, and, subject to the provisions contained in section 92, shall be treated in all respects as a summons.

Mode of sending such letter.

92. When a letter or other communication is substituted for a summons, it may be sent by post or by a special messenger selected by the Court, or in any other manner which the Court thinks fit; unless the person whose appearance is required has an agent empowered to accept the service of the summons, in which case it may be served on such agent.

Service of Process.

Proof of due service and delivery of process sent by post.

93. Wherever this Code provides that any notice, summons, letter or other communication may be sent to the person to whom it is addressed by post, proof that the same was correctly addressed to such person at his place of residence, and that it was posted and registered according to the law for the time being regulating the management of the Post Office shall, in the absence of evidence to the contrary, be sufficient proof of the due service and delivery of the notice summons, letter or other communication.

Process to be served at expense of party issuing it.

94. Every process required to be issued under this Code shall be served at the expense of the party at whose instance it is issued, unless the Court otherwise directs.

Costs of service.

The sum required to defray the costs of such service shall be paid into Court before the process is issued, within a period to be fixed by the Court issuing the process.

Postage.

Postage, where chargeable on any notice, summons, letter or other communication forwarded by post and the fee for registering the same, shall be costs required to be paid as aforesaid within the meaning of this section.

Fixing of costs of service.

In fixing the costs to be paid for service of process, regard shall be had to any law or to any rules issued by the High Court for fixing the amount of such costs.

Notices and orders in writing how served.

95. All notices and orders required by this Code to be served on any person shall be in writing, and shall be served in the manner hereinbefore provided for the service of summons.

CHAPTER VII.

OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

Parties to appear on day fixed in summons for defendant to appear and answer.

96. On the day fixed in the summons for the defendant to appear and answer, the parties shall be in attendance at the Court-house in person or by their respective pleaders, and the suit shall then be heard, unless the hearing be adjourned to a future day fixed by the Court.

Dismissal of suit where summons not served in consequence of plaintiff's failure to deposit costs of issuing it.

97. If on the day so fixed for the defendant to appear and answer, it be found that the summons has not been served upon him in consequence of the failure of the plaintiff to deposit, within the period fixed by the Court, the sum required to defray the cost of issuing or serving such summons, the Court may order that the suit be dismissed:

Proviso.

Provided that no such order shall be passed, although the summons has not been served upon the defendant, if, on the day fixed for him to appear and answer, he attends in person or by a duly authorized agent, when he is allowed to appear by agent.

If neither party appear, suit to be dismissed.

98. If on the day so fixed for the defendant to appear and answer, or on any other subsequent day to which the hearing of the suit may be adjourned, neither party appears, the suit shall be dismissed, unless the Judge, for reasons to be recorded under his hand, otherwise directs.

In such case, plaintiff may bring fresh suit;

99. Whenever a suit is dismissed under section 97 or section 98, the plaintiff may (subject to the law of limitation) bring a fresh suit; or if, within the period of thirty days from the date of the order dismissing the suit, he satisfies the Court that there was a sufficient excuse for his not making the deposit required within the time allowed or for his non-appearance, as the case may be, the Court shall pass an order to set aside the dismissal and appoint a day for proceeding with the suit.

or Court may restore the suit to its file.

Procedure if only plaintiff appear.

100. If the plaintiff appears and the defendant does not appear, the procedure shall be as follows:—

when summons was duly served.

(*a*) if it is proved that the summons was duly served, the Court may proceed *ex parte*:

when summons not duly served.

(*b*) if it is not proved that the summons was duly served, the Court shall direct a second summons to be issued and served on the defendant:

When summons served, but not in due time.

(*c*) if it is proved that the summons was served on the defendant, but not in sufficient time to enable him to appear and answer on the day fixed in the summons, the Court shall postpone the hearing of the suit to a future day to be fixed by the Court, and shall direct notice of such day to given to the defendant.

Procedure where defendant appears on day of adjourned hearing, and assigns good cause for previous non-appearance.

101. If the Court has adjourned the hearing of the suit *ex parte*, and the defendant, at or before such hearing, appears and assigns good cause for his previous non-appearance, he may, upon such terms as the Court may direct as to costs or otherwise, be heard in answer to the suit, as if he had appeared on the day fixed for his appearance.

Procedure where defendant only appears.

102. If the defendant appears and the plaintiff does not appear, the Court shall dismiss the suit, unless the defendant admits the claim, or part thereof, in which case the Court shall pass a decree against the defendant upon such admission, and where part only of the claim has been admitted, shall dismiss the suit so far as it relates to the remainder.

Decree against plaintiff by default bars fresh suit.

When a suit is wholly or partially dismissed under this section, the plaintiff shall be precluded from bringing a fresh suit in respect of the same cause of action. But he may apply for an order to set the dismissal aside; and if it be proved that he was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall set aside the dismissal upon such terms as to costs or otherwise as it thinks fit, and shall appoint a day for proceeding with the suit.

No order shall be made under the second paragraph of this section unless the plaintiff has served the defendant with notice in writing of his application.

Procedure where defendant residing out of British India does not appear.

103. If, on the day fixed for the hearing of a suit against a defendant residing out of British India, who has no agent empowered to accept service of summons, or on any day to which the hearing has been adjourned, the defendant does not appear, the plaintiff may apply to the Court for permission to proceed with his suit, and the Court may direct that the plaintiff be at liberty to proceed with his suit in such manner and subject to such conditions as the Court thinks fit.

Procedure in case of non-attendance of one or more of several plaintiffs.

104. If there be more plaintiffs than one, and one or more of them appear, and the others of them do not appear, the Court may, at the instance of the plaintiff or plaintiffs who may appear, permit the suit to proceed in the same way as if all the plaintiffs had appeared, and pass such order as it thinks fit.

Procedure in case of non-attendance of one or more of several defendants.

105. If there be more defendants than one, and one or more of them appear, and the others of them do not appear, the suit shall proceed, and the Court shall, at the time of passing judgment, make such order as it thinks fit with respect to the defendants who do not appear.

Consequence of non-attendance, without sufficient cause shown, of party ordered to appear in person.

106. If a plaintiff or defendant, who has been ordered to appear in person under the provisions of section 66 or section 436, does not appear in person, or show sufficient cause to the satisfaction of the Court for failing so to appear, he shall be subject to all the provisions of the foregoing sections applicable to plaintiffs and defendants, respectively, who do not appear.

Court to receive written declaration in support of cause shown for failure to appear.

107. In support of the cause shown by a plaintiff or defendant for failing to appear in person, the Court shall receive any declaration in writing signed by such plaintiff or defendant and verified in manner hereinbefore provided for the verification of plaints.

Of setting aside Decrees ex parte.

Setting aside decree *ex parte* against defendant.

108. In any case in which a decree is passed *ex parte* against a defendant under section 100, he may apply to the Court by which the decree was made for an order to set it aside;

and if it be proved to the satisfaction of the Court that the summons was not duly served, or that the defendant was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall pass an order to set aside the decree upon such terms as to costs, payment into Court, or otherwise, as it thinks fit, and shall appoint a day for proceeding with the suit.

No decree to be set aside, without notice to opposite party.

109. No decree shall be set aside on any such application as aforesaid, unless notice thereof in writing has been served on the opposite party.

CHAPTER VIII.

OF WRITTEN STATEMENTS AND SET-OFF.

Written statements.

110. The parties may, at the first hearing of the suit, tender written statements of their respective cases, and the Court shall receive such statements, place them on the record, and deal with them as if given in evidence.

Particulars of set-off to be given in written statement.

111. If in a suit for the recovery of money the defendant claims to set-off against the plaintiff's demand any ascertained sum of money legally recoverable by him from the plaintiff, and if in such claim of the defendant against the plaintiff both parties fill the same character as they fill in the plaintiff's suit, the defendant may, at the first hearing of the suit, but not afterwards unless permitted by the Court, tender a written statement containing the particulars of the debt sought to be set-off.

The Court shall thereupon enquire into the same, and if it find that the case fulfils the requirements of the former part of this section, and that the amount claimed to be set-off does not exceed the pecuniary limits of its jurisdiction, the Court shall set-off the one debt against the other.

Enquiry.

Such set-off shall have the same effect as a plaint in a cross-suit, so as to enable the Court to pronounce a final judgment in the same suit, both on the original and on the cross-claim.

Effect of set-off.

When the defendant, for the purpose of availing himself of the provisions contained in this section, intentionally relinquishes any portion of his claim against the plaintiff, nothing in section 43 shall apply to the portion so relinquished.

Relinquishment of portion of claim for purpose of set-off.

Illustrations.

(*a*) A bequeaths Rs. 2,000 to B, and appoints C his executor and residuary legatee. B dies and D takes out administration to B's effects. C pays Rs. 1,000 as surety for D. Then D sues C for the legacy. C cannot set-off the debt of Rs. 1,000 against the legacy, for neither C nor D fills the same character with respect to the legacy as they fill with respect to the payment of the Rs. 1,000.

(*b*) A dies intestate and in debt to B. C takes out administration to A's effects, and B buys part of the effects from C. In a suit for the purchase-money by C against B, the latter cannot set-off the debt against the price, for C fills two different characters, one as the vendor to B, in which he sues B, and the other as representative to A, in which B seeks the set-off.

(*c*) A sues B on a bill of exchange. B alleges that A has wrongfully neglected to insure B's goods and is liable to him in compensation which he claims to set-off. The amount not being ascertained cannot be set-off.

(*d*) A sues B on a bill of exchange for Rs. 500. B holds a judgment against A for Rs. 1,000. The two claims being both definite pecuniary demands may be set-off.

(*e*) A sues B for compensation on account of a trespass. B holds a promissory note for Rs. 1,000 from A and claims to set-off that amount against any sum that A may recover in the suit. B may do so, for as soon as A recovers, both sums are definite pecuniary demands.

(*f*) A and B sue C for Rs. 1,000. C cannot set-off a debt due to him by A alone.

(*g*) A sues B and C for Rs. 1,000. B cannot set-off a debt due to him alone by A.

(*h*) A owes the partnership firm of B and C Rs. 1,000. B dies leaving C surviving. A sues C for a debt of Rs. 1,500 due in his separate character. C may set-off the debt of Rs. 1,000.

112. Except as provided in the last preceding section, no written statement shall be received after the first hearing of the suit:

No written statement to be received after first hearing unless called for by Court.

Provided the Court may at any time require a written statement, or additional written statement, from any of the parties, and fix a time for presenting the same:

Court may at any time call for written statement.

Provided also that a written statement, or an additional written statement, may, with the permission of the Court, be received at any time for the purpose of answering written statements so required and presented.

113. If any party from whom a written statement is so required fails to present the same within the time fixed by the Court, the Court may pass a decree against him, or make such other order in relation to the suit as it thinks fit.

Procedure when party fails to present written statement called for by Court.

114. Written statements shall be as brief as the nature of the case admits, and shall not be argumentative, but shall be confined as much as possible to a simple narrative of the facts which the party by whom or on whose behalf the written statement is made believes to be material to the case, and which he believes he will be able to prove.

Frame of written statements.

Every such statement shall be divided into paragraphs, numbered consecutively, and each paragraph containing as nearly as may be a separate allegation.

115. Written statements shall be subscribed and verified in the manner hereinbefore provided for subscribing and verifying plaints, and no written statement shall be received unless it be so subscribed and verified.

Written statements to be subscribed and verified.

The provisions of section 52 as to examining witnesses as to the fact of signature shall apply in the case of written statements.

116. If it appear to the Court that any written statement, whether called for by the Court or spontaneously tendered, is argumentative or prolix, or contains matter irrelevant to the suit, the Court may amend it then and there, or may, by an order to be endorsed thereon, reject the same, or return it to the party by whom it was made for amendment within a time to be fixed by the Court, imposing such terms as to costs or otherwise as the Court thinks fit.

Rejection of argumentative, prolix or irrelevant written statements.

When any amendment is made under this section, the Judge shall attest it by his signature.

When a statement has been rejected under this section, the party making it shall not present another written statement, unless it be expressly called for or allowed by the Court.

117. Every allegation of fact in any written statement, if not denied specifically or by necessary implication, or stated to be not admitted by the opposite party, shall be taken to be admitted for the purposes of the suit.

Allegation of fact not denied admitted for purpose of suit.

CHAPTER IX.

OF THE EXAMINATION OF THE PARTIES BY THE COURT.

118. At the first hearing of the suit, or at any subsequent hearing, any party appearing in person or present in Court, or any person able to answer any material questions relating to the suit by whom he or his pleader is accompanied, may be examined orally by the Court; and the Court may, if it thinks fit, put in the course of such examination questions suggested by either party.

Oral examination of party, or companion of himself or his pleader.

119. The substance of the examination shall be reduced to writing by the Judge, and shall form part of the record.

Substance of examination to be written.

120. If the pleader of any party who appears by a pleader refuses or is unable to answer any material question relating to the suit which the Court is of opinion that the party whom

Consequence of refusal or inability of pleader to answer.

he represents ought to answer, and is likely to be able to answer if interrogated in person, the Court may postpone the hearing of the suit to a future day, and direct that such party shall appear in person on such day.

If such party fails without lawful excuse to appear in person on the day so appointed, the Court may pass a decree against him, or make such order in relation to the suit as it thinks fit.

CHAPTER X.

OF DISCOVERY AND OF THE ADMISSION, INSPECTION, PRODUCTION, IMPOUNDING AND RETURN OF DOCUMENTS.

Discovery.

121. At any time before the settlement of issues, either party may without any order for that purpose, and any party may at any time by leave of the Court, deliver through the Court interrogatories in writing for the examination of the opposite party, or where there are more opposite parties than one, any one or more of such parties, with a note at the foot thereof stating which of such interrogatories each of such persons is required to answer:

Power to deliver interrogatories.

Provided that no party shall deliver more than one set of interrogatories to the same person without the permission of the Court.

122. Interrogatories delivered under section 121 shall be served in the manner hereinbefore provided for the service of summons, and the provisions of sections 79, 80 and 81 shall, *mutatis mutandis*, apply to the serving officer.

Service of interrogatories.

123. The Court, in adjusting the costs of the suit, shall, at the instance of any party, inquire or cause inquiry to be made into the propriety of delivering such interrogatories; and if it thinks that such interrogatories have been delivered unreasonably, vexatiously or at improper length, the costs occasioned by the said interrogatories and the answers thereto shall be borne by the party in fault.

Inquiry into propriety of exhibiting interrogatories.

124. If any party to a suit be a body corporate or a joint stock company, whether incorporated or not, or any other body of persons empowered by law to sue or be sued, whether in its own name or in the name of any officer or other person, any opposite party may apply to the Court for an order allowing him to deliver interrogatories to any member or officer of such corporation, company or body, and an order may be made accordingly.

Service of interrogatories on officer of corporation or company.

125. Any party called upon to answer interrogatories, whether by himself or by any such member or officer, may refuse to answer any interrogatory on the ground that it is irrelevant, or is not put *bonâ fide* for the purposes of the suit, or that the matter inquired after is not sufficiently material at that stage of the suit, or on any other like ground.

Power to strike out interrogatories as irrelevant, &c.

126. Interrogatories shall be answered by affidavit to be filed in Court within ten days from the service thereof or within such other time as the Judge may allow.

Time for filing affidavit in answer.

127. If any person interrogated omits or refuses to answer, or answers insufficiently, any interrogatory, the party interrogating may apply to the Court for an order requiring him to answer or to answer further, as the case may be. And an order may be made requiring him to answer or to answer further either by affidavit or by *viva voce* examination as the Judge may direct. Provided that the Judge shall not require an answer to any interrogatory which in his opinion need not have been answered under section 125.

Procedure where a party omits to answer sufficiently.

Admission of Documents.

128. Either party may, by a demand made in writing, within a reasonable time, not being less than four days before the hearing, require the other party to admit (saving all just exceptions to the admissibility of such document in evidence) the genuineness of any document material to the suit.

Power to demand admission of genuineness of documents.

The demand shall be served through the Court in the manner hereinbefore provided for the service of summons, and the provisions of sections 79, 80 and 81 shall, *mutatis mutandis*, apply to the serving officer.

The admission shall also be made in writing and filed in Court by the other party.

If such demand be not made, no costs of proving such document shall be allowed, unless the Judge otherwise orders.

If such demand is not complied with within four days after its being served, and the Judge thinks it reasonable that the admission should have been made, the party refusing shall bear the expense of proving such document, whatever may be the result of the suit.

Production of Documents.

129. The Court may, at any time during the pendency therein of any suit, order the production by any party thereto of such of the documents in his possession or power relating to any matter in question in such suit or proceeding as the Court thinks right; and the Court may deal with such documents when produced in such manner as appears just.

Power to order production of documents during suit.

130. Any party may apply to the Court for an order directing any other party to the suit to declare by affidavit all the documents which are or have been in his possession or power relating to any matter in question in the suit or proceeding.

Application for order for discovery of document.

Every such affidavit shall specify which, if any, of the documents therein mentioned the declarant objects to produce.

Affidavit in answer to such order.

131. Every party to a suit may at any time before or at the hearing thereof give notice through the Court to any other party in whose plaint, written statement or affidavits

Notice to produce for inspection documents referred to in plaint, &c.

reference is made to any document, to produce such document in the presence of such officer as the Court appoints in this behalf, for the inspection of the party giving such notice or of his pleader, and to permit such party or pleader to take copies thereof.

Consequence of non-compliance with such notice.

No party failing to comply with such notice shall afterwards be at liberty to put any such document in evidence on his behalf in such suit, unless he satisfies the Court that such document relates only to his own title, or that he had some other and sufficient cause for not complying with such notice.

Party receiving such notice to deliver notice when and where inspection may be had.

132. The party to whom such notice is given shall, within four days from the receipt thereof, deliver through the Court to the party giving the same a notice stating a time within three days from such delivery at which the documents or such of them as he does not object to produce, may be inspected at his pleader's office or some other convenient place, and stating which, if any, of the documents he objects to produce, and on what grounds.

Application for order of inspection.

133. If any party served with notice under section 131 omits to give notice under section 132 of the time for inspection, or objects to give inspection, or names an inconvenient place for inspection, the party desiring it may apply to the Court for an order of inspection.

Application to be founded on affidavit.

134. Except in the case of documents referred to in the plaint, written statement, or affidavit of the party against whom the application is made, or disclosed in his affidavit of documents, such application shall be founded upon an affidavit showing (*a*) of what documents inspection is sought, (*b*) that the party applying is entitled to inspect them, and (*c*) that they are in the possession or power of the party against whom the application is made.

Power to order issue or question on which right to discovery depends to be first determined.

135. If the party from whom discovery of any kind or inspection is sought, objects to the same or any part thereof, and if the Court is satisfied that the right to such discovery or inspection depends on the determination of any issue or question in dispute in the suit or that for any other reason it is desirable that any such issue or question should be determined before deciding upon the right to the discovery or inspection, the Court may order that the issue or question be determined first and reserve the question as to the discovery or inspection.

Consequences of failure to answer or give inspection.

136. If any party fail to comply with any order under this chapter to answer interrogatories or for discovery or inspection, which has been served personally upon him, he shall, if a plaintiff, be liable to have his suit dismissed for want of prosecution, and if a defendant, to have his defence, if any, struck out, and to be placed in the same position as if he had not defended;

and the party interrogating or seeking discovery or inspection may apply to the Court for an order to that effect, and the Court may make such order accordingly.

Any party failing to comply with any order under this chapter to answer interrogatories or for discovery or inspection of documents, which has been served personally upon him, shall also be deemed guilty of an offence under section 188 of the Indian Penal Code.

Court may send for papers from its own records or from other Courts.

137. The Court may, of its own accord, and may, in its discretion, upon the application of any of the parties to a suit send for, either from its own records or from any other Court, the record of any other suit or proceeding, and inspect the same.

Every application made under this section must, if the Court so require, be supported by an affidavit of the applicant or his pleader, showing how the record is material to the suit in which the application is made and that the applicant cannot obtain a duly authenticated copy of the record or such portion thereof as the applicant requires.

Production of Documents at first Hearing.

Documentary evidence to be produced at first hearing.

138. The parties or their pleaders shall bring with them and have in readiness at the first hearing of the suit, to be produced when called for by the Court, all the documentary evidence of every description in their possession or power, on which they intend to rely, and which has not already been filed in Court, and all documents or other things specified in any order made under section 130 at any time before the hearing of the suit.

Effect of non-production of documents.

139. No documentary evidence in the possession or power of any party the production of which has been called for under section 138, and which has not been produced, shall be received at any subsequent stage of the proceedings unless good cause be shown to the satisfaction of the Court for the non-production thereof. And the Judge receiving any such evidence shall record his reasons for so doing.

Documents to be received by Court.

140. The Court shall receive the documents produced by the parties at the first hearing.

Rejection of irrelevant or inadmissible documents.

The Court may at any stage of the suit reject any document which it considers irrelevant or otherwise inadmissible, recording the grounds of such rejection.

No documents to be placed on record unless proved.

141. No document shall be placed on the record unless it has been proved or admitted in accordance with the law of evidence for the time being in force. Every document so proved or admitted

Proved documents to be marked and filed.

shall be endorsed with the number and title of the suit, the name of the person producing it, and the date on which it was produced, and shall be filed as part of the record:

Provided that, if the document be an entry in a shop-book or other book, the party on whose behalf such book is produced may furnish a copy of the entry, which may be endorsed as aforesaid, and shall be filed as part of the record, and the Court shall mark the entry and shall then return the book to the person producing it.

Entries in shop-books.

Rejected documents to be marked,

142. When a document is rejected by the Court, it shall be endorsed in the manner specified in the last preceding section with the addition of the word "rejected," and the endorsement shall be signed by the Judge.

and returned; unless detained by Court.

The document shall then be returned to the party who produced it.

Court may order any document to be impounded.

143. Notwithstanding anything contained in sections 62, 141 and 142, the Court may, if it see sufficient cause, direct any document or book produced before it in any suit to be impounded and kept in the custody of an officer of the Court, for such period and subject to such conditions as the Court thinks fit.

After lapse of time for appeal, document admitted in evidence may be returned.

144. In suits in which an appeal is not allowed, when the suit has been disposed of, and in suits in which an appeal is allowed, when the time for preferring an appeal from the decree has elapsed, or, if an appeal has been preferred, then after the appeal has been disposed of, any person, whether a party to the suit or not, desirous of receiving back any document produced by him in the suit, and placed on the record, shall, unless the document is impounded under section 143, be entitled to receive back the same:

When document may be returned before time limited.

Provided that a document may be returned at any time before either of such events, if the person applying for such return delivers to the proper officer a certified copy of such document to be substituted for the original:

Document not to be returned in certain cases.

Provided also that no document shall be returned which, by force of the decree, has become void or useless.

Receipt to be given for returned document.

145. On the return of a document which has been admitted in evidence, a receipt shall be given by the party receiving it, in a receipt-book to be kept for the purpose.

CHAPTER XI.

OF THE SETTLEMENT OF ISSUES.

Framing of issues.

146. Issues arise when a proposition of fact or law is affirmed by the one party and denied by the other.

They are of two kinds: (1) issues of fact, (2) issues of law.

At the first hearing of the suit, the Court shall, after reading the plaint and the written statements, if any, and after such examination of the parties as may appear necessary, ascertain upon what propositions of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues on which the right decision of the case appears to the Court to depend.

When issues both of law and of fact arise in the same suit, and the Court is of opinion that the case may be disposed of on the issues of law only, it shall try those issues first.

Nothing in this section shall be deemed to require the Court to frame and record issues when the defendant at the first hearing of the suit makes no defence.

Allegations from which issues may be framed.

147. The Court may frame the issues from any of the following materials:—

(*a*) allegations made on oath by the parties, or by any persons present on their behalf, or made by the pleaders of such parties or persons;

(*b*) allegations made in the plaint or in the written statements (if any) tendered in the suit;

(*c*) the contents of documents produced by either party and placed on the record.

Court may examine witnesses or documents before framing issues.

148. If the Court be of opinion that the issues cannot be correctly framed without the examination of some person not before the Court, or without the inspection of some document not produced in the suit, it may adjourn the framing of the issues to a future day, to be fixed by the Court, and may compel the attendance of any person or the production of any document by the person in whose hands it may be, by summons or other process.

Power to amend, add and strike out issues.

149. The Court may at any time before passing a decree amend the issues or frame additional issues on such terms as it thinks fit, and all such amendments or additional issues as may be necessary for determining the controversy between the parties shall be so made or framed.

The Court may also, at any time before passing a decree, strike out any issues that appear to it to be wrongly framed or introduced.

Questions of fact or law may by agreement be stated in the form of an issue.

150. When the parties to a suit are agreed as to the question of fact or of law to be decided between them, they may state the same in the form of an issue, and enter into an agreement in writing,

(*a*) that upon the finding of the Court in the affirmative or the negative of such issue, a sum of money specified in the agreement, or to be ascertained by the Court, or in such manner as the Court may direct, shall be paid by one of the parties to the other of them, or that one of them be declared entitled to some right or subject to some liability specified in the agreement,

(*b*) that upon such finding some property specified in the agreement and in dispute in the suit shall be delivered by one of the parties to the other of them, or as that other may direct, or

(*c*) that upon such finding one or more of the parties shall do or abstain from doing some particular act, specified in the agreement, and relating to the matter in dispute.

No such agreement shall be filed after the Court has recorded issues in the suit, unless the Judge, for some reason to be recorded under his hand, otherwise directs.

Court if satisfied that the agreement was executed in good faith may give judgment.

151. If the Court be satisfied, after making such enquiry as it deems proper,

(*a*) that the agreement was duly executed by the parties,

(*b*) that they have a substantial interest in the decision of such question as aforesaid, and

(*c*) that the same is fit to be tried and decided,

it may proceed to record and try the issue, and deliver its finding or opinion thereon in the same manner as if the issue had been framed by the Court;

and may, upon the finding or decision on such issue, give judgment according to the terms of the agreement;

and upon the judgment so given, decree shall follow and may be executed in the same way as if the judgment had been pronounced in a contested suit.

CHAPTER XII.

DISPOSAL OF THE SUIT AT THE FIRST HEARING.

If parties are not at issue on any question of law or fact.

152. If at the first hearing of a suit it appears that the parties are not at issue on any question of law or of fact, the Court may at once give judgment.

If one of several defendants be not at issue with the plaintiff.

153. Where there are more defendants than one, and any one of the defendants is not at issue with the plaintiff on any question of law or fact, the Court may at once give judgment for or against such defendant, and the suit shall proceed only against the other defendants.

If parties are at issue on questions of law or fact.

154. When the parties are at issue on some question of law or of fact, and issues have been framed by the Court as hereinbefore provided, if the Court be satisfied that no further argument or evidence than the parties can at once supply is required upon such of the issues as may be sufficient for the decision of the suit, and that no injustice will result from proceeding with the suit forthwith, the Court may proceed to determine such issue,

Court may determine issue and give judgment.

and if the finding thereon is sufficient for the decision, may pronounce judgment accordingly, whether the summons has been issued for the settlement of issues only or for the final disposal of the suit:

Provided that, where the summons has been issued for the settlement of issues only, the parties or their pleaders are present and none of them object.

If the finding is not sufficient for the decision, the Court shall postpone the further hearing of the suit, and shall fix a day for the production of such further evidence, or for such further argument as the case requires.

If either party fails to produce his evidence, Court may give judgment.

155. If the summons has been issued for the final disposal of the suit, and either party fails without sufficient cause to produce the evidence on which he relies, the Court may at once give judgment,

Procedure where Court cannot give judgment at first hearing.

or if it is unable to give judgment by reason of additional evidence being required, or for any other cause, the Court shall frame and record, under section 146, the issues requiring to be determined.

CHAPTER XIII.

OF ADJOURNMENTS.

Court may grant time, or adjourn hearing.

156. The Court may, if sufficient cause be shown, at any stage of the suit, grant time to the parties, or to any of them, and may from time to time adjourn the hearing of the suit.

Costs of adjournment.

In all such cases the Court shall fix a day for the further hearing of the suit, and may make such order as it thinks fit with respect to the costs occasioned by the adjournment:

Provided that, when the hearing of evidence has once begun, the hearing of the suit shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the hearing to be absolutely necessary for reasons to be recorded by the hand of the Judge.

Procedure if parties fail to appear on day fixed.

157. If, on any day to which the hearing of the suit is adjourned, the parties or either of them fail to appear, the Court may proceed to dispose of the suit in one of the modes directed in that behalf by Chapter VII, or make such other order as it thinks fit.

Court may proceed notwithstanding either party fails to produce his evidence.

158. If either party to a suit to whom time has been granted fails to produce his evidence, or to cause the attendance of his witnesses, or to perform any other act necessary to the further progress of the suit, for which time has been allowed, the Court may, notwithstanding such default, proceed to decide the suit forthwith.

CHAPTER XIV.

OF THE SUMMONING AND ATTENDANCE OF WITNESSES.

Summons to attend to give evidence or produce documents.

159. The parties may, after the summons has been delivered for service on the defendant, if the summons be for the final disposal of the suit;

or after the issues have been recorded, if the summons to the defendant be for the settlement of issues only,

obtain, on application to the Court or to such officer as it appoints in this behalf, before the day fixed for such disposal or settlement, as the case may be, summonses to persons whose attendance is required either to give evidence or to produce a document.

Expenses of witnesses to be paid into Court on applying for summons.

160. The person applying for a summons shall pay into court such a sum of money as appears to the Court to be sufficient to defray the travelling and other expenses of the person summoned, in passing to and from the

court in which he is required to attend, and for one day's attendance.

Scale of expenses.

If the Court be subordinate to a High Court, regard shall be had, in fixing the scale of such expenses, to the rules (if any) laid down by competent authority.

Tender of expenses to witness.

161. The sum so paid into court shall be tendered to the person summoned, at the time of serving the summons if it can be served personally.

Procedure where insufficient sum paid in.

162. If it appear to the Court or to such officer as it appoints in this behalf that the sum paid into court is not sufficient to cover such expenses, the Court may direct such further sum to be paid to the person summoned as appears to be necessary on that account; and, in case of default in payment, may order such sum to be levied by attachment and sale of the moveable property of the person obtaining the summons; or the Court may discharge the person summoned without requiring him to give evidence.

Expenses if witness detained more than one day.

If it be necessary to detain the person summoned for a longer period than one day, the Court may from time to time order the party at whose instance he was summoned, to pay into court such sum as is sufficient to defray the expenses of his detention for such further period, and in default of such deposit being made, may order such sum to be levied by attachment and sale of the moveable property of the party at whose instance he was summoned; or the Court may discharge the person summoned without requiring him to give evidence.

Time, place, and purpose of attendance to be specified in summons.

163. Every summons for the attendance of a person to give evidence or produce a document shall specify the time and place at which he is required to attend, and also whether his attendance is required for the purpose of giving evidence or to produce a document, or for both purposes; and any particular document which the person summoned is called on to produce, shall be described in the summons with reasonable accuracy.

Summons to produce document.

164. Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons, if he cause such document to be produced instead of attending personally to produce the same.

Power to require persons present in Court to give evidence.

165. Any person present in court may be required by the Court to give evidence or to produce any document then and there in his actual possession or power.

Service of Summons on Persons required to give Evidence or produce Documents.

Summons how served.

166. Every summons to a person to give evidence or produce a document shall be served as nearly as may be in manner hereinbefore prescribed for the service of summons on the defendant; and the rules contained in Chapter VI as to proof of service shall apply in the case of all summonses served under this section.

Time for serving summons.

167. The service shall in all cases be made a sufficient time before the time specified in the summons for the attendance of the person summoned, to allow him a reasonable time for preparation and for travelling to the place at which his attendance is required.

Attachment of property of absconding witness.

168. If the serving officer certify to the Court that the summons for the attendance of a person, either to give evidence or to produce a document, cannot be served, the Court shall examine the serving-officer on oath touching the non-service:

and upon being satisfied that such evidence or production is material, and that the person for whose attendance the summons has been issued is absconding or keeping out of the way for the purpose of avoiding the service of the summons, may cause a proclamation requiring him to attend to give evidence, or produce the document, at a time and place to be named therein.;

and a copy of such proclamation shall be affixed on some conspicuous place of the house in which he is dwelling.

If he does not attend at the time and place named in such proclamation, the Court may in its discretion, at the instance of the party on whose application the summons was issued, make an order for the attachment of the property of the person whose attendance is required, to such amount as the Court thinks fit, not exceeding the amount of the costs of attachment and of the fine which may be imposed under section 170.

Provided that no Court of Small Causes shall make an order for the attachment of immoveable property.

If witness appears, attachment may be withdrawn.

169. If, on the attachment of his property, such person appears and satisfies the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court shall direct that the property be released from attachment, and shall make such order as to the costs of the attachment as it thinks fit.

Procedure if witness fails to appear.

170. If such person does not appear, or appearing, fails to satisfy the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court may impose upon him such fine not exceeding five hundred rupees as the Court thinks fit, having regard to his condition in life and all the circumstances of the case, and may order the property attached, or any part thereof, to be sold for the purpose of satisfying all costs incurred in consequence of such attachment, together with the amount of the said fine, if any:

Provided that if the person whose attendance is required pays into Court the costs and fine as aforesaid, the Court shall order the property to be released from attachment.

Attendance of Witnesses and Consequence of Non-attendance.

171. Subject to the rules of this Code as to attendance and appearance and to the provisions of the Indian Evidence Act, if the Court at any time thinks it necessary to examine any person other than a party to the suit, and not named as a witness by a party to the suit, the Court may, of its own motion, cause such person to be summoned as a witness to give evidence, or to produce any document in his possession, on a day to be appointed, and may examine him as a witness or require him to produce such document.

Court may of its own accord summon as witnesses strangers to suit.

172. Subject as last aforesaid, whoever is summoned to appear and give evidence in a suit must attend at the time and place named in the summons for that purpose, and whoever is summoned to produce a document must either attend to produce it, or cause it to be produced, at such time and place.

Persons summoned to give evidence must attend.

173. No person so summoned and attending shall depart unless and until (*a*) he has been examined or has produced the document and the Court has risen, or (*b*) he has obtained the Court's leave to depart.

When they may depart.

174. If any person on whom a summons to give evidence or produce a document has been served fails to comply with the summons, or if any person so summoned and attending departs in contravention of section 173, the Court may order him to be arrested and brought before the Court.

Consequences of non-attendance.

Provided that no such order shall be made when the Court has reason to believe that the person so failing had a lawful excuse for such failure.

When any person so brought before the Court fails to satisfy it that he had a lawful excuse for not complying with the summons, the Court may sentence him to fine not exceeding five hundred rupees.

Explanation.—Non-payment or non-tender of a reasonable sum for expenses shall be deemed a lawful excuse within the meaning of this section.

If any person so apprehended and brought before the Court cannot, owing to the absence of the parties or any of them, give the evidence or produce the document which he has been summoned to give or produce, the Court may require him to give reasonable bail for his appearance at such time and place as it thinks fit, and on such bail being given, may release him.

Consequences of refusal to give evidence or produce documents.

175. If any person so failing to comply with a summons absconds or keeps out of the way, so that he cannot be apprehended and brought before the Court, the provisions of sections 168, 169 and 170 shall, *mutatis mutandis*, apply.

Procedure when witness absconds.

176. If any party present in Court refuses, without lawful excuse, when required by the Court, to give evidence, or to produce such document then and there in his actual possession or power, the Court may in its discretion either pass a decree against him, or make such other order in relation to the suit as the Court thinks fit.

Consequence of refusal of party to give evidence when called on by the Court.

Nothing in this section enables the Court to decree a claim which on the face of the record is not warranted by law.

Explanation.—"Lawful excuse" means in this section such an excuse as, under the Indian Evidence Act, 1872, justifies a refusal to give the evidence or produce the document required.

177. No one shall be bound to attend in person to give evidence in Court unless he resides—

Person summoned to attend in person if so required.

(*a*) within the local limits of its ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty or (where there is railway communication between the place where he resides and the place where the Court is situate) two hundred miles distant from the Court-house.

178. Whenever any party to a suit is required to give evidence or to produce a document, the rules as to witnesses contained in this Code shall apply to him so far as they are applicable.

Rules as to witnesses to apply to parties summoned.

CHAPTER XV.

OF THE HEARING OF THE SUIT AND EXAMINATION OF WITNESSES.

Proceedings on the Hearing.

179. On the day fixed for the hearing of the suit, or on any other day to which the hearing is adjourned, the party having the right to begin shall state his case and produce his evidence in support of the issues which he is bound to prove.

Statement and production of evidence by party having right to begin.

Explanation.—The plaintiff has the right to begin unless where the defendant admits the facts alleged by the plaintiff and contends that on those facts the plaintiff is not entitled to any part of the relief which he seeks, in which case the defendant has the right to begin.

Rules as to right to begin.

Statement and production of evidence by other party.

180. The other party shall then state his case and produce his evidence (if any).

Reply by party beginning.

The party beginning is then entitled to reply.

Where there are several issues, the burden of proving some of which lies on the other party, the party beginning may, at his option, either produce his evidence on those issues or reserve it by way of answer to the evidence produced by the other party. In the latter case the party beginning may produce fresh evidence on those issues after the other party has produced all his evidence, and the other party may then reply specially on such fresh evidence; but the party beginning will then be entitled to reply generally on the whole case.

181. The evidence of the witnesses in attendance shall be taken orally in open court in the presence and hearing, and under the personal direction and superintendence, of the Judge.

Witnesses to be examined in open court.

182. In cases in which an appeal is allowed the evidence of each witness shall be taken down in writing, in the language of the Court, by or in the presence and under the personal direction and superintendence of the Judge, not ordinarily in the form of question and answer, but in that of a narrative, and, when completed, shall be read over in the presence of the Judge and of the witness, and also in the presence of the parties or their pleaders, and shall, if necessary, be corrected, and shall be signed, by the Judge.

How evidence shall be taken in appealable cases.

183. In cases in which the evidence is not taken down in writing by the Judge, he shall be bound, as the examination of each witness proceeds, to make a memorandum of the substance of what each witness deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

Memorandum when evidence is not taken down by Judge.

184. Notwithstanding anything contained in section 182, the Local Government may by notification in the official Gazette permit the evidence of witnesses in any Court or class of Courts to be taken down by the Judge with his own hand in English, and may withdraw such permission,

Local Government may direct evidence to be taken down by Judge with his own hand.

and any Judge may take down the evidence with his own hand in English, if the parties to the suit who appear in person, and the pleaders of such as appear by pleaders, do not object.

185. If the evidence is taken down in a language different from that in which it was given, and the witness does not understand the language in which it is taken down, the evidence as taken down in writing shall be interpreted to him in the language in which it was given.

When witness may require his deposition to be interpreted.

186. The Court may of its own motion or on the application of any party or his pleader take down, or cause to be taken down, any particular question and answer, or any objection to any question, if there appear any special reason for so doing.

Any particular question and answer may be taken down.

187. If any question put to a witness be objected to by a party or his pleader, and the Court allows the same to be put, the Judge shall take down the question, the answer, the objection and the name of the person making it, together with the decision of the Court upon the objection.

Questions objected to.

188. The Court may record such remarks as it thinks material respecting the demeanour of any witness while under examination.

Remarks on demeanour of witnesses.

189. In cases in which an appeal is not allowed, it shall not be necessary to take down the evidence of the witnesses in writing at length; but the Judge, as the examination of each witness proceeds, shall make a memorandum of the substance of what he deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

Memorandum of evidence in unappealable cases.

190. If the Judge be rendered unable to take down evidence, or to make a memorandum as above required by this Chapter, he shall cause the reason of such inability to be recorded, and shall cause the evidence to be taken down, or the memorandum to be made in writing from his dictation in open Court.

Judge unable to make such memorandum to record reason of his inability.

Every memorandum so made shall form part of the record.

191. Where the Judge taking down any evidence, or causing any memorandum to be made under this Chapter, dies or is removed from the Court before the conclusion of the suit, his successor may, if he thinks fit, deal with such evidence or memorandum as if he himself had taken it down or caused it to be made.

Power to deal with evidence taken down by Judge removed before conclusion of suit.

192. If a witness be about to leave the jurisdiction of the Court, or if other sufficient cause be shown to the satisfaction of the Court why his evidence should be taken immediately, the Court, may, upon the application of either party or of the witness, at any time after the institution of the suit, take the evidence of such witness in manner hereinbefore provided.

Power to examine witness immediately.

Where such evidence is not taken forthwith and in the presence of the parties, such notice as the Court thinks sufficient of the day fixed for the examination shall be given to the parties.

The evidence so taken shall be read over to the witness, and, if he admits it to be correct, shall be signed by him, and may then be read at any hearing of the suit.

193. The Court may at any stage of the suit recall any witness who has been examined and who has not departed in accordance with section 173, and may (subject to the provisions of the Indian Evidence Act) put such questions to him as the Court thinks fit.

Court may recall and examine witness.

CHAPTER XVI.

OF AFFIDAVITS.

194. The Court may at any time for sufficient reason order that any particular fact or facts may be proved by affidavit, or that the affidavit of any witness may be read at the hearing, on such conditions as the Court thinks reasonable:

Power to order any point to be proved by affidavit.

Provided that where it appears to the Court that the other party *bonâ fide* desires the production of a witness for cross-examination, and that such witness can be produced, an order shall not be made authorizing the evidence of such witness to be given by affidavit.

195. Upon any application evidence may be given by affidavit, but the Court may on the application of either party order the attendance for cross-examination of the declarant.

When evidence may be given by affidavit.

196. Affidavits shall be confined to such facts as the declarant is able of his own knowledge to prove, except on interlocutory applications, on which statements of his belief may be admitted, provided that reasonable grounds thereof be set forth.

Matters to which affidavits shall be confined.

The costs of every affidavit which shall unnecessarily set forth matters of hearsay or argumentative matter, or copies of or extracts from documents, shall be paid by the party filing the same.

197. In the case of any affidavit under this Code—

Oath of declarant by whom to be administered.

(*a*) any Court or Magistrate, or

(*b*) any officer whom a High Court may appoint in this behalf, or

(*c*) any officer appointed by any other Court which the Local Government has generally or specially empowered in this behalf,

may administer the oath of the declarant.

CHAPTER XVII.

OF JUDGMENT AND DECREE.

198. The Court, after inspecting the documentary evidence on the record, and examining or hearing the witnesses examined by the parties or their pleaders, and hearing the parties in person or by their respective pleaders or recognized agents, shall pronounce judgment in open Court, either at once or on some future day, of which due notice shall be given to the parties or their pleaders.

Judgment when pronounced.

199. A Judge may pronounce a judgment written by his predecessor, but not pronounced, and in such case he shall not be bound by section 198, except as to giving notice.

Power to pronounce judgment written by Judge's predecessor.

200. The judgment shall be written in the language of the Court:

Judgment to be written in language of Court.

Provided that, if such language is not English or the Judge's mother-tongue, the judgment may be written in English or his mother-tongue.

Proviso.

201. Whenever the judgment is written in any language other than that of the Court, the judgment shall, if any of the parties so require, be translated into the language of the Court, and the translation shall also be signed by the Judge or such officer as he appoints in this behalf.

Translation of judgment.

202. The judgment shall be dated and signed by the Judge in open Court at the time of pronouncing it, and shall not be altered or added to, save to correct verbal errors or on review.

Judgment to be dated and signed.

203. The judgments of the Courts of Small Cause Courts need not contain more than the points for determination and the decision thereupon.

Judgments of Small Cause Courts.

The judgments of all other Courts shall contain a concise statement of the case, the points for determination, the decision thereon, and the reasons for such decision.

Judgments of other Courts.

204. In suits in which issues have been framed, the Court shall state its finding or decision, with the reasons thereof, upon each separate issue, unless the finding upon any one or more of the issues be sufficient for the decision of the suit.

Court to state its decision on each issue.

Exception.

205. The decree shall bear date the day on which the judgment was pronounced; and when the Judge has satisfied himself that the decree has been drawn up in accordance with the judgment, he shall sign the decree.

Date of decree.

206. The decree must agree with the judgment: it shall contain the number of the suit, the names and descriptions of the parties, and particulars of the claim, as stated in the register, and shall specify clearly the relief granted or other determination of the suit.

Contents of decree.

The decree shall also state the amount of costs incurred in the suit, and by what parties and in what proportions such costs are to be paid.

If the decree is found to be at variance with the judgment, or if any clerical or arithmetical error be found in the decree, the Court shall, of its own motion or on that of any of the parties, amend the decree so as to bring it into conformity with the judgment or to correct such error: provided that reasonable notice have been given to the parties or their pleaders of the proposed amendment.

Power to amend decree.

207. When the subject-matter of the suit is immoveable property, and such property is identified by boundaries or numbers in a record of settlement or survey, if the decree be for the recovery of a portion only of such property, it shall specify the boundaries or number of such portion.

Decree for recovery of portion of immoveable property.

208. When the suit is for moveable property, if the decree be for the delivery of such property, it shall also state the amount of money to be paid as an alternative if delivery cannot be had.

Decree for delivery of moveable property.

209. When the suit is for a sum of money due to the plaintiff, the Court may, in the decree, order interest at such rate as the Court thinks proper to be paid on the principal sum adjudged, from the date of the suit to the date of the decree, in addition to any interest adjudged on such principal sum for any period prior to the institution of the suit, with further interest not exceeding six per centum per annum on the aggregate sum so adjudged, and on the costs of the suit, from the date of the decree to the date of payment, or to such earlier date as the Court thinks fit.

In suits for money, decree may order certain interest to be paid on principal sum adjudged.

210. In all decrees for the payment of money, the Court may for any sufficient reason order that the amount shall be paid by instalments, with or without interest.

Payment by instalments.

And on the application of the defendant at any time not more than six months after decree, the Court may order that the amount of the decree be paid by instalments on such terms as to the payment of interest, the attachment of the property of the defendant, or the taking of security from him, or otherwise, as it thinks fit: provided that, before granting such application, reasonable notice in writing has been given to the plaintiff or his pleader, and that the Court has heard the objections, if any, made by the plaintiff or on his behalf.

Court may order payment by instalments.

Save as provided in this section and section 206, no decree shall be altered at the request of parties.

211. When the suit is for land or other property yielding rent or other profit, the Court may provide in the decree for the payment of rent or mesne profits in respect of such property from the institution of the suit until the delivery of possession to the party in whose favour the decree is made, or until the expiration of one year from the date of the decree (whichever event first occurs), with interest thereupon at such rate as the Court thinks fit.

In suits for land, Court may decree payment of mesne profits with interest.

Explanation.—'mesne profits' of property mean those profits which the person in wrongful possession of such property actually received, or might with ordinary diligence have received, therefrom.

212. When the suit is for immoveable property and for mesne profits which have accrued on the property during a period prior to the institution of the suit, and the amount of such profits is disputed, the Court may either determine the amount by the decree itself, or may pass a decree for the property and direct an enquiry into the amount of mesne profits, and dispose of the same on further orders.

Court may determine amount of mesne profits prior to passing decree, or may reserve enquiry.

213. When the suit is for an account of any property and for its due administration under the decree of the Court, the Court, before making the decree, shall order such accounts and enquiries to be taken and made, and give such other directions as it thinks fit.

Administration-suit.

In the administration by the Court of the property of any person who dies after this Code comes into force, if such property proves to be insufficient for the payment in full of his debts and liabilities, the same rules shall be observed as to the respective rights of secured and unsecured creditors and as to debts and liabilities proveable, and as to the valuation of annuities and future and contingent liabilities respectively, as may be in force for the time being with respect to the estates of persons adjudged insolvent;

and all persons who in any such case would be entitled to be paid out of such property may come in under the decree for its administration, and make such claims against the same as they may respectively be entitled to by virtue of this Code.

Explanation.—Applications under section 265 of the Indian Contract Act, 1872, shall be deemed to be suits within the meaning of this section.

214. When the suit is for the dissolution of a partnership, the Court, before making its decree, may pass an order fixing the day on which the partnership shall stand dissolved, and directing such accounts to be taken and other acts to be done as it thinks fit.

Suit for dissolution of partnership.

215. If the defendant has set-off the amount of a debt against the claim of the plaintiff, and such set-off has been allowed, the decree shall state what amount is due to the plaintiff and what amount (if any) is due to the defendant, and shall be for the recovery of any sum which appears to be due to either party.

If set-off be allowed.

The decree of the Court with respect to any sum awarded to the defendant shall have the same effect, and be subject to the same rules in respect of appeal or otherwise, as if such sum had been claimed by the defendant in a separate suit against the plaintiff.

Effect of decree.

216. Certified copies of the judgment and decree shall be furnished to the parties on application to the Court, and at their expense.

Certified copies of decree and judgment to be furnished.

CHAPTER XVIII.

OF COSTS.

217. When disposing of any application under this Code the Court may give to either party the costs of such application, or may reserve the consideration of such costs for any future stage of the proceedings.

Costs of applications.

218. The judgment shall direct by whom the costs of each party are to be paid, whether by himself or by any other party to the suit, and whether in whole or in what part or proportion.

Judgment to direct by whom costs are to be paid.

219. The Court shall have full power to give and apportion costs of every application and suit in any manner it thinks fit, and the fact that the Court has no jurisdiction to try the case is no bar to the exercise of such power:

Power of Court as to costs.

Provided if the Court directs that the costs of any application or suit shall not follow the event, the Court shall state its reasons in writing.

220. The Court may direct that the costs payable to one party by another shall be set-off against a sum which is admitted or is found in the suit to be due from the former to the latter.

Costs may be set-off against sum admitted or found to be due.

221. The Court may give interest on costs at any rate not exceeding six per cent. per annum, and may direct that costs, with or without interest, be paid out of or charged upon the subject-matter of the suit.

Interest on costs.

Costs may be paid out of or charged on subject-matter of suit.

222. There shall be no appeal on a question solely relating to costs except on either of the following grounds (namely)

Questions of costs when appealable.

(*a*) that the costs are payable out of or chargeable on some property; or

(*b*) that the mode in which the costs have been given is inconsistent with some enactment for the time being in force.

Illustration.

A, an incumbrancer upon a certain estate, sues to compel the payment of his charge. The Court decrees him his principal and interest, but refuses his costs. A may appeal against this refusal, for every incumbrancer has a lien for his costs on the property charged.

CHAPTER XIX.

OF THE EXECUTION OF DECREES.

A.—Of the Court by which Decrees may be executed.

Court by which decree may be executed.

223. A decree may be executed either by the Court which passed it or by the Court to which it is sent for execution under the provisions hereinafter contained.

The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court,

(*a*) if the person against whom the decree is passed actually and voluntarily resides or carries on business, or personally works for gain, within the local limits of the jurisdiction of such other Court, or

(*b*) if such person has not property within the local limits of the jurisdiction of the Court which passed the decree sufficient to satisfy such decree and has property within the local limits of the jurisdiction of such other Court, or

(*c*) if the Court which passed the decree considers for any other reason, which it shall record in writing, that the decree should be executed by such other Court.

Notice of every such application shall be served on the judgment-debtor, and the Court after hearing the objections which he or his pleader may urge against the application, may send the decree for execution accordingly.

And the Court to which a decree is sent for execution shall certify to the Court which passed it, the fact of such execution, or where the former Court fails to execute the same, the circumstances attending such failure.

If the decree has been passed in a case cognizable by a Court of Small Causes and the Court making it wishes it to be executed in Calcutta, Madras, Bombay or Rangoon, the Court making it may send to the local Court of Small Causes the copies and certificate respectively mentioned in clauses (*a*), (*b*) and (*c*) of section 225; and such Court shall thereupon execute the decree as if it had been passed by itself.

Provided that if the Court passing the decree is subordinate to a District Court, it shall send the decree to the District Court to which it is subordinate, and such Court shall deal with the decree as if it had been passed by itself.

Decrees of Courts established by Government of India in Native States.

224. A decree of any Court established by the authority of the Governor General in Council in the territories of any Native Prince or State in India, which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in manner hereinafter provided within the jurisdiction of any Court in British India.

Procedure when Court desires that its own decree shall be executed by another Court.

225. The Court desiring that a decree passed by itself shall be executed by another Court shall send such other Court,—

(*a*) a copy of the decree;

(*b*) a certificate setting forth that satisfaction of the decree has not been obtained by execution within the jurisdiction of the Court by which it was passed, or, where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unexecuted; and

(*c*) a copy of any order for the execution of the decree, and if no such order has been made, a certificate to that effect.

Provided that if the Court passing the decree is subordinate to a District Court, it shall send such copies and certificate to the District Court to which it is subordinate, and such Court shall forward them to the Court by which the decree is to be executed.

Court receiving copies of decree, &c., to file same without proof.

226. The Court executing a decree so sent shall cause such copies and certificate to be filed, without any further proof of the decree or order for execution, or of the copies thereof, or of the jurisdiction of the Court which passed it, unless the Court, for any special reasons to be recorded under the hand of the Judge, requires such proof.

Transmitted copy of decree or order to have same effect as decree of Court to which it is sent for execution.

227. The copy of the decree and of any order for execution, when filed in the Court to which such copy has been sent for the purpose of being executed as aforesaid, shall for such purpose have the same effect as a decree or order for execution made by such Court.

Execution by High Court, of decree transmitted by other Court.

228. If the Court to which the decree is sent for execution be a High Court, the decree shall be executed by such Court in the same manner as if it had been made by such Court in the exercise of its ordinary original civil jurisdiction.

Appeal from orders for execution of decrees of other Courts.

229. The Court executing a decree sent to it under this chapter shall have the same powers in executing such decree as if it had been passed by itself. All persons disobeying or obstructing the execution of the decree shall be punishable by such Court in the same manner as if it had passed the decree. And its orders in executing such decree shall be subject to the same rules in respect of appeal, as if the decree had been passed by itself.

B.—Of Application for Execution.

Application for execution.

230. When the holder of a decree desires to enforce it, he shall apply to the Court which passed the decree or to the officer, if any, appointed in this behalf, or if the decree has been sent under the provisions hereinbefore contained to another Court, then to such Court.

The Court may in its discretion refuse execution at the same time against the person and property of the judgment-debtor.

Where an application to execute a decree for the payment of money or delivery of other property has been made under this section and granted, no subsequent application to execute the same decree shall be granted unless the Court is satisfied that on the former application due diligence was used to procure complete satisfaction of the decree; and the order of the Court granting such application shall be conclusive evidence that due diligence was used to procure such satisfaction.

And no such subsequent application shall be granted after the expiration of twelve years from any of the following dates (namely)—

(*a*) the date of the decree sought to be enforced, or

(*b*) where the decree directs the payment of money or the delivery of property by instalments,—the date of the default in paying or delivering the instalment in respect of which the applicant seeks to enforce the decree, or

(*c*) where the decree is for money and the decree-holder and the judgment-debtor have entered into an agreement in writing that the amount decreed, with such interest (if any) as may be therein mentioned, shall be discharged by such instalments as, if duly paid, will discharge the said amount and interest at some time within thirty years from the date of the decree, and such agreement has been filed in Court,—the date of the default in paying the instalment in respect of which the applicant seeks to enforce the decree.

Nothing in this section shall prevent any decree-holder from applying for execution of the same after the expiration of the said term of twelve years, where the judgment-debtor has by fraud or force prevented the execution of the decree at some time within twelve years immediately before the date of the application.

Any one of several decree-holders may apply.

231. If a decree has been passed in favour of more persons than one, any one or more of such persons, or his or their representatives, may apply for the execution of the whole decree for the benefit of them all, or, where any of them has died, for the benefit of the survivors and the representatives in interest of the deceased.

If the Court sees sufficient cause for allowing the decree to be executed on an application so made, it shall pass such order as it deems necessary for protecting the interests of the persons who have not joined in the application.

Application by transferee of decree.

232. If a decree be transferred by assignment in writing or by operation of law from the decree-holder to any other person, the transferee may apply for its execution to the Court which passed it; and if that Court thinks fit, the decree may be executed in the same manner and subject to the same conditions as if the application were made by such decree-holder:

Provided that where the decree has been transferred by assignment, notice in writing of such application shall be given to the transferor and the judgment-debtor, and that the decree shall not be executed until the Court has heard their objections (if any) to such execution:

Provided also that where a decree against several persons has been transferred to one of them, it shall not be executed against the others.

Transferree to hold subject to equities enforceable against original holder.

Every transferee of a decree shall hold the same subject to the equities (if any) which the judgment-debtor might have enforced against the original decree-holder.

Enforcement of execution by Court applied to.

233. When the holder of a decree sent under the foregoing provisions for execution by a Court other than the Court which made it, applies for execution of the decree to the Court to which it has been so sent, such Court, or any subordinate Court to which the execution of the decree may be entrusted, shall proceed to execute the decree according to the provisions of this chapter so far as the same are applicable, and, so far as they are not applicable, according to its own rules in the like cases:

Such Court shall not enquire into the validity of the decree unless it appear upon the face of the decree that the Court by which it was passed had no jurisdiction to pass it.

If judgment-debtor die before execution, application may be made against his representative.

234. If a judgment-debtor dies before the decree has been fully executed, the holder of the decree may apply for its execution against the legal representative of the deceased.

Such representative shall be liable only to the extent of the property of the deceased which has come to his hands and has not been duly disposed of; and for the purpose of ascertaining such liability, the Court executing the decree may of its own motion, or on the application of the decree-holder, compel the said representative to produce such accounts as it thinks fit.

Contents of application for execution of decree.

235. The application for the execution of a decree shall be in writing, verified in manner hereinbefore provided for the verification of plaints, and shall contain in a tabular form the following particulars, (namely)—

(*a*) the number of the suit;

(*b*) the names of the parties;

(*c*) the date of the decree;

(*d*) whether any appeal has been preferred from the decree;

(*e*) whether any and what adjustment of the matter in dispute has been made between the parties subsequently to the decree;

(*f*) whether any and what previous applications have been made for execution of the decree and with what result;

(*g*) the amount of the debt or compensation, with the interest, if any, due upon the decree, or other relief granted thereby;

(*h*) the amount of costs, if any, awarded;

(*i*) the name of the person against whom the enforcement of the decree is sought, and

(*j*) the mode in which the assistance of the Court is required, whether by the delivery of property specifically decreed, by the arrest and imprisonment of the person named in the application, or by the attachment of his property, or otherwise as the nature of the relief sought may require.

236. If the application be for the attachment of any immoveable property belonging to the judgment-debtor, it shall contain at the foot a description of the property sufficient to identify it, and also a specification of the judgment-debtor's share or interest therein to the best of the belief of the applicant and so far as he has been able to ascertain the same.

Further particulars when application is for attachment of immoveable property.

Every such description and specification shall be verified in manner hereinbefore provided for the verification of plaints.

237. If the property be land which, whether it pays revenue to Government or not, is registered in the Collector's office, the application for attachment shall be accompanied by an authenticated extract from the register of such office, specifying the persons registered as proprietors of, or as possessing any transferable interest in, the land or its revenue, or as liable to pay revenue for such land, and the shares of the registered proprietors.

When application must be accompanied by extract from Collector's register.

238. Every decree-holder applying for an attachment of any moveable property of the judgment-debtor shall annex to his application an inventory of the property to be attached, containing a reasonably accurate description of the same.

Application for attachment of moveable property to be accompanied with inventory.

C.—Of staying Execution.

239. The Court to which a decree has been sent for execution under this Chapter, shall upon sufficient cause being shown, stay the execution of such decree for a reasonable time, to enable the judgment debtor to apply to the Court by which the decree was made, or to any Court having appellate jurisdiction in respect of the decree or the execution thereof, for an order to stay the execution, or for any other order relating to the decree or execution which might have been made by such Court of first instance or appellate Court if execution had been issued thereby, or if application for execution had been made thereto;

When Court may stay execution.

and in case the property or person of the judgment-debtor has been seized under an execution, the Court which issued the execution may order the restitution or discharge of such property or the person pending the result of the application for such order.

240. Before passing an order to stay execution, or for the restitution of property or the discharge of the judgment-debtor under section 239, the Court may require such security from, or impose such conditions upon, the judgment-debtor as it thinks fit.

Power to require security from, or impose conditions upon, judgment-debtor.

241. No discharge under section 239 of the property or person of a judgment-debtor, shall prevent it or him from being retaken in execution of the decree.

Liability of judgment-debtor discharged to be retaken.

242. Any order of the Court by which the decree was passed or of such Court of appeal as aforesaid, in relation to the execution of such decree shall be binding upon the Court to which the decree was sent for execution.

Order of Court passing decree or of Appellate Court to be binding upon Court applied to.

243. If a suit be pending in any Court against the holder of a decree of such Court, on the part of the person against whom the decree was passed, the Court may (if it think fit), stay execution on the decree, either absolutely or on such terms as it thinks fit, until the pending suit has been decided.

Stay of execution pending suit between decree-holder and judgment-debtor.

244. The following questions shall be determined by order of the Court executing a decree and not by separate suit (namely)—

Question to be decided by Court executing decree.

(*a*) questions regarding the amount of any mesne profits which by the terms of the decree have been directed to be adjusted in the execution of the decree;

(*b*) questions regarding the amount of any mesne profits or interest which the decree has made payable in respect of the subject-matter of a suit between the date of its institution and the execution of the decree;

(*c*) any other questions arising between the parties to the suit in which the decree was passed, or their representatives, and relating to the execution of the decree.

Nothing in this section shall be deemed to bar a separate suit for mesne profits accruing between the institution of the first suit and the execution of the decree therein, where such profits are not dealt with by the decree.

D.—Of the mode of executing Decrees.

245. The Court, on receiving an application for the execution of a decree, shall ascertain whether it contains the particulars mentioned in section 235, or such of them as may be applicable to the case, and whether it is accompanied by the inventory mentioned in section 238, and if such particulars or inventory are or is wanting, it shall reject the application or return it for amendment or for the addition of the inventory, as the case may be, or amend it then and there. Every amendment made under this section shall be attested by the signature of the Judge.

Procedure on receiving application for execution of decree.

When the application is admitted, the Court shall enter in the register of the suit a note of the application and the date on which it was made, and shall order execution of the decree according to the nature of the application:

Procedure on admitting application.

Provided that, in the case of a decree for money, the value of the property attached shall as nearly as may be correspond with the amount for which the decree has been made.

246. If cross-decrees between the same parties for the payment of money be produced to the Court, execution shall be taken out only by the party who holds a decree for the larger sum, and for so much only as remains after deducting the smaller sum, and satisfaction for the smaller sum shall be entered on the decree for the larger sum as well as satisfaction on the decree for the smaller sum.

Cross-decrees.

If the two sums be equal, satisfaction shall be entered upon both decrees.

Explanation I.—The decrees contemplated by this section are (*a*) decrees made by the same Court, (*b*) decrees sent to the same Court for execution, and (*c*) decrees of which one is made by the Court and the other is sent to the same Court for execution; but not (*d*) decrees of which one is made by one Court and the other is made by another Court, and not sent for execution to the former Court.

Explanation II.—This section applies where either party is an assignee of one of the decrees.

Explanation III.—This section does not apply unless

(*e*) both decrees are capable of execution at the same time;

(*f*) the parties are the same; and

(*g*) the sums due under the decrees are definite.

Illustrations.

(*a*) A holds a decree against B for Rs. 1,000. B holds a decree against A for the payment of Rs. 1,000. In case A fails to deliver certain goods at a future day, B cannot treat his decree as a cross-decree under this section.

(*b*) A and B, co-plaintiffs, obtain a decree for Rs. 1,000 against C, and C obtains a decree for Rs. 1,000 against B. C cannot treat his decree as a cross-decree under this section.

(*c*) A obtains a decree against B for Rs. 1,000. C, who is a trustee for B, obtains a decree on behalf of B against A for Rs. 1,000. B cannot treat C's decree as a cross-decree under this section.

247. When two parties are entitled under the same decree to recover from each other sums of different amounts, the party entitled to the smaller sum shall not take out execution against the other party; but satisfaction for the smaller sum shall be entered on the decree.

Cross-claims under same decree.

When the amounts are equal, neither party shall take out execution, but satisfaction for each sum shall be entered on the decree.

248. The Court shall issue a notice to the party against whom execution is applied for, requiring him to show cause, within a period to be fixed by the Court, why the decree should not be executed against him,

Notice to show cause why decree should not be executed.

(*a*) if more than one year has elapsed between the date of the decree and the application for its execution, or

(*b*) if the enforcement of the decree be applied for against the legal representative of a party to the suit in which the decree was made:

Proviso.

Provided that no such notice shall be necessary

in consequence of more than one year having elapsed between the date of the decree and the application for execution, if the application be made within one year from the date of the last order passed on any previous application for execution, or

in consequence of the application being against the legal representative of the judgment-debtor if upon a previous application for execution against the same person, the Court has ordered execution to issue against him.

Explanation.—In this section the phrase "the Court" means the Court by which the decree was passed, unless the decree has been sent to another Court for execution, in which case it means such other Court.

249. If the person to whom notice is issued under the last preceding section does not appear, or does not show cause to the satisfaction of the Court why the decree should not be executed, the Court shall order the decree to be executed.

Procedure after issue of notice.

If he offers any objection to the enforcement of the decree, the Court shall pass such order as it thinks fit.

250. When the preliminary measures (if any) required by the foregoing provisions have been taken, the Court, unless it sees cause to the contrary, shall issue its warrant for the execution of the decree.

Warrant when to issue.

251. The warrant for the execution of the decree shall bear the date of the day on which it is issued, and shall be signed by the Judge or such officer as the Court appoints in this behalf, and shall be sealed with the seal of the Court, and delivered to the proper officer to be executed.

Date, signature, seal and delivery.

252. If the decree be against a party as the legal representative of a deceased person, and the decree be for money to be paid out of the property of the deceased, it may be executed by the attachment and sale of any such property.

Decree against representative of deceased for money to be paid out of deceased's property.

If no such property can be found, and the judgment-debtor fails to satisfy the Court that he has duly applied such property of the deceased as is proved to have come into his possession, the decree may be executed against the judgment-debtor to the extent of the property not duly applied by him, in the same manner as if the decree had been against him personally.

253. Whenever a person has, before the passing of a decree in an original suit, become liable as surety for the performance of the same or of any part thereof, the decree may be executed against him to the extent to which he has rendered himself liable, in the same manner as a decree may be executed against a defendant:

Decree against surety.

Provided that such notice in writing as the Court in each case thinks sufficient has been given to the surety.

254. Where a decree is against partners in the name of the firm, execution may issue in manner following:—

Decree against partners in name of firm.

(*a*) against any property of the partners as such:

(*b*) against any person who has admitted in the suit that he is or has been adjudged to be a partner:

(*c*) against any person who has been served as a partner, with the summons, and has failed to appear.

If the decree-holder claims to be entitled to issue execution against any other person as being a member of the firm, he may apply to the Court for leave so to do; and the Court may give such leave if notice of the application has been served on such other person and the liability to execution is not disputed, or, if such liability is disputed, may try and determine the same in any manner in which any issue or question in a suit may be tried and determined.

255. Every decree or order directing a party to pay money, whether by way of compensation, or costs, or otherwise, shall be enforced by the imprisonment of the judgment-debtor, or by the attachment and sale of his property in manner hereinafter provided, or by both.

Decree for money.

Explanation.—A decree for mesne profits or any other matter, the amount of which, in money, is to be subsequently determined, is a decree for money within the meaning of this section.

256. When a decree is passed for a sum of money only, and the amount decreed does not exceed the sum of one thousand rupees, the Court may, when passing the decree, on the oral application of the decree-holder, order immediate execution thereof by the issue of a warrant directed either against the person of the judgment-debtor if he is within the local limits of the jurisdiction of the Court, or against his moveable property within the same limits.

Power to direct immediate execution of decree for money not exceeding Rs. 1,000.

257. Payment of a sum of money ordered to be paid as the alternative to some other relief granted by the decree shall be enforced in manner hereinbefore provided for the execution of a decree for money.

Order for payment of money as an alternative.

258. All money payable under a decree shall be paid as follows (namely)—

Modes of paying money under decree.

(*a*) into the Court whose duty it is to execute the decree, or,

(*b*) out of Court to the decree-holder; or

(*c*) otherwise as the Court which made the decree directs.

If the money is paid out of Court or the decree is otherwise adjusted to the decree-holder, he shall certify the payment or adjustment to the Court whose duty it is to execute the decree; and no satisfaction of a decree in part or in whole by such payment or adjustment shall be recognized by such Court unless the payment or adjustment be certified as aforesaid. Where the decree-holder fails to certify as aforesaid, the judgment-debtor or his pleader may, within eight days of the date of payment, apply to such Court for an order compelling the decree-holder to certify as aforesaid, and the Court, after hearing the decree-holder or his pleader, may make such order.

259. If the decree be for any specific moveable, or for any share in a specific moveable, or for the recovery of a wife, it shall be enforced by the seizure, if practicable, of the moveable or share, and by the delivery thereof to the party to whom it has been adjudged, or to such person as he appoints to receive delivery on his behalf, or by the imprisonment of the judgment-debtor, or by attaching his property and keeping the same under attachment until the further order of the Court, or by both imprisonment and attachment, if necessary.

Decrees for specific moveables, or recovery of wives.

No attachment under this section shall remain in force for more than six months, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

260. When the party against whom a decree for the specific performance of a contract, or for restitution of conjugal rights, has been made, has had an opportunity of obeying the decree or injunction and has wilfully failed to obey it, the decree may be enforced by his imprisonment, or by the attachment of his property, or by both.

Decree for specific performance or restitution of conjugal rights.

No attachment under this section shall remain in force for more than one year, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit and may pay the balance, if any, to the judgment-debtor on his application.

261. If the decree be for the execution of a conveyance, or for the endorsement of a negotiable instrument, and the judgment-debtor neglects or refuses to comply with the decree, the decree-holder may prepare the draft of a conveyance or endorsement in accordance with the terms of the decree, and deliver the same to the Court.

Decree for execution of conveyances, or endorsement of negotiable instruments.

The Court shall thereupon cause the draft to be served on the judgment-debtor in manner hereinbefore provided for serving a summons, together with a notice in writing stating that his objections, if any, thereto shall be made within such time (mentioning it) as the Court fixes in this behalf.

The decree-holder may also tender a duplicate of the draft to the Court for execution upon the proper stamp-paper, if a stamp is required by law.

On proof of such service, the Court, or such officer as it appoints in this behalf, shall execute the duplicate so tendered, or may, if necessary, alter the same, so as to bring it into accordance with the terms of the decree, and execute the duplicate so altered:

Provided that if any party object to the draft so served as aforesaid, his objections shall, within the time so fixed, be stated in writing and argued before the Court, and the Court shall thereupon pass such order as it thinks fit, and execute, or alter and execute, the duplicate in accordance therewith.

262. The execution of a conveyance or the endorsement of a negotiable instrument by the Court under the last preceding section may be in the following form: "*C. D.*, Judge of the Court of (*or as the case may be*), for *A. B.*, in a suit by *E. F.*, against *A. B.*," or in such other form as the High Court may from time to time prescribe, and shall have the same effect as the execution of the conveyance or endorsement of the instrument by the party ordered to execute or endorse the same.

Form and effect of execution of conveyance by Court.

263. If the decree be for the delivery of any immoveable property, possession thereof shall be delivered over to the party to whom it has been adjudged, or to such person as he appoints to receive delivery on his behalf, and, if need be, by removing any person bound by the decree who refuses to vacate the property.

Decree for immoveable property.

264. If the decree be for any immoveable property in the occupancy of a tenant or other person entitled to occupy the same, the Court shall order delivery to be made by affixing a copy of the warrant in some conspicuous place on the property, and proclaiming to the occupant by beat of drum, or in such other mode as is customary, at some convenient place, the substance of the decree in regard to the property:

Delivery of immoveable property when in occupancy of tenant.

Provided that if the occupant can be found, a notice in writing containing such substance shall be served upon him, and in such case no proclamation need be made.

265. If the decree be for the partition or for the separate possession of a share of an undivided estate, paying revenue to Government, the partition of the estate or the separation of the share shall be made by the Collector.

Partition of estate or separation of share.

E.—Of Attachment of Property.

266. The following property is liable to attachment and sale in execution of a decree, (namely), lands, houses or other buildings, goods, money, bank-notes, cheques, bills of exchange, hundís, promissory notes, Government securities, bonds or other securities for money, debts, shares in the capital or joint-stock of any railway, banking or other public Company or Corporation, and, except as hereinafter mentioned, all other saleable property, moveable or immoveable, belonging to the judgment-debtor, and whether the same be held in the name of the judgment-debtor or by another person in trust for him or on his behalf:

Property liable to attachment and sale in execution of decree.

Provided that the following particulars shall not be liable to such attachment or sale (namely)—

(*a*) the necessary wearing apparel of the judgment-debtor, his wife and children:

(*b*) tools of artizans, implements of husbandry and cattle kept *bonâ fide* for agricultural purposes:

(*c*) the materials of houses and other buildings belonging to and occupied by agriculturists:

(*d*) books of account:

(*e*) mere rights to sue for damages:

(*f*) the right to perform the service of an idol:

(*g*) stipends allowed to military and civil pensioners of Government, and political pensions:

(*h*) the salary of a public officer or of the servant of a Railway Company:

(*i*) the pay and allowances of persons to whom the Native Articles of War apply:

(*j*) the wages of labourers and domestic servants:

(*k*) an expectancy of succession by survivorship:

(*l*) a right to future maintenance.

Provided also that nothing in this section shall be deemed to affect the statute for the time being in force for punishing mutiny and desertion and for the better payment of the Army and their quarters.

267. The Court may of its own motion or on the application of the decree-holder, summon any person whom it thinks necessary, and examine him in respect to any property liable to be seized in satisfaction of the decree, and may require the person summoned to produce any document in his possession or power relating to such property.

Power to summon and examine persons as to property liable to be seized.

268. In the case of (*a*) a debt not secured by a negotiable instrument, (*b*) a share in the capital of any public company or corporation, (*c*) other moveable property not in the possession of the judgment-debtor, except property deposited in, or in the custody of, any Court, the attachment shall be made by a written order prohibiting,

Attachment of debt, share and other property not in possession of judgment-debtor.

(*a*) in the case of the debt, the creditor from recovering the debt and the debtor from making payment thereof until the further order of the Court:

(*b*) in the case of the share, the person in whose name the share may be standing, from transferring the same or receiving any dividend thereon:

(*c*) in the case of the other moveable property except as aforesaid, the person in possession of the same from giving it over to the judgment-debtor.

A copy of such order shall be fixed up in some conspicuous part of the Court-house, and another copy of the same shall be sent in the case of the debt to the debtor, in the case of the share to the proper officer of the company or corporation, and in the case of the other moveable property (except as aforesaid) to the person in possession of the same.

A debtor prohibited under clause (*a*) of this section may pay the amount of his debt into Court, and such payment shall discharge him as effectually as payment to the party entitled to receive the same.

No attachment under this section shall remain in force for more than six months; at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

269. If the property be moveable property in the possession of the judgment-debtor, other than the property mentioned in the first proviso to section 266, the attachment shall be made by actual seizure, and the attaching officer shall keep the property in his own custody or in the custody of one of his subordinates, and shall be responsible for the due custody thereof:

Attachment of moveable property in possession of defendant.

Provided that when the property seized is subject to speedy and natural decay, the proper officer may sell it at once.

The Local Government may from time to time make rules for the maintenance and custody, while under attachment, of livestock and other moveable property, and the officer

Power to make rules for maintenance of attached livestock.

attaching property under this section shall, notwithstanding the provisions of the former part of this section, act in accordance with such rules.

Attachment of negotiable instruments.

270. If the property be a negotiable instrument not in deposit in a Court, the attachment shall be made by actual seizure, and the instrument shall be brought into Court and held subject to the further orders of the Court.

Seizure of property in house.

271. If the person executing any process under this Code directing or authorising seizure of moveable property, has gained access to a house or other building, he may unfasten and open the door of any room in which he has reason to believe any such property to be:

Provided that if the room be in the actual occupancy of a woman, who according to the customs of the country does not appear in public, the person executing the process shall give notice to her that she is at liberty to withdraw; and after allowing a reasonable time for such woman to withdraw, and giving her every reasonable facility for withdrawing, he may enter such room for the purpose of seizing the property, using at the same time every precaution, consistent with these provisions, to prevent its clandestine removal.

Seizure of property in zanánás.

Attachment of property deposited in Court or with Government officer.

272. If the property be deposited in, or in the custody of, any Court or public officer, the attachment shall be made by a notice to such Court or officer, requesting that such property, and any interest or dividend becoming payable thereon may be held subject to the further orders of the Court from which the notice issues:

Proviso.

Provided that, if such property is deposited in a Court, any question of title or priority arising between the decree-holder and any other person, not being the judgment-debtor, claiming to be interested in such property by virtue of any assignment, attachment or otherwise, shall be determined by the Court in which such property is deposited.

Attachment decree.

273. If the property be a decree passed by the Court which passed the decree sought to be executed, the attachment shall be made by an order of the Court directing the proceeds of the former decree to be applied in satisfaction of the latter decree.

If the property be a decree passed by any other Court, the attachment shall be made by a notice in writing to such Court under the hand of the Judge of the Court which passed the decree sought to be executed, requesting the former Court to execute its decree and to apply the proceeds in satisfaction of the decree sought to be executed. The Court receiving such notice shall comply with such request. And the holder of any decree attached under this clause shall be bound to give the Court executing the same such information and aid as may reasonably be required.

Attachment of immoveable property.

274. If the property be immoveable, the attachment shall be made by a proclamation prohibiting the judgment-debtor from alienating the property in any way, and all persons from receiving the same from him by purchase, gift or otherwise.

The proclamation shall be made at some place on or adjacent to such property by beat of drum or other customary mode, and a copy of the proclamation shall be fixed up in a conspicuous part of the property and of the court-house.

A copy of the proclamation shall also be fixed up in the office of the Collector of the District in which the land is situate.

Order for withdrawal of attachment after satisfaction of decree.

275. If the amount decreed with costs and all charges and expenses resulting from the attachment of any property be paid into Court, or if satisfaction of the decree be otherwise made through the Court, or if the decree is set aside or reversed, an order shall be issued, on the application of any person interested in the property, for the withdrawal of the attachment.

Private alienation of property after attachment to be void.

276. When an attachment has been made by actual seizure or by written order duly intimated and made known in manner aforesaid, any private alienation of the property attached, whether by sale, gift, mortgage, or otherwise, and any payment of the debt or dividend or a delivery of the share to the judgment-debtor during the continuance of the attachment, shall be void as against all claims enforceable under the attachment.

Court may direct coin or currency-notes attached to be paid to party entitled.

277. If the property attached is coin or currency-notes, the Court may, at any time during the continuance of the attachment, direct that such coin or notes, or a part thereof sufficient to satisfy the decree be paid over to the party entitled under the decree to receive the same.

Investigation of claims to and objections to attachment of attached property.

278. If any claim be preferred to, or any objection be made to the attachment of, any property attached in execution of a decree, on the ground that such property is not liable to such attachment, the Court shall proceed to investigate the claim or objection with the like power as regards the examination of the claimant or objector, and in all other respects, as if he was a party to the suit.

Provided that no such investigation shall be made where the Court considers that the claim or objection was designedly or unnecessarily delayed.

Evidence to be adduced by claimant.

279. The claimant or objector must adduce evidence to show that at the date of the attachment he had some interest in, or was possessed of, the property attached.

Release of property from attachment.

280. If upon the said investigation the Court is satisfied that, for the reason stated in the claim or objection, such property was not, when attached, in the possession of the judgment-debtor or of some person in trust for him, or in the occupancy of a tenant or other person paying rent to him, or that, being in the possession of the judgment-debtor at such time, it was

so in his possession, not on his own account or as his own property, but on account of or in trust for some other person, or partly on his own account and partly on account of some other person, the Court shall pass an order for releasing the property wholly or to such extent as it thinks fit, from attachment.

Disallowance of claim to release of property attached.

281. If the Court is satisfied that the property was, at the time it was attached, in possession of the judgment-debtor as his own property and not on account of any other person, or was in the possession of some other person in trust for him, or in the occupancy of a tenant or other person paying rent to him, the Court shall disallow the claim.

Continuance of attachment subject to claim of incumbrancer.

282. Of the Court is satisfied that the property is subject to a mortgage or lien in favour of some person not in possession, and thinks fit to continue the attachment, it may do so, subject to such mortgage or lien.

Saving of suits to establish right to attached property.

283. An order under section 280, 281 or 282 shall not preclude the person against whom it is made from instituting a suit to establish the right which he claims to the property in dispute.

Claims and objections to be made without delay.

284. A claim to attached property, or an objection to the attachment of such property, shall be made without delay to the Court which ordered the attachment;

and no such investigation shall be made where the Court considers that the claim or objection was designedly and unnecessarily delayed.

If the property to which the claim or objection applies has been advertised for sale, the Court ordering the sale may postpone it pending the investigation of the claim or objection.

Power to order property attached be sold, and proceeds be paid to person entitled.

285. Any Court may order that any moveable property, and any Court not subordinate to a District Court may direct that any immoveable property, which has been attached, or such portion thereof as may seem necessary to satisfy the decree, shall be sold, and that the proceeds of such sale, or a sufficient portion thereof, shall be paid to the party entitled under the decree to receive the same.

F.—Of Sale and Delivery of Property.

(a)—General Rules.

Sales by whom conducted and how made.

286. Sales in execution of decrees shall be conducted by an officer of the Court or by any other person whom the Court may appoint, and, except as provided in section 296, shall be made by public auction in manner hereinafter mentioned.

Proclamation of sales by public auction.

287. When any interest in property is ordered to be sold by public auction in execution of a decree, the Court shall cause a proclamation of the intended sale to be made in the language of such Court. Such proclamation shall state the time and place of sale; and shall specify as fairly and accurately as possible—

(*a*) the interest to be sold;

(*b*) the revenue assessed upon the estate or part of the estate, when the interest to be sold is an interest in an estate or a part of an estate paying revenue to Government;

(*c*) any incumbrance to which the interest is liable;

(*d*) the amount for the recovery of which the sale is ordered; and

(*e*) every other thing which the Court considers material for the purchaser to know in order to judge of the nature and value of the property.

Rules to be made by High Court.

The High Court shall, as soon as may be after this Code comes into force, make rules for the guidance of the Courts in exercise of their duties under this section. The High Court may from time to time alter any rules so made.

Nothing in this section shall apply to cases in which the execution of the decree has been transferred to the Collector.

Indemnity of judges, &c.

288. No judge or other public officer shall be answerable for any error, misstatement or omission in any proclamation under section 287 unless the same has been committed or made dishonestly.

Mode of making proclamation.

289. The proclamation shall be made, in manner prescribed by section 274, on the spot where the property is attached.

If the Court so direct, such notification shall also be published in the official Gazette and in some local newspaper.

Time of sale.

290. Except in the case of articles subject to speedy and natural decay (which may be sold at once), no sale under this chapter shall take place until after the expiration of at least thirty days in the case of immoveable property, and of at least fifteen days in the case of moveable property, calculated from the date on which the notification has been affixed in the Court-house of the Judge ordering the sale.

Power to adjourn sale.

291. The officer conducting any sale under this chapter may in his discretion adjourn the sale; and every such sale shall be stopped if, before the lot is knocked down, the debt and costs are tendered to such officer, or proof is given to his satisfaction that the amount of such debt and costs has been paid into the Court that ordered the sale.

Stoppage of sale on tender of debt and costs, or on proof of payment.

Officers concerned in execution sales not to bid for or buy property sold.

292. No officer having any duty to perform in connection with any sale under this chapter shall bid for, acquire, or attempt to acquire, any interest in any property sold at such sale.

Defaulting purchaser answerable for loss by re-sale.

293. The deficiency of price (if any) which may happen on a re-sale under this Code, and all expenses attending such re-sale, shall be certified to the Court by the officer holding the sale,

and shall, at the instance of either the judgment-creditor or the judgment-debtor, be recoverable from the defaulter under the rules contained in this chapter for the execution of a decree for money.

294. No holder of a decree in execution of which property is sold, shall, without the express permission of the Court, bid for or purchase the property.

Decree-holder not to bid for or buy property without permission.

When a decree-holder purchases with such permission, the amount due on the decree may be taken as payment in whole or in part, as the case may be, of the purchase-money.

If decree-holder purchase, amount of decree may be taken as payment.

295. Whenever assets are realized by sale or otherwise in execution of a decree, and more persons than one have, prior to the realization, applied for execution of decrees for money against the same judgment-debtor, and have not obtained satisfaction thereof, the proceeds, after deducting the costs of the realization, shall be divided rateably among all such persons:

Proceeds of execution sale to be divided rateably among decree-holders.

Provided that, when any property is sold subject to a mortgage, the mortgagee shall not be entitled to share in any surplus arising from such sale:

Proviso where property is sold subject to mortgage.

Provided also that when any property liable to be sold in execution of a decree is subject to a mortgage, the Court may, with the assent of the mortgagee, order that the property be sold free from the mortgage, giving to the mortgagee the same right against the proceeds of the sale as he had against the property sold.

If all or any of such assets be paid to a person not entitled to receive the same, any person so entitled may sue such person to compel him to refund the assets.

Nothing in this section affects any right of the Government.

(b).—Rules as to Moveable Property.

296. If the property to be sold be a negotiable instrument or a share in any public Company or Corporation, the Court may, instead of directing the sale to be made by public auction, authorize the sale of such instrument or share through a broker at the market-rate of the day.

Rules as to negotiable securities and shares in public Companies.

297. If the property sold be moveable, the price of each lot shall be paid for at the time of sale, or as soon after as the officer holding the sale directs, and in default of payment, the property shall forthwith be again put up and sold.

Payment for moveable property sold.

On payment of the purchase-money, the officer holding the sale shall grant a receipt for the same, and the sale shall become absolute.

298. No irregularity in publishing or conducting the sale of moveable property shall vitiate the sale; but any person sustaining any injury by reason of such irregularity at the hand of any other person may institute a suit against him for compensation, or (if such other person be the purchaser) for the recovery of the specific property and for compensation in default of such recovery.

Irregularity not to vitiate sale of moveable property, but any person injured may sue.

299. When the property sold is any moveable property, or a negotiable instrument, of which actual seizure has been made, the property shall be delivered to the purchaser.

Delivery of moveable property belonging to defendant actually seized.

300. When the property sold is any moveable property to which the judgment-debtor is entitled subject to the possession of some other person, the delivery thereof to the purchaser shall be made by giving notice to the person in possession prohibiting him from delivering possession of the property to any person except the purchaser.

Delivery of moveable property to which judgment-debtor is entitled subject to lien.

301. When the property is a debt not secured by a negotiable instrument, or is a share in any public Company, the delivery thereof shall be made by a written order of the Court prohibiting the creditor from receiving the debt or any interest thereon, and the debtor from making payment thereof to any person except the purchaser, or prohibiting the person in whose name the share may be standing from making any transfer of the share to any person except the purchaser, or receiving payment of any dividend or interest thereon, and the Manager, Secretary or other proper officer of the Company from permitting any such transfer or making any such payment to any person except the purchaser.

Delivery of debts and of shares in public Companies.

302. If the endorsement or conveyance of the party in whose name a negotiable instrument or a share in any public Company is standing, is required to transfer such instrument or share, the Judge may endorse the instrument or the certificate of the share, or may execute such other document as may be necessary.

Transfer of negotiable instruments and shares.

The endorsement or execution shall be in the following form or to the like effect:—"*A. B.* by *C. D.*, Judge of the Court of *(or as the case may be)*, in a suit by *E. F.* against *A. B.*"

Until the transfer of such instrument or share, the Court may, by order, appoint some person to receive any interest or dividend due thereon, and to sign a receipt for the same; and any endorsement made or document executed or receipt signed as aforesaid shall be as valid and effectual for all purposes as if the same had been made or executed or signed by the party himself.

(c).—Rules as to Immoveable Property.

303. Sales of immoveable property in execution of a decree may be ordered by any Court not subordinate to a District Court.

Sales of land by Court not inferior to a District Court.

304. Whenever a Court subordinate to a District Court desires that any interest in immoveable property be sold in execution of a decree, it shall refer the case to the District Court to which it is subordinate, and such Court shall have the same power of causing the said interest to be sold as if the decree had been made by itself.

Procedure as to sale of land in execution of decree of subordinate Court.

Nothing in this section applies to Courts of Small Causes.

305. When an order for the sale of immoveable property has been made, if the judgment-debtor can satisfy the Court conducting the sale that there is reason to believe that the amount of the decree may be raised by mortgage or lease or private sale of such property, or some part thereof, or of any other immoveable property of the judgment-debtor, the Court may on his application postpone the sale of property comprised in the order for sale for such period as it thinks proper, to enable him to raise the amount.

Postponement of sale of land to enable defendant to raise amount of decree.

In such case the Court shall grant a certificate to the judgment-debtor authorizing him, within a period to be mentioned therein, to make the proposed mortgage, lease, or sale: provided that all moneys payable under such mortgage, lease or sale shall be paid into Court and not to the judgment-debtor.

Where such certificate has been granted and so long as it remains in force, the provisions of section 248 shall not apply, and the year mentioned in that section, clause (*a*), shall be computed from the date of the expiry of the certificate.

The Court may, on the application of the judgment-debtor, sell any other immoveable property of the judgment-debtor in lieu of the property comprised in such order.

306. On every sale of immoveable property under this chapter, the person declared to be the purchaser shall pay immediately after such declaration a deposit of twenty-five per centum on the amount of his purchase-money to the officer conducting the sale, and, in default of such deposit, the property shall forthwith be put up again and sold.

Deposit by purchaser of immoveable property.

307. The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.

Time for payment in full.

308. In default of payment within the period mentioned in the last preceding section, the deposit, after defraying the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may subsequently be sold.

Procedure in default of payment.

309. Every re-sale of immoveable property in default of payment of the purchase-money within the period allowed for such payment, shall be made after the issue of a fresh notification in the manner and for the period hereinbefore prescribed for the sale.

Notification on re-sale of immoveable property.

310. When the property sold in execution of a decree is a share of undivided immoveable property, if the lot has been knocked down to a stranger, any co-sharer may, by application to the officer conducting the sale, claim to take the share sold at the sum at which the lot was so knocked down.

Co-sharer of a share of undivided estate sold in execution may claim share at sale-price.

If the claim be made before sunset on the day of sale and the claimant then repay to the purchaser the amount of his deposit, the claimant shall be substituted for the person to whom the lot was so knocked down and shall be bound by all the conditions then binding on the purchaser, and the provisions of the last three preceding sections shall apply.

311. Any person whose interest in immoveable property has been sold under this chapter may apply to the Court to set aside the sale on the ground of a material irregularity in publishing or conducting it;

Sale of land not set aside on ground of irregularity unless in case of substantial injury.

but no sale shall be set aside on the ground of irregularity unless the applicant proves to the satisfaction of the Court that he has sustained substantial injury by reason of such irregularity.

312. If no such application as is mentioned in the last preceding section be made, or if such application be made and the objection be disallowed, the Court shall pass an order confirming the sale as regards the parties to the suit.

Effect of objection being disallowed and of its being allowed.

If such application be made, and if the objection be allowed, the Court shall pass an order setting aside the sale.

No suit to set aside an order passed under this section shall be brought by the party against whom such order has been made.

313. The purchaser at any such sale may, within sixty days from the date of the sale, apply to the Court to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein, and the Court may make such order as it thinks fit.

Power to apply to set aside the sale.

314. No sale of immoveable property shall become absolute until it has been confirmed by the Court.

Confirmation of sale.

315. When a sale of immoveable property is set aside under section 312 or 313, or when it is found that the judgment-debtor had no saleable interest in the property sold and the purchaser is for that reason deprived of it,

If sale set aside, price to be returned to purchaser.

the purchaser shall be entitled to receive back his purchase-money (with or without interest as the Court may direct) from any person to whom the purchase-money has been paid.

The repayment of the said purchase-money and of the interest (if any) allowed by the Court may be enforced against such person under the rules provided by this Code for the execution of a decree for money.

316. When a sale of immoveable property has become absolute in manner aforesaid, the Court shall grant the purchaser a certificate to the effect that he has purchased such property, and such certificate shall be deemed to be a valid transfer of such interest.

Certificate to purchaser of immoveable property.

317. The certificate shall state the name of the person who, at the time of sale, is declared to be the purchaser and the date of the attachment; and the purchase shall be deemed to take effect from such date.

Certificate to state name of actual purchaser.

No person shall maintain any suit against the certified purchaser on the ground that the purchase

Benámi purchaser not recognised.

was made on behalf of such other person, or on behalf of some one through whom such other person claims.

Nothing in this section shall bar a suit to obtain a declaration that the name of the certified purchaser was inserted in the certificate fraudulently or without the consent of the real purchaser.

318. When the property sold is in the occupancy of the judgment-debtor or of some person on his behalf, or of some person claiming under a title created by the defendant subsequently to the attachment of such property, and a certificate in respect thereof has been granted under section 316, the Court shall order delivery to be made by putting the purchaser or any person whom he may appoint to receive delivery on his behalf, in possession of the property, and, if need be, by removing any person who refuses to vacate the same.

Delivery of immoveable property in occupancy of judgment-debtor.

319. When the property sold is in the occupancy of a tenant or other person entitled to occupy the same, and a certificate in respect thereof has been granted under section 316, the Court shall order delivery thereof to be made by affixing a copy of the certificate of sale in some conspicuous place on the property, and proclaiming to the occupant by beat of drum or in such other mode as may be customary, at some convenient place, that the interest of the judgment-debtor has been transferred to the purchaser.

Delivery of immoveable property in the occupancy of tenant.

320. The Local Government may, with the sanction of the Governor General in Council, declare by notification in the official Gazette that in any local area the execution of decrees in cases in which a Court has ordered any interest in immoveable property to be sold, shall be transferred to the Collector; and rescind or modify any such declaration. The Local Government may also from time to time prescribe rules for the transmission of the decree from the Court to the Collector, and for regulating the procedure of the Collector and his subordinates in executing the same.

Power to prescribe rules for transferring to Collector execution of decrees sale of land.

321. Whenever the execution of a decree has been so transferred, if the Collector has reason to believe that the judgment-debts of the judgment-debtor can be discharged without a sale of the whole of such interest, the Collector may (notwithstanding any order under section 303, but subject to such rules as may from time to time be made in this behalf by the Chief Controlling Revenue Authority) raise the amount necessary to discharge such debts with interest thereon according to the decree, or, if the decree makes no provision as to interest, then with interest (if any) as he thinks fit not exceeding the rate of six per cent. per annum,

Powers of Collector as to execution of decrees so transferred.

(*a*) by selling part of the judgment-debtor's interest in such property or in any other immoveable property:

(*b*) by mortgaging the whole or any part of such interest:

(*c*) by letting on farm, or managing by himself or another, the whole or any part of such interest for any term not exceeding twenty years from the date of the order of sale, or

(*d*) partly by one of such modes and partly by another or others of them.

For the purpose of managing under this section the whole or any part of such interest, the Collector may exercise all the powers of its owner.

322. If the Collector proposes to proceed under this section he shall publish a notice in the language of the district, calling upon all persons holding decrees against the judgment-debtor to notify the same in writing to the Collector within sixty days from the date of the publication.

Procedure of Collector.

Such notice shall be published by being posted at the Court which made the order under section 303, and at such other places (if any) as the Collector thinks fit.

So long as any letting or management under this section continues, the judgment-debtor and his representative in interest shall be incompetent to mortgage, charge, lease or alienate the interest so let or managed, or any part thereof.

323. If on the expiration of the letting or management, the amount necessary to discharge such debts in full with the interest (if any) payable thereon has not been raised, the Collector shall notify the fact in writing to the judgment-debtor or his representative, stating at the same time that, if the balance necessary to discharge such debts and interest is not paid to the Collector within six weeks of the date of such notice, the Collector will proceed to sell the judgment-debtor's interest in the said property; and if on the expiration of the said six weeks the said balance is not so paid, the Collector shall sell such interest accordingly.

Sale by Collector.

324. Whenever the Collector sells any interest pursuant to the said order of sale or exercises any of the powers conferred upon him by the last preceding section, he shall inform the Court which made such order of the fact of such sale or exercise, and shall render accounts to such Court of his receipts and payments in respect of the said interest, and shall hold the balance at the disposal of such Court.

Sale, &c., to be reported to Court by Collector.

Such balance (after deducting therefrom any debts due or liabilities incurred to Government by the judgment-debtor) shall be applied rateably in discharging the claims of all the decree-holders who have complied with the said notice; and no other person making any claim against the interest so let or managed, or against such proceeds, shall be entitled to be paid thereout.

Application of balance.

325. When, in any local area in which no declaration under section 320 is in force, the property attached consists of land or of a share in land, and the Collector represents to the Court that the public sale of the land or share is objectionable, and that satisfaction of the decree may be made within a reasonable period by a temporary alienation or management of the land or share, the Court may authorize the Collector to make provision for such satisfaction in the manner recommended by him, instead of proceeding to a sale of the land or share. The provisions of sections 321 to 324 (both inclusive) shall in such case apply to the Collector.

When Court may authorize Collector to stay public sale of land.

326. The Local Government may from time to time, with the sanction of the Governor General in Council, make special rules for any local area imposing conditions in respect of sale of any class of interests in land in execution of decrees for money, or prohibiting such sales

Local rules as to sales of land in execution of decrees for money.

(*a*) where such interests are so uncertain or undetermined as in the opinion of the Local Government to make it impossible to fix their value:

(*b*) where for reasons of State the Local Government thinks that such class of interests should not be compulsorily transferrable:

and if, when this Code comes into operation in any local area, any such rules or prohibition are or is in force therein, the Local Government may continue such rules or prohibition in force, or may from time to time modify the same with the sanction of the Governor General in Council.

All rules and prohibitions so made or continued, and all modifications of such rules, shall be published in the local official Gazette, and shall thereupon have the force of law.

G.—Of Resistance to Execution.

327. If in the execution of a decree for the possession of property, the officer entrusted with the execution of the warrant is resisted or obstructed by any person, the decree-holder may complain to the Court at any time within one month from the time of such resistance or obstruction.

Procedure in case of obstruction to execution of decree.

The Court shall fix a day for investigating the complaint, and shall summon the party against whom the complaint is made to answer the same.

328. If the Court is satisfied that the obstruction or resistance was occasioned by the judgment-debtor or by some person at his instigation, on the ground that the property is not comprised in the decree or on any other ground, the Court shall enquire into the matter of the complaint, and pass such order as it thinks fit.

Procedure in case of obstruction by judgment-debtor or at his instigation.

329. If the Court is satisfied that the resistance or obstruction was without any just cause, and that the complainant is still resisted or obstructed in obtaining effectual possession of the property by the judgment-debtor or some other person at his instigation, the Court may, at the instance of the decree-holder and without prejudice to any proceedings to which such judgment-debtor or other person may be liable, under the Indian Penal Code or any other law, for the punishment of such resistance or obstruction, commit the judgment-debtor or such other person to jail for a term not exceeding thirty days, and direct that the decree-holder be put into possession of the property.

Procedure when obstruction continues.

330. If the resistance or obstruction has been occasioned by any person other than the judgment-debtor claiming in good faith to be in possession of the property on his own account or on account of some person other than the judgment-debtor, the claim shall be numbered and registered as a suit between the decree-holder as plaintiff and the claimant as defendant;

Procedure in case of obstruction by claimant in good faith, other than judgment-debtor.

and the Court shall, without prejudice to any proceedings to which the claimant may be liable under the Indian Penal Code or any other law for the punishment of such resistance of obstruction, proceed to investigate the claim in the same manner and with the like power as if a suit for the property had been instituted by the decree-holder against the claimant under the provisions of the Specific Relief Act, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

331. If any person other than the defendant is dispossessed of any property in execution of a decree, and such person disputes the right of the decree-holder to dispossess him of such property under the decree, on the ground that the property was *bonâ fide* in his possession on his own account or on account of some person other than the judgment-debtor, and that it was not comprised in the decree, or that, if it was comprised in the decree, he was not a party to the suit in which the decree was passed, he may apply to the Court.

Procedure in case of person dispossessed of property disputing right of decree-holder to be put into possession.

If, after examining the applicant, it appears to the Court that there is probable cause for making the application, the application shall be numbered and registered as a suit between the applicant as plaintiff and the decree-holder as defendant, and the Court shall proceed to investigate the matter in dispute in the same manner and with the like power as if a suit for the property had been instituted by the applicant against the decree-holder under the provisions of the Specific Relief Act, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

In hearing applications under this section the Court shall confine itself to the grounds of dispute above specified.

Nothing in this section or section 330 applies to a person to whom the judgment-debtor has transferred the property after the institution of the suit in which the decree is made.

332. The order passed under either of sections 330 and 331 shall be in the nature of, and shall have the same force as, a decree in a suit, and shall be subject to the same conditions as to appeal or otherwise.

Orders passed under sections 330 and 331 to have force of decrees, and to be subject to appeal.

333. If the purchaser of any immoveable property sold in execution of a decree be resisted or obstructed by the judgment-debtor or any one on his behalf, in obtaining possession of the property, the provisions of this chapter relating to resistance or obstruction to a decree-holder in obtaining possession of the property adjudged to him, shall be applicable.

Resisting or obstructing purchasers in obtaining possession of immoveable property.

334. If it appear that the resistance or obstruction was occasioned by any person other than the judgment-debtor, not in possession of the property sold, but claiming a right thereto as proprietor, mortgagee, lessee, or under any other title, the Court, on the complaint of the purchaser, shall enquire into the matter of

Obstruction by claimant other than defendant.

the resistance or obstruction, and pass such order thereon as it thinks fit.

The party against whom such order is passed may bring a suit to establish his right to the present possession of the property at any time within one year from the date of such order.

H.—Of Arrest and Imprisonment.

335. A judgment-debtor may be arrested in execution of a decree at any hour and on any day, and shall as soon as practicable be brought before the Court, and his imprisonment may be in the jail of the district in which the Court ordering the imprisonment is held, or, when such jail does not afford suitable accommodation, in any other jail which the Local Government may appoint for the confinement of persons ordered to be imprisoned by the Courts of such district:

Place of judgment-debtor's imprisonment.

Provided that when the decree in execution of which a judgment-debtor is arrested is a decree for money and the judgment-debtor pays the amount of the decree and the costs of the arrest to the officer arresting him, such officer shall at once release him.

Proviso.

Whenever a judgment-debtor is arrested in execution of a decree for money and brought before the Court under this section, the Court shall inform him that he may apply under Chapter XX to be declared an insolvent, and that he will be discharged if he has not committed any act of bad faith regarding the subject of his application and if he places all his property in possession of a receiver appointed by the Court.

If the judgment-debtor express his intention so to apply, and if he furnish sufficient security for his appearance at any time when called upon, the Court shall release him from arrest.

336. Every warrant for the arrest of the judgment-debtor shall direct the officer entrusted with its execution to bring him before the Court.

Warrant for arrest to direct judgment-debtor to be brought up.

337. A day shall be specified in the warrant on or as soon as possible after which it is to be returned,

Latest day for return of warrant to be specified.

and unless the amount which the judgment-debtor has been ordered to pay, together with the interest thereon and the costs, if any, to which he is liable, be sooner paid, such officer shall bring him before the Court with all convenient speed.

338. The Local Government may from time to time prescribe scales, graduated according to rank, race and nationality, of monthly allowances payable for the subsistence of judgment-debtors.

Scales of subsistence allowances.

339. No judgment-debtor shall be arrested in execution of a decree unless and until the decree-holder pays into Court such sum as, having regard to the scales so fixed, the Judge thinks sufficient for the subsistence of the judgment-debtor from his arrest until he can be brought before the Court.

Judgment-debtor subsistence-money.

When a judgment-debtor is committed to jail in execution of a decree, the Court shall fix for his subsistence such monthly allowance as he may be entitled to according to the said scales, or where no such scales have been fixed, as it considers sufficient with reference to the class to which he belongs.

The monthly allowance fixed by the Court shall be supplied by the party on whose application the decree has been executed, to the proper officer of the Court by monthly payments in advance before the first day of each month.

The first payment shall be made for such portion of the current month as remains unexpired before the judgment-debtor is committed to jail.

340. Sums disbursed by the decree-holder for the subsistence of the judgment-debtor in jail shall be deemed to be costs on the suit.

Subsistence money to be added to amount of decree.

Provided that the judgment-debtor shall not be detained in jail or arrested on account of any sum so disbursed.

341. The judgment-debtor shall be discharged from jail,

Release of judgment-debtor.

(*a*) on the decree being fully satisfied, or

(*b*) at the request of the person on whose application he has been imprisoned, or

(*c*) on such person omitting to pay the allowance as hereinbefore directed, or

(*d*) if the judgment-debtor be declared an insolvent, as hereinafter provided, or

(*e*) when the term of his imprisonment as limited by section 342 is fulfilled.

Provided that in the first, second, third and fourth cases mentioned in this section, the judgment-debtor shall not be discharged without the order of the Court.

A judgment-debtor discharged under this section cannot be re-arrested under the decree in execution of which he was imprisoned.

342. No person shall be imprisoned in execution of a decree for a longer period than six months;

Imprisonment not to exceed six months.

or for a longer period than six weeks if the decree be for the payment of a sum of money not exceeding fifty rupees.

When not to exceed six weeks.

343. The officer entrusted with the execution of the warrant shall endorse thereupon the day on, and the manner in, which it was executed; and if the latest day specified in the warrant for the return thereof has been exceeded, the reason of the delay; or if it was not executed, the reason why it was not executed, and shall return the warrant with such endorsement to the Court.

Endorsement on warrant.

If the endorsement is to the effect that such officer is unable to execute the warrant, the Court shall examine him on oath touching his alleged inability, and may, if it think fit, summon and examine witnesses as to such inability and shall record the result.

CHAPTER XX.

OF INSOLVENT JUDGMENT-DEBTORS.

344. Any person arrested or imprisoned in execution of a decree for money may apply in writing to be declared an insolvent.

Power to apply to be declared an insolvent.

Such application shall be made to the District Court which ordered his arrest or imprisonment, or when the District Court did not make such order, then to the District Court to which the Court that made the order is subordinate.

345. The application shall set forth—

Contents of application.

(*a*) the fact of such person's arrest or imprisonment, the Court by whose order he was arrested or imprisoned, and the place in which he is in custody;

(*b*) the amount, kind and particulars of his property, and the value of any such property not consisting of money;

(*c*) the place or places in which such property is to be found;

(*d*) his willingness to place it at the disposal of the Court;

(*e*) the amount and particulars of all pecuniary claims against him; and

(*f*) the names and residences of his creditors, so far as they are known to or can be ascertained by him.

346. The application shall be subscribed and verified by the applicant in manner hereinbefore prescribed for subscribing and verifying plaints.

Subscription and verification of application.

347. The Court shall fix a day for hearing the application, and shall cause a copy thereof, with a notice in writing of the time and place at which it will be heard, to be stuck up in Court and served at the applicant's expense on the holder of the decree in execution of which he was arrested or imprisoned, or on the pleader of such decree-holder, and on the other creditors (if any) mentioned in the application.

Service on decree-holder of copy of application and notice.

The Court may, if it thinks fit, publish at the applicant's expense the application in such official Gazettes and public newspapers as it thinks fit.

348. The Court may also, if it thinks fit, cause a like copy and notice to be served on any other person alleging himself to be a creditor of the applicant, and applying for leave to be heard on the application.

Power to serve other creditors.

349. Where the applicant is under arrest, the Court may, pending the hearing under section 350,

Powers of Court as to applicant under arrest.

(*a*) order him to be immediately committed to jail; or

(*b*) leave him in the custody of the officer of Court to whom the service of the warrant was entrusted.

350. On the day so fixed, or on any subsequent day to which the Court may adjourn the hearing, the Court shall examine the applicant, in the presence of the persons on whom such notice has been served or their pleaders, as to his then circumstances and as to his future means of payment, and shall hear the said decree-holder, the other creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors, in opposition to the applicant's discharge; and may, if it thinks fit, grant time to the said decree-holder and other creditors or persons to adduce evidence showing that the applicant is not entitled to be declared an insolvent.

Procedure at hearing.

351. If the Court is satisfied—

Declaration of insolvency and appointment of Receiver.

(*a*) that the statements in the application are substantially true;

(*b*) that the applicant has not, with intent to defraud his creditors, concealed, transferred, or removed any part of his property within two months next before the date of the decree in execution of which he was arrested or imprisoned or at any subsequent time;

(*c*) that he has not, knowing himself to be unable to pay his debts in full, recklessly contracted or given an unfair preference to any of his creditors by any payment or disposition of his property;

(*d*) that he has not committed any other act of bad faith regarding the matter of the application,

the Court may declare him to be an insolvent, and may also, if it think fit, make an order appointing a Receiver of his property, or if it does not appoint such Receiver, may discharge the insolvent.

352. The creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors of the insolvent, shall then produce evidence of the amount, and particulars of their respective pecuniary claims against him; and the Court shall frame a schedule of the persons who have proved themselves to be the insolvent's creditors, and of their respective debts; and the declaration under section 351 shall be deemed to be a decree in favour of each of the said creditors for their said respective debts.

Creditors to prove their debts.

Schedule to be framed.

A copy of every such schedule shall be stuck up in the court-house.

353. Any creditor of the insolvent who is not mentioned in such schedule may, within three months from its publication, apply to the Court for permission to produce evidence of the amount and particulars of his pecuniary claims against the insolvent, and in case he proves himself to be a creditor of the insolvent, for an order directing his name to be inserted in the schedule as a creditor for the debt so proved.

Applications by creditors.

Any creditor mentioned in the schedule may within three months from the publication of the schedule apply to the Court for an order altering the schedule so far as regards the amount, nature or particulars of his own debt, or to strike out the name of another creditor, or to alter the schedule so far as regards the amount, nature or particulars of the debt of another creditor.

In the case of any application under this section, the Court, after causing such notices as it thinks fit to be served, at the applicant's expense, on the insolvent and the other creditors and hearing their objections, if any, may comply with or reject the application.

354. Every order under section 351 shall be published in the official Gazette and shall operate to vest in the Receiver all the

Effect of order appointing Receiver.

insolvent's property (except the particulars specified in the first proviso to section 266) whether set forth in his application or not.

Receiver to give security and collect assets.

355. The Receiver so appointed shall give such security as the Court may direct and shall possess himself of all such property, except as aforesaid;

Discharge of insolvent.

and on his certifying that the insolvent has placed him in possession thereof, or has done everything in his power for that purpose, the Court may discharge the insolvent from arrest or imprisonment, as the case may be, upon such conditions (if any) as the Court thinks fit.

Duty of Receiver.

356. The Receiver shall proceed under the direction of the Court—

(*a*) to convert the property into money:

(*b*) to pay thereout debts, fines and penalties (if any) due by the insolvent to Government:

(*c*) to pay the said decree-holder's costs:

(*d*) to distribute the balance among the scheduled creditors rateably according to the amounts of their respective debts, and without any preference;

His right to remuneration.

and such Receiver may retain as a remuneration for the performance of his duties a commission at the rate of five per centum upon the amount of the balance so distributed (the amount of the commission so retained being deemed a distribution), and

Delivery of surplus.

shall deliver the surplus, if any, to the insolvent or his legal representative.

Effect of discharge.

357. An insolvent discharged under section 355 shall not be arrested or imprisoned on account of any of the scheduled debts. But (subject to the provisions of section 358) his property, whether previously or subsequently acquired (except the particulars specified in the first proviso to section 266 and except the property vested in the Receiver,) shall, by order of the Court, be liable to attachment and sale until the decrees against him held by the scheduled creditors are fully satisfied or become incapable of being executed.

When Court may declare insolvent absolved from further liability.

358. If the aggregate amount of the scheduled debts is two hundred rupees or a less sum, the Court may declare the insolvent discharged as aforesaid absolved from further liability in respect of such debts.

Procedure in case of dishonest applicant.

359. Whenever, at the hearing under section 350, it is proved that the applicant has

(*a*) been guilty, in his application, of any concealment or of wilfully making any false statement as to the debts due by him, or respecting the property belonging to him, whether in possession or in expectancy, or held for him in trust;

(*b*) fraudulently concealed, transferred or removed any property; or

(*c*) committed any other act of bad faith regarding the matter of the application,

the Court shall, at the instance of any of his creditors, sentence him to imprisonment for a term not exceeding one year from the date of committal.

Or the Court may, if it think fit, send him to the Magistrate to be dealt with according to law.

Investment of other Courts with powers of District Courts.

360. The Local Government may, by notification in the official Gazette, invest any Court other than a District Court with the powers conferred on District Courts by sections 314 to 359 (both inclusive),

Transfer of cases.

and the District Judge may transfer to any Court situate in his district and so invested any case instituted under section 344.

Any Court so invested may entertain any application under section 344 by any person arrested in execution of a decree of such Court.

PART II.

OF INCIDENTAL PROCEEDINGS.

CHAPTER XXI.

OF THE DEATH, MARRIAGE AND INSOLVENCY OF PARTIES.

No abatement by party's death, if cause of action survive.

361. The death of a plaintiff or defendant shall not cause the suit to abate if the cause of action survives.

Illustrations.

(*a*) A covenants with B and C to pay an annuity to B during C's life. B and C sue A to compel payment. B dies before the decree: the cause of action survives to C, and the suit does not abate.

(*b*). In the same case, all the parties die before decree. The cause of action survives to the representative of the survivor of B and C, and he may continue the suit against A's representative.

(*c*). A sues B for libel. A dies. The cause of action does not survive and the suit abates.

(*d*). A a member of a Hindú joint family under the Mitákshará law, institutes a suit for partition of the family property. A dies leaving B, a minor son his heir. The cause of action survives to B, and the suit does not abate.

Proceeding in case of death of one of several plaintiffs or defendants, if cause of action survive.

362. If there be more plaintiffs or defendants than one, and any of them dies, and if the cause of action survives to the surviving plaintiff or plaintiffs alone, or against the surviving defendant or defendants alone, the Court shall cause an entry to that effect to be made on the record, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs, or against the surviving defendant or defendants.

Proceeding in case of death of one of several plaintiffs where cause of action survives to survivors and representative of deceased.

363. If there be more plaintiffs than one, and any of them dies, and if the cause of action does not survive to the surviving plaintiff or plaintiffs alone, but survives to him or them and the legal representative of the deceased plaintiff jointly, the Court may, on the application of such legal representative, enter his name on the record in the place of such deceased plaintiff, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs and such legal representative.

Proceeding where no application made by representative of deceased plaintiff.

364. If no application be made to the Court within a reasonable time not exceeding thirty days by any person claiming to be the legal representative of a deceased plaintiff, the suit shall proceed at the instance of the surviving plaintiff or plaintiffs;

and the legal representative (if any) of the deceased plaintiff shall be made a party and shall be interested in and bound by the decree passed in the suit, in the same manner as if the suit had proceeded at his instance conjointly with the surviving plaintiff or plaintiffs.

Proceeding in case of death of sole, or sole surviving, plaintiff.

365. In case of the death of a sole plaintiff or sole surviving plaintiff, the Court may, on the application of the legal representative of the deceased, enter his name in the place of such plaintiff on the record, and the suit shall thereupon proceed.

Abatement where no application by representative of deceased plaintiff.

366. If no such application be made to the Court within a reasonable time not exceeding thirty days by any person claiming to be the legal representative of the deceased plaintiff, the Court may pass an order that the suit shall abate, and award to the defendant the costs which he may have incurred in defending the suit, to be recovered from the estate of the deceased plaintiff;

or the Court may, if it think proper, on the application of the defendant, and upon such terms as to costs or otherwise as it thinks fit, pass such other order as it thinks fit for bringing in the legal representative of the deceased plaintiff and for proceeding with the suit in order to a final determination of the matter in dispute.

Explanation.—A certificate of heirship, or a certificate to collect debts, does not of itself constitute the person holding it the legal representative of the deceased. But when the person holding any such certificate obtains thereby property belonging to the deceased, he may be treated as a legal representative liable in respect of such property.

Procedure in case of dispute as to representative of deceased plaintiff.

367. If any dispute arise as to who is the legal representative of a deceased plaintiff, the Court may either stay the suit until the fact has been determined in another suit, or decide at or before the hearing of the suit who shall be admitted to be such legal representative for the purpose of prosecuting the suit.

Procedure in case of death of one of several defendants, or of sole or sole surviving defendant.

368. If there be more defendants than one, and any of them die before decree and the cause of action does not survive against the surviving defendant or defendants alone, and also in case of the death of a sole defendant, or sole surviving defendant, where the right to sue survives,

the plaintiff may make an application to the Court, specifying the name, description, and place of abode of any person whom he alleges to be the legal representative of the deceased defendant, and whom he desires to be made the defendant in his stead.

The Court shall thereupon enter the name of such representative on the record in the place of such defendant,

and shall issue a summons to such representative to appear on a day to be therein mentioned to defend the suit;

and the case shall thereupon proceed in the same manner as if such representative had originally been made a defendant and had been a party to the former proceedings in the suit:

Provided that the person so made defendant may object that he is not the legal representative of the deceased defendant, or may make any defence appropriate to his character as such representative.

Suit not abated by marriage of female party.

369. The marriage of a female plaintiff or defendant shall not cause the suit to abate, but the suit may notwithstanding be proceeded with to judgment, and where the decree is against a female defendant, it may thereupon be executed against the wife alone.

If the case is one in which the husband is by law liable for the debts of his wife, the decree may, with the permission of the Court, be executed against the husband also; and in case of judgment for the wife, execution of the decree may with such permission be issued upon the application of the husband, where the husband is by law entitled to the subject-matter of the decree.

When plaintiff's bankruptcy or insolvency bars suit.

370. The bankruptcy or insolvency of a plaintiff in any suit which his assignee or the receiver appointed under section 351 might maintain for the benefit of his creditors shall not bar the suit, unless such assignee or receiver declines to continue the suit and to give security for the costs thereof within such time as the Court may order.

Procedure when assignee fails to continue suit or give security.

If the assignee or receiver neglect or refuse to continue the suit and to give such security within the time so ordered, the defendant may, within eight days after such neglect or refusal, apply for the dismissal of the suit on the ground of the plaintiff's bankruptcy or insolvency, and the Court may dismiss the suit and award to the defendant the costs which he has incurred in defending the same, to be recovered from the plaintiff's estate.

Effect of abatement on parties' rights.

371. When a suit abates or is dismissed under this chapter, no fresh suit shall be brought on the same cause of action.

Application to set aside abatement or dismissal.

But the person claiming to be the representative of the deceased bankrupt or insolvent plaintiff, may apply for an order to set aside the order for abatement or dismissal; and if it be proved that he was prevented by any sufficient cause from continuing the suit, the Court shall set aside the abatement or dismissal upon such terms as to costs or otherwise as it thinks fit.

Procedure in case of assignment pending the suit.

372. In other cases of assignment, creation or devolution of any interest pending the suit, the suit may, with the leave of the Court, given either with the consent of all parties or after service of notice in writing upon them, and hearing their objections, if any, be continued by or against the person to whom such interest has come, either in addition to or in substitution for the person from whom it has passed, as the case may require.

CHAPTER XXII.

OF THE WITHDRAWAL AND ADJUSTMENT OF SUITS.

373. If, at any time after the institution of the suit, but before judgment, the Court is satisfied on the application of the plaintiff (*a*) that the suit must fail by reason of some formal defect, or (*b*) that there are sufficient grounds for permitting him to withdraw from the suit or to abandon part of his claim with liberty to bring a fresh suit for the subject-matter of the suit or for the part so abandoned, the Court may grant such permission on such terms as to costs or otherwise as it thinks fit.

Power to allow plaintiff to withdraw with liberty to bring fresh suit.

If the plaintiff withdraw from the suit, or abandon part of his claim, without such permission, he shall be liable for such costs as the Court may award, and shall be precluded from bringing a fresh suit for the same matter.

Nothing in this section shall be deemed to authorize the Court to permit one of several plaintiffs to withdraw without the consent of the others.

374. In any fresh suit instituted on permission granted under the last preceding section, the plaintiff shall be bound by the law of limitation in the same manner as if the first suit had not been brought.

Limitation-law not affected by first suit.

375. If a suit be adjusted by mutual agreement or compromise, or if the defendant satisfy the plaintiff in respect to the matter of the suit, such agreement, compromise or satisfaction shall be recorded, and the Court shall pass a decree in accordance therewith, and such decree shall be final.

Compromise of suits.

CHAPTER XXIII.

OF PAYMENT INTO COURT.

376. The defendant in any suit to recover a debt or damages, may, at any stage of the suit, deposit in Court such sum of money as he considers a satisfaction in full of the claim.

Deposit by defendant of amount in satisfaction of claim.

377. Notice of the deposit shall be given by the defendant to the plaintiff, and the amount of the deposit shall (unless the Court otherwise directs) be paid to the plaintiff on his application.

Notice of deposit.

378. No interest shall be allowed to the plaintiff on any sum deposited by the defendant from the date of the receipt of such notice, whether the sum deposited be in full of the claim or fall short thereof.

Interest on sum deposited not allowed to plaintiff after receipt of notice.

379. If the plaintiff accept such amount only as satisfaction in part of his claim, he may prosecute his suit for the balance; and if the Court decides that the deposit by the defendant was a full satisfaction of the plaintiff's claim, the plaintiff must pay the costs of the suit incurred after the deposit and the costs incurred previous thereto, so far as they were caused by excess in the plaintiff's claim.

Procedure where plaintiff accepts deposit as satisfaction in part.

If the plaintiff accept such amount as satisfaction in full of his claim, he shall file in Court a statement to that effect, and the Court shall pass judgment accordingly, and in directing by whom the costs of each party are to be paid, the Court shall consider which of the parties is most to blame for the litigation.

Procedure where he accepts it as satisfaction in full.

Illustrations.

(*a*). A owes B Rs. 100. B sues A for the amount, having made no demand for payment and having no reason to believe that the delay caused by making a demand would place him at a disadvantage. On the plaint being filed, A pays the money into Court. B accepts it in full satisfaction of his claim, but the Court should not allow him any costs, the litigation being presumably groundless on his part.

(*b*). B sues A under the circumstances mentioned in illustration (*a*). On the plaint being filed, A disputes the claim. Afterwards A pays the money into Court. B accepts it in full satisfaction of his claim. The Court should also give B his costs of suit, A's conduct having shewn that the litigation was necessary.

(*c*). A owes B Rs. 100 and is willing to pay him that sum without suit. B claims Rs. 150 and sues A for that amount. On the plaint being filed, A pays Rs. 100 into Court and disputes only his liability to pay the remaining Rs. 50. B accepts the Rs. 100 in full satisfaction of his claim. The Court should order him to pay A's costs.

CHAPTER XXIV.

OF REQUIRING SECURITY FOR COSTS.

380. When the plaintiff ordinarily resides out of British India, and does not possess any sufficient immoveable property within British India independent of the property in suit, he shall, if any defendant so requires, on presenting the plaint or within such time as the Court may fix, furnish security for the payment of the costs that may be incurred by the defendant.

When security for costs is to be furnished by plaintiff on presenting plaint.

381. If at any subsequent stage of a suit it appears to the Court that a sole plaintiff is, or (when there are more plaintiffs than one) that all the plaintiffs are, residing out of British India, and such plaintiff or plaintiffs does not or do not possess any sufficient immoveable property within British India independent of the property in suit, the Court may, on the application of any defendant, order the plaintiff or plaintiffs, within a time to be fixed by the order, to give security for the payment of all costs incurred and likely to be incurred by such defendant.

When security for costs may be required from plaintiff at any stage of suit.

In the event of such security not being furnished within the time so fixed, the Court shall pass a decree against the plaintiff or plaintiffs by default, unless he or they be permitted to withdraw from the suit under the provisions of section 373.

Procedure where requisition is not complied with.

382. A person is considered to be resident out of British India, within the meaning of sections 380 and 381 who leaves British India under such circumstances as to afford reasonable probability that he will not be forthcoming whenever he may be called upon to pay costs.

Residence out of British India.

CHAPTER XXV.

OF COMMISSIONS.

A.—Commissions to examine Witnesses.

383. Any Court may by order issue a commission for the examination on interrogatories or otherwise of persons resident within the local limits of its jurisdiction, who are exempted under this Code from attending the Court, or who are from sickness or infirmity unable to attend it.

Cases in which Court may issue commission to examine witness.

384. Such order may be made by the Court either of its own motion, or on the application, supported by affidavit, of any party to the suit or proceeding or of the witness to be examined.

Order for commission may be made either on application of parties or by Court of its own accord.

385. The commission for the examination of a person who resides within the local limits of the jurisdiction of the Court issuing the same may be issued to any person whom the Court issuing the commission thinks proper to appoint to execute the same:

When witness resides within Court's jurisdiction.

Provided that where the Court issuing the commission is subordinate to a District Court, and is not a Court of Small Causes, the exercise of the power conferred by this section shall be subject to such rules as the District Court may from time to time prescribe, as to the officers or persons to whom commissions may be issued.

386. Any District Court and any Court of Small Causes may issue a commission for the examination of—

When witness resides beyond Court's jurisdiction, but in British India.

(*a*) any person resident beyond the local limits of its jurisdiction,

(*b*) persons who are about to leave such limits before the date on which they are required to be examined in Court, and

(*c*) civil and military officers of Government who cannot, in the opinion of the Judge, attend the Court without detriment to the public service.

If the suit in which it is desired to issue such commission be pending in any Court (other than a Court of Small Causes) subordinate to the District Court, the District Court may issue it on the application of such subordinate Court.

Such commission shall ordinarily be issued to any Court not being a High Court, within the local limits of whose jurisdiction such person resides, and which can most conveniently execute the same:

Provided that if he resides beyond the local limits of the jurisdiction of the Court issuing the commission and within the towns of Calcutta, Madras, Bombay, or Rangoon, the commission shall be issued to the Court of Small Causes within whose jurisdiction he resides:

When witness is within local limits of ordinary original civil jurisdiction of a High Court.

Provided also that, under special circumstances, the commission may be directed to any person whom the Court issuing the commission thinks fit to appoint.

The Court on issuing any commission under this section shall direct whether the commission shall be returned to itself or to any subordinate Court.

387. In the case of a person residing at any place not within British India, the Court, if satisfied that the evidence of such person is necessary, may, of its own motion or on the application of any of the parties to the suit, issue a commission for his examination.

When witness is not within British India.

388. Every Court receiving a commission for the examination of any person shall examine him pursuant thereto.

Court to examine witness pursuant to commission.

389. After the commission has been duly executed, it shall be returned, together with the evidence taken under it, to the Court out of which it issued, unless the order for issuing the commission has otherwise directed, in which case the commission shall be returned in terms of such order; and the commission and the return thereto, and the evidence taken under it, shall form part of the record of the suit.

Commission when executed to be returned to Court issuing it with depositions of witnesses.

390. Evidence taken under a commission shall not be read as evidence in the suit without the consent of the party against whom the same is offered, unless

When depositions may be read in evidence.

(*a*) the person who gave the evidence is beyond the jurisdiction of the Court, or dead, or unable from sickness or infirmity to attend to be personally examined, or exempted from personal appearance in Court, or

(*b*) the Court in its discretion dispenses with the proof of any of the circumstances mentioned in the last preceding clause, and authorizes the evidence of any person being read as evidence in the suit, notwithstanding proof that the cause for taking such evidence by commission has ceased at the time of reading the same.

391. The provisions hereinbefore contained as to the execution and return of commissions shall apply to commissions issued by

Provisions as to execution and return of commissions to apply to commissions issued by Foreign Courts.

(*a*) Courts situate beyond the limits of British India and established by the authority of Her Majesty or of the Governor General in Council, or

(*b*) Courts situate in any part of the British Empire other than British India, or

(*c*) Courts of any foreign country for the time being in alliance with Her Majesty.

B.—Commissions for Local Investigations.

392. In any suit or proceeding in which the Court deems a local investigation to be requisite or proper for the purpose of elucidating any matter in dispute, or of ascertaining the market-value of any property, or the amount of any mesne profits or damages or annual nett profits, and the same cannot be conveniently conducted by the Judge in person, the Court may issue a commission to such person as it thinks fit, directing him to make such investigation and to report thereon to the Court:

Commission to make local investigations.

Provided that when the Local Government has made rules as to the persons to whom such commission shall be issued, the Court shall be bound by such rules.

393. The Commissioner, unless otherwise directed by the order of appointment, may examine the parties themselves and any witness whom they or any of them may produce, and any other person whom the Commissioner thinks proper to call upon to give evidence in the matter referred to him.

Commissioner may examine parties and witnesses and call for papers.

The Commissioner may also call for and examine documents and other papers relevant to the subject of enquiry.

The Commissioner, after such local inspection as he deems necessary, and after reducing to writing the evidence taken by him, shall return such evidence, together with his report in writing, subscribed with his name, to the Court.

394. The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the suit and shall form part of the record; but the Court, or any of the parties to the suit may, with the permission of the Court, examine the Commissioner personally in open Court touching any of the matters referred to him or mentioned in his report, or as to the manner in which he has made the investigation.

Report and depositions to be evidence in suit.

Commissioner may be examined in person.

C.—Commissions to examine Accounts.

395. In any suit in which an examination or adjustment of accounts is necessary, the Court may issue a commission to such person as it thinks fit directing him to make such examination or adjustment.

Commission to investigate and adjust accounts.

396. The Court shall furnish the Commissioner with such part of the proceedings and such detailed instructions as appear necessary,

Court to give Commissioner necessary instructions.

and the instructions shall distinctly specify whether the Commissioner is merely to transmit the proceedings which he may hold on the enquiry, or also to report his own opinion on the point referred for his examination.

397. The proceedings of the Commissioner shall be received in evidence in the suit, unless the Court has reason to be dissatisfied with them, in which case the Court shall direct such further enquiry as is requisite.

Proceedings of Commissioner receivable in evidence.

Power to make further enquiry.

D.—General Provisions.

398. Before issuing any commission under this chapter, the Court may order such sum (if any) as it thinks reasonable for the expenses of the commission to be paid into court by the party at whose instance or for whose benefit the commission is issued.

Expenses of Commission to be paid into court.

399. The provisions of this Code relating to the summoning, attendance, and examination of witnesses and to the remuneration of, and penalties to be imposed upon, witnesses, shall apply to persons required to give evidence or to produce documents under this chapter, whether the commission in execution of which they are so required has been issued by a Court situate within, or by a Court situated beyond, the limits of British India.

Attendance, examination and punishment of witnesses before Commissioner.

400. Whenever a commission is issued under this chapter, the Court shall direct that the parties to the suit shall appear before the Commissioner in person or by their agents or pleaders.

Procedure *ex parte* where parties do not appear.

If the parties do not so appear, the Commissioner may proceed *ex parte*.

PART III.

OF SUITS IN PARTICULAR CASES.

CHAPTER XXVI.

SUITS BY PAUPERS.

401. Subject to the following rules, any suit may be brought by a pauper.

Suits may be brought *in formâ pauperis*.

Explanation.—A person is a 'pauper' when he is not possessed of sufficient means to enable him to pay the fee prescribed for by law for the plaint in such suit, or, where no such fee is prescribed, when he is not entitled to property worth one hundred rupees other than his necessary wearing apparel and the subject-matter of the suit.

402. No suit shall be brought by a pauper to recover compensation for loss of caste, libel, slander, abusive language or assault.

What suits excepted.

403. The application for permission to sue by a pauper shall be in writing, and shall contain the particulars required by section 50 in regard to plaints in suits: a schedule of any moveable or immoveable property belonging to the petitioner, with the estimated value thereof, shall be annexed thereto; and it shall be subscribed and verified in the manner hereinbefore prescribed for the subscription and verification of plaints.

Application to be in writing.

Contents of application.

404. Notwithstanding anything contained in section 40, the application shall be presented to the Court by the applicant in person unless he is exempted from appearing in Court under section 642 or 648, in which case the application may be presented by a duly authorized agent, who can answer all material questions relating to the application, and who shall be liable to be examined in the same manner as the party represented by him might have been examined had such party attended in person.

Presentation of application.

405. If the application be not framed or presented in the manner laid down in sections 403 and 404, the Court shall reject it.

Rejection of application.

406. If the application be in form and duly presented, the Judge shall examine the petitioner, or his agent when the applicant

Examination of applicant.

is allowed to appear by agent, regarding the merits of the claim and the property of the applicant.

When the application is presented by an agent, the Court may, if it thinks fit, order that the applicant be examined by a Commission in the manner in which the examination of an absent witness may be taken under the provisions of this Code.

If presented by agent, Court may order applicant to be examined by Commission.

407. If it appear to the Court upon such examination

Rejection of application.

(*a*) that the applicant is not a pauper, or

(*b*) that he has, within the two months next before the presentation of the application, disposed of any property fraudulently or with a view to obtain the benefit of this chapter, or

(*c*) that his allegations do not show a right to sue in such Court,

the Court shall reject the application.

408. If upon such examination the Court sees no reason to refuse the application on any of the grounds stated in section 407, it shall fix a day, of which at least ten days' previous notice shall be given to the opposite party and the Government Pleader, for receiving such evidence as the applicant may adduce in proof of his pauperism, and for hearing any evidence which may be adduced in disproof thereof.

Notice of day for receiving evidence of applicant's pauperism.

409. On the day so fixed, or as soon thereafter as may be convenient, the Court shall examine the witnesses (if any) produced by either party, and may cross-examine the applicant or his agent, and shall make a memorandum of the substance of their evidence.

Procedure at hearing.

The Court shall also hear any argument which the parties may desire to offer on the question whether, on the face of the application and of the evidence (if any) taken by the Court as herein provided, the applicant is or is not subject to any of the prohibitions specified in section 407.

The Court shall then either allow or refuse to allow the applicant to sue as a pauper.

410. If the application be granted, it shall be numbered and registered, and shall be deemed the plaint in the suit, and the suit shall proceed in all other respects as a suit instituted under chapter V, except that the plaintiff shall not be liable to any court-fee (other than fees payable for service of process) in respect of any petition, appointment of a pleader, or other proceeding connected with the suit.

Procedure if application admitted.

411. If the plaintiff succeed in the suit, the Court shall calculate the amount of court-fees which should have been paid by the plaintiff if he had not been permitted to sue as a pauper; and such amount shall be a first charge on the subject-matter of the suit, and shall also be recoverable by Government from any party ordered by the decree to pay the same, in the same manner as costs of suit are recoverable under this Code.

Costs when pauper succeeds.

Recovery of court-fees.

412. If the plaintiff fails in the suit, or if he is dispaupered, the Court shall order the plaintiff, or any person made under section 32 co-plaintiff to the suit, to pay the court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper;

Procedure when pauper fails.

and, if it find that the suit was frivolous or vexatious, it may also punish the plaintiff with fine not exceeding one hundred rupees, or with imprisonment for a term which may extend to a month, or with both.

413. Refusal to allow the applicant to sue as a pauper shall be a bar to any subsequent application of the like nature by him in respect of the same right to sue; but the applicant shall be at liberty to institute a suit in the ordinary manner in respect of such right.

Refusal to allow applicant to sue as pauper to bar subsequent application of like nature.

414. The Court may, on motion by the defendant, or by the Government Pleader, of which one week's notice in writing has been given to the plaintiff, order the plaintiff to be dispaupered—

Dispaupering.

(*a*) if he is guilty of vexatious or improper conduct in the course of the suit;

(*b*) if it appears that his means are such that he ought not to continue to sue as a pauper, or

(*c*) if he has entered into any agreement with reference to the subject-matter of the suit, under which any other person has obtained an interest in such subject-matter.

415. The costs of an application for permission to sue as a pauper and of an enquiry into pauperism are costs in the suit.

Costs.

CHAPTER XXVII.

SUITS BY OR AGAINST GOVERNMENT OR PUBLIC OFFICERS.

416. Suits by or against the Government shall be brought by or against (as the case may be) the Secretary of State for India in Council.

Suits by or against Secretary of State in Council.

No suit against the Secretary of State for India in Council and no suit against a public officer for any act alleged to be done by him in his official capacity shall be instituted in any Court inferior to a District Court. Any such suit may be transferred by order of the Court in which it is instituted to any Court subordinate thereto, and otherwise competent to entertain such suit.

Courts in which such suits shall be instituted.

Nothing contained in the second paragraph of this section shall affect suits to which Government is a party, the trial whereof is provided for by any local law.

417. Persons being *ex-officio* or otherwise authorized to act for Government in respect of any judicial proceeding, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of Government.

Persons authorised to act for Government.

418. In suits by the Secretary of State for India in Council, instead of inserting in the plaint the name and description and place of abode of the plaintiff, it shall be sufficient to insert the words "The Secretary of State for India in Council."

Plaints in suits by Secretary of State in Council.

419. The person appointed to act as pleader on the part of Government in any Court, shall be the agent of the Government for the purpose of receiving processes against the Government or the said Secretary of State in Council, issuing out of the Court in which such person may be the pleader of Government.

Agent of Government to receive process.

420. If the suit be against the said Secretary of State in Council or against a public officer for any such act as aforesaid, the summons shall be served on the Government Pleader of the Court in which the suit is instituted, or on any other person appointed to receive process on behalf of the Government.

Service on Government Pleader.

421. The Court, in fixing the day for the said Secretary of State in Council to answer to the plaint, shall allow a reasonable time for the necessary communication with the Government through the proper channels, and for the issue of instructions to the Government Pleader to appear and answer on behalf of the said Secretary of State in Council or the Government, and may extend the time at its discretion.

Appearance and answer by Secretary of State in Council.

The Court may also in any case in which the Government Pleader is not accompanied by any person on the part of the said Secretary of State in Council, who may be able to answer any material questions relating to the suit, direct the attendance of such a person.

422. If the defendant be a public officer, the Court may send a copy of the summons to the head of the office in which the defendant is employed, for the purpose of being served on him, if it shall appear to the Court that the summons may be most conveniently so served.

Service on public officers.

423. If the public officer on receiving the summons considers it proper to make a reference to the Government before answering to the plaint, he may apply to the Court to grant such extension of the time fixed in the summons as may be necessary to enable him to make such reference and to receive orders thereon through the proper channel;

Extension of time to enable officer to make reference to Government.

and the Court upon such application may extend the time for so long as appears to be requisite.

424. No suit shall be instituted under this chapter against the said Secretary of State in Council or against a public officer until the expiration of two months next after notice in writing has been in the case of the Secretary of State in Council delivered to, or left at the office of, a Secretary to the Local Government or the Collector of the District, and, in the case of a public officer, delivered to him or left at his office, stating the cause of action and the name and place of abode of the intending plaintiff.

Notice previous to suing Secretary of State in Council or public officer.

Unless such notice is proved, the Court shall find for the defendant.

Every suit against a public officer for compensation for an act alleged to be done in his official capacity shall be commenced within six months next after the cause of action arises, and not afterwards.

425. If the Government undertake the defence of a suit under this chapter against a public officer, the Government Pleader, upon being furnished with authority to appear and answer to the plaint, shall apply to the Court, and upon such application the Court shall cause a note of his authority to be entered in the register.

Application where Government undertakes defence.

426. If such application is not made by the Government Pleader on or before the day fixed in the notice for the defendant to appear and answer to the plaint, the case shall proceed as in a suit between private parties, except that the defendant shall not be liable to arrest, nor his property to attachment, otherwise than in execution of a decree.

Procedure where no such application made.

Defendant not liable to arrest before judgment.

427. If in a suit under this chapter against a public officer the Court requires the personal appearance of the defendant, and the defendant satisfies the Court that he cannot absent himself from his duty without detriment to the public service, the Court shall exempt him from appearing in person.

Exemption of public officers from personal appearance.

428. When the decree is against the said Secretary of State in Council or against a public officer, a time shall be specified in the decree within which it shall be satisfied; and if the decree is not satisfied within the time so specified, the Court shall report the case for the orders of the Local Government.

Procedure where decree is against Government or a public officer.

Execution shall not issue on any decree mentioned in this section unless it remains unsatisfied for the period of three months computed from the date of the report.

429. Where there is no Government Pleader the functions imposed by this chapter on the Government Pleader may be performed by such officer as the Local Government generally or specially appoints in this behalf.

Performance of Government Pleader's functions.

CHAPTER XXVIII.

SUITS BY ALIENS AND BY OR AGAINST FOREIGN AND NATIVE RULERS.

430. Alien enemies residing in British India with the permission of the Governor General in Council and alien friends may sue in the Courts of British India as if they were subjects of Her Majesty.

When aliens may sue.

No alien enemy residing in British India without such permission, or residing in a foreign country, shall sue in any of such Courts.

Explanation.—Every person residing in a foreign country, the Government of which is at war with the United Kingdom of Great Britain and Ireland and carrying on business in that country without

a license in that behalf under the hand of one of Her Majesty's Secretaries of State or of a Secretary to the Government of India, shall, for the purpose of this section, be deemed to be an alien enemy.

431. A foreign State may sue in the Courts of British India, provided that—

When a foreign State may sue.

(*a*) it has been recognized by Her Majesty or the Governor General in Council, and

(*b*) the object of the suit is to enforce the private rights of the head or of the subjects of the foreign State.

The Court shall take judicial notice of the fact that a foreign State has not been recognized by Her Majesty or by the Governor General in Council.

432. Persons specially appointed by order of Government at the request of any Sovereign Prince or ruling Chief, whether in subordinate alliance with the British Government or otherwise, and whether residing within or without British India, to prosecute or defend any suit on his behalf, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of such Prince or Chief.

Persons specially appointed by Government to prosecute or defend for Princes or Chiefs.

433. Any such Prince or Chief, and any ambassador or envoy of a foreign State may, with the consent of Government certified by the signature of one of its Secretaries (but not otherwise) be sued in any competent Court not subordinate to a District Court:

Suits against Sovereign Princes, &c.

Such consent shall not be given unless—

(*a*) the Prince, Chief, ambassador or envoy has instituted a suit in such Court against the person desiring to sue him, or

(*b*) the Prince, Chief, ambassador or envoy by himself or another trades within the local limits of the jurisdiction of such Court: or

(*c*) the suit is for the determination of any right to, or interest in, immoveable property situate within the said local limits and in the possession of the Prince, Chief, ambassador or envoy.

No such Prince, Chief, ambassador or envoy shall be arrested under this Code; and no decree shall be executed against the property of any such Prince, Chief, ambassador or envoy unless with consent of Government certified as aforesaid.

Sovereign Princes, &c., exempt from arrest.

When their property may be attached.

434. The Governor General in Council may from time to time, by notification in the *Gazette of India*,

Execution in British India of decrees of Courts of Native States.

(*a*) declare that the decrees of Courts situate in the territories of any Native Prince or State in alliance with Her Majesty, may be executed in British India as if they had been made by the Courts of British India, and

(*b*) cancel any such declaration.

So long as such declaration remains in force the said decrees may be executed accordingly.

CHAPTER XXIX.

SUITS BY AND AGAINST CORPORATIONS AND COMPANIES.

435. In suits by a Corporation, or by a Company authorized to sue and be sued in the name of an officer or of a trustee, the plaint may be subscribed and verified on behalf of the Corporation or Company by any director, secretary, or other principal officer of the Corporation or Company, who is able to depose to the facts of the case.

Subscription and verification of plaint.

436. When the suit is against a Corporation, or against a Company authorized to sue and be sued in the name of an officer or of a trustee, the summons may be served

Service on Corporation or Company.

(*a*) by leaving it at the registered office (if any) of the Corporation or Company, or

(*b*) by sending it by post in a letter addressed to such officer or trustee at the office (or if there be more offices than one, at the principal office in British India) of the Corporation or Company, or

(*c*) by giving it to any director, secretary, or other principal officer of the Corporation or Company,

and the Court may require the personal appearance of any director, secretary, or other principal officer of the Corporation or Company who may be able to answer material questions relating to the suit.

CHAPTER XXX.

SUITS BY AND AGAINST TRUSTEES, EXECUTORS AND ADMINISTRATORS.

437. In all suits concerning property vested in a trustee, executor or administrator, the trustee, executor or administrator shall represent the persons beneficially interested in such property; and it shall not ordinarily be necessary to make such persons parties to the suit. But the Court may, if it think fit, order them or any of them to be made such parties.

Representation of beneficiaries in suits concerning property vested in trustees, &c.

438. When there are several executors or administrators, they shall all be made parties to a suit against one or more of them:

Joinder of executors and administrators.

Provided that executors who have not proved their testator's will, and executors and administrators beyond the local limits of the jurisdiction of the Court, need not be made parties.

439. Unless the Court directs otherwise, the husband of a married administratrix or executrix shall not be a party to a suit by or against her.

Husband of married executrix not to join.

CHAPTER XXXI.

SUITS BY AND AGAINST MINORS AND PERSONS OF UNSOUND MIND.

440. Every suit by a minor shall be instituted in his name by an adult person, who in such suit shall be called the next friend

Minor must sue by next friend.

of the minor, and may be ordered to pay any costs in the suit as if he were the plaintiff.

Costs.

441. Every application to the Court on behalf of a minor (other than an application under section 450) shall be made by his next friend, or his guardian for the suit.

Applications to be made by next friend or guardian *ad litem*.

442. If a plaint be filed by or on behalf of a minor, without a next friend, the defendant may apply to have the plaint taken off the file, with costs to be paid by the pleader or other person by whom it was presented. Notice in writing of such application shall be given to such person by the defendant; and the Court, after hearing his objections, if any, may make such order in the matter as it thinks fit.

Plaint filed without next friend to be taken off the file.

Costs.

443. Where the defendant to a suit, or respondent to an application, is a minor, the Court, on being satisfied of the fact of his minority, shall appoint a proper person to be guardian for the suit for such minor, to put in the defence for such minor, and generally to act on his behalf in the conduct and management of the case.

Guardian *ad litem* to be appointed by the Court.

A guardian for the suit is not a guardian of person or property within the meaning of the Indian Majority Act, 1875, section 3.

444. Every order made in a suit or on any application before the Court, in or by which a minor is in any way concerned or affected, without such minor being represented by a next friend or guardian for the suit, as the case may be, may be discharged, and, if the pleader of the party at whose instance such order was obtained knew, or might, reasonably have known, the fact of such minority, with costs to be paid by such pleader.

Order obtained without next friend or guardian may be discharged.

Costs.

445. Any person, being *sui juris*, may act as next friend of a minor, provided his interest is not adverse to that of such minor, and he is not a defendant or respondent in or to the suit or application.

Who may be next friend.

446. If the interest of the next friend of a minor is adverse to that of such minor, or if he is so connected with a defendant or respondent whose interest is adverse to that of such minor, as to make it unlikely that the interest of such minor will be properly protected by him, or if he does not do his duty, or, pending the suit or application, ceases to reside within British India, or for any other sufficient cause, application may be made on behalf of such minor or by a defendant or respondent for his removal, and the Court (if satisfied of the sufficiency of the cause assigned) may order the next friend to be removed accordingly and a guardian for the suit to be substituted.

Removal of next friend.

447. Unless otherwise ordered by the Court, a next friend shall not retire at his own request without first procuring a fit person to be put in his place, and giving security for the costs already incurred.

Retirement of next friend.

448. The application for the appointment of a new next friend shall be supported by affidavit, showing the fitness of the person proposed, and also, that he has no interest adverse to the minor.

Application for appointment of new next friend.

449. On the death or removal, as aforesaid, of a next friend, further proceedings shall be stayed until the appointment of a next friend in his place.

Stay of proceedings on death or removal of next friend.

450. If the pleader of such minor omits, within reasonable time, to take steps to get a new next friend appointed, any person interested in the minor or the matter at issue may apply to the Court for the appointment of one, and the Court may appoint such person as it thinks fit.

Application for appointment of new next friend.

451. On the appointment of a new next friend his name as such shall thenceforth be inserted in the proceedings.

Name of new next friend to be inserted in proceedings.

452. Before the name of any person can be used as the next friend of a minor, he shall sign a written authority to the pleader for that purpose, which authority shall be filed in Court.

Written authority to act for next friend to be filed.

453. A minor plaintiff, or a minor not a party to a suit on whose behalf an application is pending, on coming of age, must elect whether he will proceed with the suit or application.

Course to be followed by minor plaintiff or applicant on coming of age.

If he elects to proceed with it, he shall obtain an order discharging the next friend, and for leave to proceed in his own name.

The title of the suit or application shall in such case be corrected so as to read thenceforth thus:—"*A. B.*, late a minor by *C. D.*, his next friend, but now of full age."

If he elects to abandon the suit or application, he shall, if a sole plaintiff, or sole applicant, obtain an order to dismiss the suit or application on repayment of the costs incurred by the defendant or respondent, or which may have been paid by his next friend.

When minor sole plaintiff, or sole applicant.

Costs.

In either case the application may be made by petition *ex parte*; and it must be proved by affidavit that the late minor has attained his full age.

454. A minor co-plaintiff or co-applicant, on coming of age, and desiring to repudiate the suit or application, must apply to have his name struck out as co-plaintiff or co-applicant.

When minor co-plaintiff or co-applicant.

The application shall be by summons to the next friend, as well as to the defendant or respondent; and it must be proved by affidavit that the late minor has attained his full age. The costs of all parties or such application, and of all or any proceedings theretofore had in the suit or matter, shall be paid by such persons as the Court directs.

Costs.

455. If any minor on attaining majority can prove to the satisfaction of the Court that a suit instituted in his name by a next friend was unreasonable or improper, he may, if a sole plaintiff or sole applicant, apply to have the suit dismissed.

When suit or proceeding unreasonable or improper.

The application shall be by summons to all the parties concerned: and the Court, upon being satisfied of such unreasonableness or impropriety, may grant the application, and order the next friend to pay the costs of all parties in respect of the application and of any thing done in the suit.

Costs.

456. An order for the appointment of a guardian for the suit may be obtained upon application in the name of the minor. The petition must be supported by an affidavit verifying the fact that the proposed guardian has no interest in the matters in question in the suit or application, adverse to that of the minor, and that he is a fit person to be so appointed.

Petition for appointment of guardian *ad litem*.

457. A co-defendant or co-respondent, if *sui juris*, may be appointed guardian for the suit, if he has no interest adverse to that of the minor; but neither a plaintiff, nor a party applicant, nor a married woman, can be so appointed.

Who may be guardian *ad litem*.

458. If the guardian for the suit dies pending a suit or application against a minor, a new guardian shall be appointed in his place.

On death of guardian, *pendente lite*, new guardian to be appointed.

459. If the guardian for the suit of a minor defendant or respondent does not do his duty, or if other sufficient ground be made to appear, the Court may remove him, and may order him to pay such costs as may have been occasioned to any party by his breach of duty.

Guardian neglecting his duty may be removed.

Costs.

460. When the enforcement of a decree is applied for against the heir or representative, being a minor, of a deceased party, a guardian for the suit of such minor shall be appointed, and the decree-holder shall serve on such guardian notice in writing of such application.

When decree to be enforced against heir or representative.

461. No sum of money or other thing shall be received or taken by a next friend or guardian for the suit at any time on behalf of a minor, at any time before decree or order, unless he has first obtained the leave of the Court, and given security to its satisfaction that such money or other thing shall be duly accounted for to, and held for the benefit of, such minor.

Before decree, next friend or guardian *ad litem* not to receive money without leave of Court and giving security.

462. No such next friend or guardian for the suit shall enter into any agreement or compromise on behalf of a minor, with reference to the suit in which he acts as next friend or guardian without the leave of the Court.

Next friend or guardian *ad litem* not to compromise without leave of Court.

Any such agreement or compromise entered into without the leave of the Court shall be voidable against all parties other than the minor.

Compromise without leave voidable.

463. The provisions contained in sections 440 to 462 (both inclusive) shall, *mutatis mutandis*, apply in the case of persons of unsound mind, adjudged to be so under Act No. XXXV of 1858, or under any other law for the time being in force.

Application of sections 440 to 462 to persons of unsound mind.

464. Nothing in sections 442 to 462 applies to any minor or person of unsound mind, for whose person or property a guardian or manager has been appointed by the Court of Wards or by the Civil Court under any local law.

Wards of Court.

CHAPTER XXXII.

SUITS BY AND AGAINST MILITARY MEN.

465. When any officer or soldier actually serving the Government in a military capacity is a party to a suit, and cannot obtain leave of absence for the purpose of prosecuting or defending the suit in person, he may authorize any person to sue or defend in his stead.

Officers or soldiers who cannot obtain leave may authorize any person to sue or defend for them.

The authority shall be in writing and shall be signed by the officer or soldier in the presence of (*a*) his commanding officer or of the next subordinate officer, if the party be himself the commanding officer, or (*b*) where the officer or soldier is serving in military staff employment, the head or other superior officer of the office in which he is employed. Such commanding or other officer shall countersign the authority which shall be filed in Court.

When so filed, the countersignature shall be sufficient proof that the authority was duly executed, and that the officer or soldier by whom it was granted could not obtain leave of absence for the purpose of prosecuting or defending the suit in person.

Explanation.—In this chapter the expression 'commanding officer' means the officer in actual command for the time being of any regiment, corps, detachment or depôt, to which the officer or soldier belongs.

466. Any person authorized by an officer or soldier to prosecute or defend a suit in his stead may prosecute or defend it in person in the same manner as the officer or soldier could do if present; or he may appoint a pleader to prosecute or defend the suit on behalf of such officer or soldier.

Person so authorized may act personally or appoint pleaders.

467. Processes served upon any person authorized by an officer or soldier, as in section 465, or upon any pleader appointed as aforesaid by such person to act for, or on behalf of such officer or soldier, shall be as effectual as if it had been served on the party in person or on his pleader.

Service on person so authorized, or on his pleader, to be good service.

468. When an officer or soldier is a defendant, the Court shall send a copy of the summons to the commanding officer of such officer or soldier for the purpose of being served on him.

Service on officers and soldiers.

The officer to whom such copy is sent, after causing it to be served on the person to whom

it is addressed, if practicable, shall return it to the Court with the written acknowledgment of such person endorsed thereon.

If from any cause the copy cannot be so served, it shall be returned to the Court by which it was sent, with information of the cause which has prevented the service.

469. If, in the execution of a decree, a warrant of arrest is to be executed within the limits of a cantonment, garrison, military station, or military bázár, the officer charged with the execution of such warrant shall deliver the same to the commanding officer.

Execution of warrant of arrest in cantonments, &c.

The commanding officer shall back the warrant with his signature, and shall cause the person named therein to be arrested if within the limits of his command, and delivered to the officer so charged of the warrant.

CHAPTER XXXIII.

INTERPLEADER.

470. When two or more persons claim adversely to one another the same payment or property from another person, whose only interest therein is that of a mere stakeholder and who is ready to render it to the right owner, such stakeholder may institute a suit of interpleader against all the claimants for the purpose of obtaining a decision as to whom the payment or property should be made or delivered, and of obtaining indemnity for himself.

When interpleader suit may be instituted.

Provided that if any suit is pending in which the rights of all parties can properly be decided, the stakeholder shall not institute a suit of interpleader.

471. In every suit of interpleader the plaint must, in addition to the other statements necessary for plaints, state—

Plaint in such suit.

(*a*) that the plaintiff has no interest in the thing claimed otherwise than as a mere stakeholder;

(*b*) the claims made by the defendants severally; and

(*c*) that there is no collusion between the plaintiff and any of the defendants.

472. When the thing claimed is capable of being paid into Court or placed in the custody of the Court, the plaintiff must so pay or place it before he can be entitled to any order in the suit.

Payment of thing claimed into Court.

Procedure at first hearing.

473. At the first hearing the Court may

(*a*) declare that the plaintiff is discharged from all liability to the defendants in respect of the thing claimed, award him his costs, and dismiss him from the suit:

or, if it thinks that justice or convenience so require,

(*b*) retain all parties until the final disposal of the suit:

and, if it finds that the admissions of the parties or other evidence enable it,

(*c*) adjudicate the title to the thing claimed: or else it may

(*d*) direct the defendants to interplead one another by filing statements and entering into evidence for the purpose of bringing their respective claims before the Court.

474. Nothing in this chapter shall be taken to enable agents to sue their principals, or tenants to sue their landlords, for the purpose of compelling them to interplead with any persons other than persons making claim through such principals or landlords.

When agents and tenants may institute interpleader suits.

Illustrations.

(*a*) A deposits a box of jewels with B as his agent. C alleges that the jewels were wrongfully obtained from him by A, and claims them from B. B cannot institute an interpleader suit against A and C.

(*b*) A deposits a box of jewels with B as his agent. He then writes to C for the purpose of making the jewels a security for a debt due from himself to C. A afterwards alleges that C's debt is satisfied, and C alleges the contrary. Both claim the jewels from B. B may institute an interpleader suit against A and C.

475. When the suit is properly instituted, the Court may provide for the plaintiff's costs by giving him a charge on the thing claimed or in some other effectual way.

Charge of plaintiff's costs.

476. If any of the defendants in an interpleader suit is actually suing the stakeholder in respect of the subject of such suit, the Court in which the suit against the stakeholder is pending shall, on being duly informed that a decree has been made in the interpleader suit in favour of the stakeholder, stay the proceedings as against him; and his costs in the suit so stayed may be provided for in such suit; but if, and so far as, they are not provided for in that suit, they may be added to his costs incurred in the interpleader suit.

Procedure where a defendant is suing stakeholder.

Costs.

PART IV.

OF PROVISIONAL REMEDIES.

CHAPTER XXXIV.

OF ARREST AND ATTACHMENT BEFORE JUDGMENT.

A.—Arrest before Judgment.

477. If at any stage of any suit, other than a suit for the possession of immoveable property, the plaintiff satisfies the Court by affidavit—

When plaintiff may apply that security be taken.

that the defendant, with intent to avoid or delay the plaintiff, or to avoid any process of the Court, or to obstruct or delay the execution of any decree that may be passed against him,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under circumstances affording reasonable probability that the plaintiff will or may thereby be obstructed or delayed in the execution of any decree that may be passed against the defendant in the suit,

the plaintiff may apply to the Court that security be taken for the appearance of the defendant to answer any decree that may be passed against him in the suit.

478. If the Court, after examining the applicant, and making such further investigation as it thinks fit, is satisfied

Order to bring up defendant to show cause why he should not give security.

that the defendant, with any such intent as aforesaid,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under the circumstances last aforesaid,

the Court may issue an order for bringing the defendant before the Court to show cause why he should not give security for his appearance.

479. If the defendant fail to show such cause, the Court shall order him either to deposit in Court money or other property sufficient to answer the claim against him, or to give security for his appearance at any time when called upon while the suit is pending, and until execution or satisfaction of any decree that may be passed against him in the suit.

If defendant fail to show cause, Court may order him to make deposit or give security.

The surety shall bind himself, in default of such appearance, to pay any sum of money which the defendant may be ordered to pay in the suit.

480. The surety for the appearance of the defendant may at any time apply to the Court in which he became such surety to be discharged from his obligation.

Procedure in case of application by surety to be discharged.

On such application being made, the Court shall summon the defendant to appear, or, if it thinks fit, may issue a warrant for his arrest in the first instance.

On the appearance of the defendant pursuant to the summons or warrant, or on his voluntary surrender, the Court shall direct the surety to be discharged from his obligation, and shall call upon the defendant to find fresh security.

481. If the defendant fail to comply with an order under section 479 or section 480, the Court may commit him to jail until the decision of the suit, or, if judgment be given against the defendant, until the execution of the decree; Provided that no person shall be imprisoned under this section for a longer period than six months.

Procedure where defendant fails to give security or find fresh security.

482. The provisions of section 339 as to allowances payable for the subsistence of judgment-debtors shall apply to all defendants arrested under this chapter.

Subsistence of defendant arrested.

B.—Attachment before Judgment.

483. If at any stage of any suit the plaintiff satisfies the Court by affidavit that the defendant, with intent to obstruct or delay the execution of any decree that may be passed against him,

Application before judgment for security from defendant to satisfy decree, and in default, for attachment of property.

(*a*) is about to dispose of the whole or any part of his property, or to remove the same from the jurisdiction of the Court in which the suit is pending, or

(*b*) has quitted the jurisdiction of the Court, leaving therein property belonging to him,

the plaintiff may apply to the Court to call upon the defendant to furnish security to satisfy any decree that may be passed against him in such suit, and, on his failing to give such security, to direct that any portion of his property shall be attached until the further order of the Court.

The application shall, unless the Court otherwise directs, contain a specification of the property required to be attached, and the estimated value thereof.

Contents of application.

484. If the Court, after examining the applicant, and making any further investigation which it thinks fit, is satisfied that the defendant is about to dispose of or remove his property, with intent to obstruct or delay the execution of any decree that may be passed against him in the suit, the Court may require him, within a time to be fixed by the Court, either to furnish security in such sum as may be specified in the order, to produce and place at the disposal of the Court, when required, the said property or the value of the same, or such portion thereof as may be sufficient to satisfy the decree, or to appear and show cause why he should not furnish security.

Court may call on defendant to furnish security or show cause.

The Court may also in the order direct the conditional attachment of the whole or any portion of the property specified in the application.

485. If the defendant fail to show cause why he should not furnish security, or fail to furnish the security required within the time fixed by the Court, the Court may order that the property specified in the application, or such portion thereof as appears sufficient to satisfy any decree which may be passed in the suit, shall be attached.

Attachment if cause not shown or security not furnished.

If the defendant show such cause or furnish the required security, and the property specified in the application or any portion of it has been ordered to be attached, the Court shall order the attachment to be withdrawn.

Withdrawal of attachment.

486. The attachment shall be made in the manner herein provided for the attachment of property in execution of a decree for money.

Mode of making attachment.

487. If any claim be preferred to the property attached before judgment, such claims shall be investigated in the manner hereinbefore provided for the investigation of claims to property attached in execution of a decree for money.

Investigation of claims to property attached before judgment.

488. When an order of attachment before judgment is passed, the Court which passed the order shall remove the attachment whenever the defendant furnishes the security required, together with security for the costs of the attachment, or when the suit is dismissed.

Removal of attachment when security furnished.

489. Attachment before judgment shall not affect the rights of persons not parties to the suit, nor bar any person holding a decree against the defendant from applying for the sale of the property under attachment in execution of such decree.

Attachment not to affect rights of strangers, or bar the decree-holder from applying for sale.

490. Where property is under attachment by virtue of the provisions of this chapter, and a decree is given in favour of the plaintiff, it shall not be necessary to re-attach the property in execution of such decree.

Property attached under this chapter, not to be re-attached in execution of decree.

C.—Compensation for improper Arrests or Attachments.

491. If in any suit in which an arrest or attachment has been effected it appear to the Court that such arrest or attachment was applied for on insufficient grounds,

Compensation for obtaining arrest or attachment on insufficient grounds.

or if the suit of the plaintiff fails, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such amount, not exceeding one thousand rupees, as it deems a reasonable compensation to the defendant for the expense or injury occasioned to him by the arrest or attachment:

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

Proviso.

An award under this section shall bar any suit for compensation in respect of such arrest or attachment.

CHAPTER XXXV.

OF TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS.

A.—Temporary Injunctions.

492. If in any suit it be proved by affidavit or otherwise

Cases in which temporary injunction may be granted.

(*a*) that any property in dispute in a suit is in danger of being wasted, damaged or alienated by any party to the suit, or wrongfully sold in execution of a decree, or

(*b*) that the defendant threatens, or is about, to remove or dispose of his property with intent to defraud his creditors,

the Court may grant a temporary injunction to restrain such act, or give such other order for the purpose of staying and preventing the wasting, damaging, alienation, sale, removal or disposition of the property as the Court thinks fit.

493. In any suit for restraining the defendant from committing a breach of contract or other injury, and whether compensation be claimed in the suit or not, the plaintiff may, at any time after the commencement of the suit, and either before or after judgment, apply to the Court for a temporary injunction to restrain the defendant from the repetition or the continuance of the breach of contract or wrongful act complained of, or the committing of any breach of contract or injury of a like kind arising out of the same contract or relating to the same property or right.

Injunction to restrain repetition or continuance of breach.

Such injunction may be granted by the Court on such terms as to the duration of the injunction, keeping an account, giving security, or otherwise, as the Court thinks fit.

In case of disobedience, an injunction granted under this section or section 492 may be enforced by the imprisonment of the defendant for a term not exceeding six months, or the attachment of his property, or both.

No attachment under this section shall remain in force for more than one year, at the end of which time if the defendant has not obeyed the injunction, the property attached may be sold, and out of the proceeds the Court may award to the plaintiff such compensation as it thinks fit and may pay the balance, if any, to the defendant.

494. The Court may in all cases, and shall in all cases except where it appears to the Court that the object of granting the injunction would be defeated by the delay, before granting an injunction, direct notice in writing of the application for the same to be given to the opposite party.

Before granting injunction, Court may direct notice to be given to opposite party.

495. An injunction directed to a corporation or public company is binding not only on the corporation or company itself, but also on all members and officers of the corporation or company whose personal action it seeks to restrain.

Injunction to corporation binding on its members and officers.

496. Any order for an injunction may be discharged or varied or set aside by the Court, on application made thereto by any party dissatisfied with such order.

Order for injunction may be discharged, varied or set aside.

497. If it appears to the Court that the injunction was applied for on insufficient grounds, or

Compensation to defendant for issue of injunction on insufficient grounds.

if, after the issue of the injunction, the suit is dismissed or judgment is given against the plaintiff by default or otherwise, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such sum, not exceeding one thousand rupees, as it deems a reasonable compensation to the defendant for the expense or injury occasioned to him by the issue of the injunction:

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

Proviso.

An award under this section shall bar any suit for compensation in respect of the issue of the injunction.

B.—Interlocutory Orders.

498. The Court may, on the application of any party to a suit, order the sale, by any person named in such order, and in such manner and on such terms as it thinks fit, of any moveable property being the subject of such suit, which is subject to speedy and natural decay.

Power to order interim sale of perishable articles.

499. The Court may, on the application of any party to a suit, and on such terms as it thinks fit,

Power to make order for detention, &c., of subject-matter and to authorize entry, taking of samples and experiments.

(*a*) make an order for the detention, preservation or inspection of any property being the subject of such suit;

(*b*) for all or any of the purposes aforesaid, authorise any person to enter upon or into any land or building in the possession of any other party to such suit, and

(*c*) for all or any of the purposes aforesaid, authorise any samples to be taken, or any observation to be made or experiment to be tried, which may seem necessary or expedient for the purpose of obtaining full information or evidence.

The provisions hereinbefore contained as to execution of process shall apply, *mutatis mutandis*, to persons authorised to enter under this section.

500. An application by the plaintiff for an order under section 498 or section 499 may be made after notice in writing to the defendant at any time after service of the summons.

Application for such orders to be after notice.

An application by the defendant for a like order may be made after notice in writing to the plaintiff, and at any time after the applicant has appeared.

501. When land paying revenue to Government, or a tenure liable to sale, forms the subject of a suit, if the party in possession of such land or tenure neglects to pay the Government revenue, or the rent due to the proprietor of the tenure, as the case may be, and such land or tenure is consequently ordered to be sold, any other party to the suit claiming to have an interest in such land or tenure may upon payment of the revenue or rent due previously to the sale (and with or without security at the discretion of the Court), be put in immediate possession of the land or tenure;

When party may be put in immediate possession of land, the subject of suit.

and the Court in its decree may award against the defaulter the amount so paid, with interest thereupon at such rate as the Court thinks fit, or may charge the amount so paid, with interest thereupon at such rate as the Court orders, in any adjustment of accounts which may be directed in the decree passed in the suit.

502. When the subject-matter of a suit is money or some other thing capable of delivery, and any party thereto admits that he holds such money or other thing as a trustee for another party, or that it belongs or is due to another party, the Court may order the same to be deposited in Court or delivered to such last-named party, with or without security, subject to the further direction of the Court.

Deposit of money, &c., in Court.

CHAPTER XXXVI.

APPOINTMENT OF RECEIVERS AND DEPOSIT IN COURT.

503. Whenever it appears to the Court to be necessary for the preservation or the better custody or management of any property, moveable or immoveable, the subject of a suit, or under attachment, the Court may

Power of Court to appoint Receivers.

(*a*) appoint a Receiver of such property,

and may, if need be,

(*b*) remove the person in whose possession or custody the property may be from the possession or custody thereof;

(*c*) commit the same to the custody or management of such Receiver; and

(*d*) grant to such Receiver such fee or commission on the rents and profits of the property by way of remuneration, and all such powers as to bringing and defending suits, and for the management, protection, preservation and improvement of the property, the collection of the rents and profits thereof, the application and disposal of such rents and profits, and the execution of instruments in writing, as the owner himself has, or such of those powers as the Court thinks fit.

Every Receiver so appointed shall

(*e*) give such security (if any) as the Court thinks fit duly to account for what he shall receive in respect of the property,

(*f*) pass his accounts at such periods and in such form as the Court directs,

(*g*) pay the balance due from him thereon as the Court directs, and

(*h*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

504. If the property be land paying revenue to Government, or land of which the revenue has been assigned or redeemed, and the Court considers that the interests of those concerned will be promoted by the management of the Collector, the Court may appoint the Collector to be Receiver of such property.

When Collector may be appointed Receiver.

505. The powers conferred by this chapter shall be exercised only by High Courts and District Courts. But whenever the Judge of a Court subordinate to a District Court considers it expedient to appoint a Receiver in any suit before him, he shall refer the case to the District Court with his opinion to that effect, and the District Court shall make such order thereon as it thinks fit.

Courts empowered under this chapter.

PART V.

OF SPECIAL PROCEEDINGS.

CHAPTER XXXVII.

REFERENCE TO ARBITRATION.

506. If all the parties to a suit desire that any matter in difference between them in the suit be referred to arbitration, they may, at any time before judgment is pronounced, apply,

Parties to suit may apply for order of reference

in person or by their respective pleaders specially authorized in writing in this behalf, to the Court for an order of reference.

Every such application shall be in writing and shall state the particular matter sought to be referred.

507. The arbitrator shall be nominated by the parties in such manner as may be agreed upon between them.

Nomination of arbitrator.

If the parties cannot agree with respect to such nomination, or if the person whom they nominate refuses to accept the arbitration and the parties desire that the nomination shall be made by the Court, the Court shall nominate the arbitrator.

When Court to nominate arbitrator.

508. The Court shall, by order, refer to the arbitrator the matter in difference which he is required to determine, and shall fix such time as it thinks reasonable for the delivery of the award, and specify such time in the order.

Order of reference.

When once a matter is referred to arbitration, the Court shall not deal with it in the same suit, except in the case provided for by section 512, or unless, owing to the death, refusal, neglect, incapacity or departure from India of the arbitrator, the reference be fruitless, in which case the Court may issue an order superseding the arbitration and restoring the suit to the file of the Court.

509. If the reference be to two or more arbitrators, provision shall be made in the order for a difference of opinion among the arbitrators,

When reference is to two or more, order to provide for difference of opinion.

(*a*) by the appointment of an umpire, or

(*b*) by declaring that the decision shall be with the majority if the major part of the arbitrators agree, or

(*c*) by empowering the arbitrators to appoint an umpire, or

(*d*) otherwise, as may be agreed between the parties; or, if they cannot agree, as the Court determines.

If an umpire is appointed, the Court shall fix such time as it thinks reasonable for the delivery of his award in case he is required to act.

510. If the arbitrator, or, where there are more arbitrators than one, any of the arbitrators, or the umpire, dies, or refuses, or neglects, or becomes incapable to act, or leaves British India under circumstances showing that he will probably not return at an early date, the Court, if any of the parties so desire, may appoint a new arbitrator or umpire in the place of the person so dying, or refusing, or neglecting, or becoming incapable to act, or leaving British India.

Death, incapacity, &c., of arbitrators or umpire.

511. Where the arbitrators are empowered by the order of reference to appoint an umpire and fail to do so, any of the parties may serve the arbitrators with a written notice to appoint an umpire; and if, within seven days after such notice has been served, no umpire be appointed, the Court, upon the application of the party who has served such notice as aforesaid, may appoint an umpire.

Appointment of umpire by Court.

512. Every arbitrator or umpire appointed under sections 509, 510 or 511 shall have the like powers as if his name had been inserted in the order of reference.

Powers of arbitrator or umpire appointed under sections 509, 510, 511.

513. The Court shall issue the same processes to the parties and witnesses whom the arbitrators or umpire desire to examine, as the Court may issue in suits tried before it.

Summoning witnesses.

Persons not attending in accordance with such process, or making any other default, or refusing to give their evidence, or guilty of any contempt to the arbitrator or umpire during the investigation of the matters referred, shall be subject to the like disadvantages, penalties and punishments by order of the Court on the representation of the arbitrator or umpire, as they would incur for the like offences in suits tried before the Court.

Punishment for default, &c.

514. If from the want of the necessary evidence or information, or from any other cause, the arbitrators cannot complete the award within the period specified in the order, the Court may, if it think fit, either grant a further time, and from time to time enlarge the period for the delivery of the award, or make an order superseding the arbitration, and in such case shall proceed with the suit.

Extension of time for making award.

515. When an umpire has been appointed, he may enter on the reference in the place of the arbitrators

When umpire may arbitrate in lieu of arbitrators.

(*a*) if they have allowed the appointed time to expire without making an award, or

(*b*) when they have delivered to the Court or to the umpire a notice in writing, stating that they cannot agree.

516. When an award in a suit has been made, the persons who made it shall sign it and file it in Court, together with any depositions and documents which have been taken and proved before them; and notice of the filing of the award shall be given to the parties.

Award to be signed and filed.

517. Upon any reference by an order of Court, the arbitrators or umpire may, with the consent of the Court, state the award as to the whole or any part thereof in the form of a special case for the opinion of the Court; and the Court shall deliver its opinion thereon; and such opinion shall be added to and form part of the award.

Arbitrators or umpire may state special case.

518. On the application of either of the parties, the Court may, by order, modify or correct an award,

Court may, on application, modify or correct award in certain cases.

(*a*) where it appears that a part of the award is upon a matter not referred to arbitration, provided such part can be separated from the other part and does not affect the decision on the matter referred, or

(*b*) where the award is imperfect in form, or contains any obvious error which can be amended without affecting such decision.

519. The Court may also, on the application of any of the parties or of the persons making the award, make such order as it

Order as to costs of arbitration.

thinks fit respecting the costs of the arbitration, if any question arise respecting such costs and the award contain no sufficient provision concerning them.

520. In any of the following cases the Court may remit the award or any matter referred to arbitration to the reconsideration of the same arbitrators or umpire, upon such terms as it thinks fit, that is to say:—

When award or matter referred to arbitration may be remitted.

(*a*) if the award has left undetermined any of the matters referred to arbitration, or if it determine any matter not referred to arbitration;

(*b*) if the award is so indefinite as to be incapable of execution;

(*c*) if an objection to the legality of the award is apparent upon the face of it.

521. An award remitted under section 520 becomes void on the refusal of the arbitrators or umpire to reconsider it. But no award shall be set aside except on one of the following grounds (namely)—

Grounds for setting aside award.

(*a*) corruption or misconduct of the arbitrator or umpire;

(*b*) either party having been guilty of fraudulent concealment of any matter which he ought to have disclosed, or of wilfully misleading or deceiving the arbitrator or umpire;

(*c*) the award having been made after the issue of an order by the Court superseding the arbitration and restoring the suit;

and no award shall be valid unless made within the period allowed by the Court.

522. If the Court sees no cause to remit the award or any of the matters referred to arbitration for reconsideration in manner aforesaid, and if no application has been made to set aside the award, or if the Court has refused such application,

Judgment to be according to award.

the Court shall, after the time for making such application has expired, proceed to give judgment according to the award,

or, if the award has been submitted to it in the form of a special case, according to its own opinion on such case:

Upon the judgment so given a decree shall follow, and shall be enforced in manner provided in this Code for the execution of decrees. No appeal shall lie from such decree.

Decree to follow.

523. When any persons by an instrument in writing agree that any difference between them shall be referred to the arbitration of any person named in the agreement or to be appointed by any Court having jurisdiction in the matter to which the agreement relates, the parties thereto, or any of them, may apply that the agreement be filed in such Court.

Agreement to refer to arbitration may be filed in Court.

The application shall be in writing and shall be numbered and registered as a suit between one or more of the parties interested or claiming to be interested as plaintiff or plaintiffs, and the others or other of them as defendants or defendant, if the application have been presented by all the parties, or, if otherwise, between the applicant as plaintiff and the other parties as defendants.

Application to be numbered and registered.

On such application being made, the Court shall direct notice thereof to be given to any of the parties to the agreement other than the applicants, requiring such parties to show cause, within the time specified in the notice, why the agreement should not be filed.

Notice to show cause against filing it.

If no sufficient cause be shown, the Court may cause the agreement to be filed, and shall make an order of reference thereon, and may also nominate the arbitrator when he is not named therein and the parties cannot agree as to the nomination.

524. The foregoing provisions of this chapter, so far as they are consistent with any agreement so filed, shall be applicable to all proceedings under an order of reference made by the Court under section 523, and to the award of arbitration and to the enforcement of the decree founded thereupon.

Provisions of this chapter applicable to proceedings under order of reference.

525. When any matter has been referred to arbitration without the intervention of a Court of Justice, and an award has been made thereon, any person interested in the award may apply to the Court of the lowest grade having jurisdiction over the whole matter to which the award relates, that the award be filed in Court.

Filing award in matter referred to arbitration without intervention of Court.

The application shall be in writing and shall be numbered and registered as a suit between the applicant as plaintiff and the other parties as defendants.

Application to be numbered and registered.

The Court shall direct notice to be given to the parties to the arbitration other than the applicant, requiring them to show cause, within a time specified, why the award should not be filed.

Notice to parties to arbitration.

526. If no sufficient cause be shown against the award, the Court may order it to be filed, and such award may then be enforced as a decree upon an award made under the provisions of this chapter.

Filing and enforcement of such award.

CHAPTER XXXVIII.

OF PROCEEDINGS ON AGREEMENT OF PARTIES.

527. Parties claiming to be interested in the decision of any question of fact or law, may enter into an agreement in writing stating such question in the form of a case for the opinion of the Court; and providing

Power to state case for Court's opinion.

(*a*) that upon the finding of the Court in the affirmative or negative of such question, a sum of money fixed by the parties or to be determined by the Court, shall be paid by one of the parties to the other of them; or

(*b*) that some property, moveable or immoveable, specified in the agreement, shall be delivered by one of the parties to the other of them; or

(*c*) that one or more of the parties shall do or perform, or refrain from doing or performing some other particular act specified in the agreement.

Every case stated under this section shall be divided into consecutively numbered paragraphs, and shall concisely state such facts and documents as may be necessary to enable the Court to decide the questions raised thereby.

When value of subject-matter must be stated.

528. If the agreement is for the delivery of any property, or for the doing or performing, or the refraining from doing or performing, any particular act, the estimated value of the property to be delivered, or to which the act specified has reference, shall be stated in the agreement.

Agreement to be filed and numbered as a suit.

529. The agreement, if framed in accordance with the rules hereinbefore contained, may be filed in the Court of the lowest grade having jurisdiction in the matter to which it relates, and, when so filed, shall be numbered and registered as a suit between one or more of the parties interested, or claiming to be interested, as plaintiff or plaintiffs, and the other or others of them as defendant or defendants; and notice shall be given to all the parties to the agreement other than the party or parties by whom it was presented.

Parties to be subject to Court's jurisdiction.

530. When the agreement has been filed, the parties to it shall be subject to the jurisdiction of the Court, and shall be bound by the statements contained therein.

Hearing and disposal of the case.

531. The case shall be set down for hearing as a suit instituted under chapter V, the provisions of which shall apply to such suit so far as the same are applicable.

If the Court is satisfied, after an examination of the parties, or taking such evidence as it thinks fit,

(*a*) that the agreement was duly executed by them, and

(*b*) that they have a *bonâ fide* interest in the question of fact or law stated therein, and

(*c*) that the same is fit to be decided,

it shall proceed to deliver judgment thereon, in the same way as in an ordinary suit, and upon the judgment so given a decree shall follow, and shall be enforced in the manner provided in this Code for the execution of decrees.

CHAPTER XXXIX.

OF SUMMARY PROCEDURE ON NEGOTIABLE INSTRUMENTS.

Institution of summary suits upon bills of exchange, &c.

532. In any Court to which this section applies all suits upon bills of exchange, hundís or promissory notes may, in case the plaintiff desires to proceed under this chapter, be instituted by presenting a plaint in the form prescribed by this Code; but the summons shall be in the form contained in the fourth schedule hereto annexed, No. 168, or in such other form as the High Court may from time to time prescribe.

In any case in which the plaint and summons are in such forms respectively, the defendant shall not appear to or defend the suit unless he obtains leave from a Judge as hereinafter mentioned so to appear and defend;

and in default of his obtaining such leave or of appearance and defence in pursuance thereof, the plaintiff shall be entitled to a decree for any sum not exceeding the sum mentioned in the summons, together with interest at the rate specified (if any) to the date of the decree, and a sum for costs to be fixed by a rule of the High Court, unless the plaintiff claim more than such fixed sum, in which case the costs shall be ascertained in the ordinary way, and such decree may be enforced forthwith.

Payment into Court of sum mentioned in summons.

The defendant shall not be required to pay into Court the sum mentioned in the summons, or to give security therefor, unless the Court thinks his defence not to be *primâ facie* sustainable, or feels reasonable doubt as to its good faith.

Explanation.—This section is not confined to cases in which the bill, hundí or note sued upon, together with mere lapse of time, is sufficient to establish a *primâ facie* right to recover.

Defendant showing defence on merits to have leave to appear.

533. The Court shall, upon application within the period of seven days from the service of such summons, give leave to appear and to defend the suit, upon the defendant paying into court the sum mentioned in the summons or upon affidavits satisfactory to the Court, which disclose a defence or such facts as would make it incumbent on the holder to prove consideration, or such other facts as the Court may deem sufficient to support the application, and on such terms as to security, framing and recording issues, or otherwise, as the Court thinks fit.

Power to set aside decree.

534. After decree, the Court may, under special circumstances, set aside the decree, and if necessary stay or set aside execution, and may give leave to appear to the summons and to defend the suit, if it seem reasonable to the Court so to do, and on such terms as the Court thinks fit.

Power to order bill to be deposited with officer of Court.

535. In any proceeding under this chapter the Court may order the bill, hundí, or note on which the suit is founded to be forthwith deposited with an officer of the Court, and may further order that all proceedings shall be stayed until the plaintiff gives security for the costs thereof.

Recovery of cost of noting non-acceptance of dishonoured bill.

536. The holder of every dishonoured bill of exchange or promissory note shall have the same remedies for the recovery of the expenses incurred in noting the same for non-acceptance or non-payment, or otherwise, by reason of such dishonour, as he has under this chapter for the recovery of the amount of such bill or note.

Procedure in suits under this chapter.

537. Except as provided by sections 532 to 536 both inclusive, the procedure in suits under this chapter shall be the same as the procedure in suits instituted under Chapter V.

Power to extend this chapter.

538. Sections 532 to 537 (both inclusive) apply only to—

(*a*) High Courts established under Royal Charter;

(*b*) the Chief Court of the Panjáb;

(*c*) the Court of the Recorder of Rangoon;

(*d*) the Courts of Small Causes in the Presidency Towns;

(*e*) the Court of the Judge of Karáchi; and

(*f*) any other Court to which the Local Government may, by notification in the official *Gazette*, apply them.

In case of such application the Local Government may direct by whom any of the powers and duties incident to the provisions so applied shall be exercised and performed, and make any rules which it thinks requisite for carrying into operation the provisions so applied.

Within one month after such notification has been published, such provisions shall apply accordingly, and the rules so made shall have the force of law.

The Local Government may from time to time alter or cancel any such notification.

PART VI.

OF APPEALS.

CHAPTER XL.

OF APPEALS FROM ORIGINAL DECREES.

Appeal to lie from all original decrees, except when expressly prohibited.

539. Unless when otherwise expressly provided in this Code or by any other law for the time being in force, an appeal shall lie from the decrees, or from any part of the decrees, of the Courts exercising original jurisdiction to the Courts authorized to hear appeals from the decisions of those Courts.

Form of appeal.

540. The appeal shall be made in the form of a memorandum in writing presented by the appellant or his pleader, and shall be accompanied by a copy of the decree appealed against and of the judgment on which it is founded.

Memorandum to be accompanied by copy of decree and judgment.

Memorandum of appeal.

541. The memorandum of appeal shall set forth, concisely and under distinct heads, the grounds of objection to the decree appealed against, without any argument or narrative, and such grounds shall be numbered consecutively.

Appellant confined to grounds set out.

542. The appellant shall not, without the leave of the Court, urge or be heard in support of any other ground of objection, but the Court in deciding the appeal shall not be confined to the grounds set forth by the appellant:

Provided that the Court shall not rest its decision on any ground set forth by the appellant, unless the respondent has had sufficient opportunity of contesting the case on that ground.

Rejection of memorandum or grounds of objection.

543. If the memorandum of appeal be not drawn up in the manner hereinbefore prescribed, such memorandum or grounds may be rejected or returned to the appellant for the purpose of being amended within a time to be fixed by the Court, or be amended then and there.

When the Court rejects under this section any memorandum, it shall record the reasons for such rejection.

When a memorandum of appeal is amended under this section the Judge, or such officer as he appoints in this behalf, shall attest the amendment by his signature.

One of several plaintiffs or defendants may obtain reversal of whole decree if it proceed on ground common to all.

544. If there be more plaintiffs or more defendants than one in a suit, and the decree appealed against proceed on any ground common to all the plaintiffs or to all the defendants, any one of the plaintiffs or of the defendants may appeal against the whole decree, and the Appellate Court may reverse or modify the decree in favour of all the plaintiffs or defendants as the case may be.

Illustrations.

(*a*). A sues B and C on a promissory note. The defendants plead payment. The Court decrees in favour of A. B alone appeals. The Appellate Court, holding that payment has been made, may reverse the decree in favour of both B and C.

(*b*). A sues B and C on a promissory note. B pleads payment and C pleads the Limitation Act. The Court overrules both pleas and decrees in favour of A. B alone appeals. The Appellate Court may be of opinion that payment has been made, but cannot, on B's appeal, reverse the decree as regards C.

Of staying and executing Decrees under Appeal.

Execution of decree not stayed solely by reason of appeal.

545. Execution of a decree shall not be stayed by reason only of an appeal having been preferred against the decree; but the Appellate Court may for sufficient cause order the execution to be stayed.

Stay of execution of appealable decree before time for appealing has expired.

If an application be made for the execution of a decree which is open to appeal, before the time allowed for appeal has expired, the Court may for sufficient cause order the execution to be stayed.

Provided that no order shall be made under this section unless the Court is satisfied—

(*a*) that substantial loss may result to the party applying for stay of execution unless the order is made;

(*b*) that the application has been made without unreasonable delay; and

Security required before making order to stay execution.

(*c*) that security has been given by the applicant for the due performance of such decree or order as may ultimately be binding upon him.

Security in case of order for execution of decree appealed against.

546. If an order is made for the execution of a decree against which an appeal has been preferred, the Court which passed the decree may, on sufficient cause being shewn by the appellant, require security to be given for the restitution of any property which may be taken in

execution of the decree, or of the value of such property, and for the due performance of the decree or order of the Appellate Court,

or the Appellate Court may for like cause direct the Court which passed the decree to take such security.

No such security to be required from Government or public officers.

547. No such security as is mentioned in sections 545 and 546 shall be required from the Secretary of State for India in Council or from any public officer sued in respect of an act alleged to be done by him in his official capacity.

Of Procedure in Appeal from Decrees.

Registry of memorandum of appeal.

548. When a memorandum of appeal is admitted, the Appellate Court or the proper officer of that Court shall endorse thereon the date of admission, and shall register the appeal in a book to be kept for the purpose.

Register of appeals.

Such book shall be called the Register of Appeals.

Appellate Court may require appellant to give security for costs.

549. The Appellate Court may, at its discretion, either before the respondent is called upon to appear and answer or afterwards on the application of the respondent, demand from the appellant security for the costs either of the appeal, or of the original suit, or of both :

When appellant resides out of British India.

Provided that the Court shall demand such security in all cases in which the appellant is residing out of British India, and is not possessed of any sufficient immoveable property within British India independent of the property to which the appeal relates.

If such security be not furnished within such time as the Court orders, the Court shall reject the appeal.

Appellate Court to give notice to Court whose decree is appealed against.

550. When the memorandum of appeal is registered, the Appellate Court shall send notice of the appeal to the Court against whose decree the appeal is made.

Transmission of papers to Appellate Court.

If the appeal be from a Court the records of which are not deposited in the Appellate Court, the Court to which such notice is sent shall, upon the receipt thereof, transmit with all practicable despatch all material papers in the suit, or such papers as may be specially called for by the Appellate Court :

Power to confirm decision of lower Court without sending it notice.

Provided that the Appellate Court may, if it thinks fit, after fixing a time for hearing the appellant or his pleader, and hearing him accordingly if he appears at such time, confirm the decision of the Court against whose decree the appeal is made, without sending notice of the appeal to such Court and without serving notice on the respondent or his pleader; but in such case the confirmation shall be notified to the same Court.

Copies of exhibits in Court whose decree is appealed against.

551. Either party may make an application in writing to the Court against whose decree the appeal is made, specifying any papers of which he requires copies to be made and deposited in such Court; and copies of such papers shall be prepared at the expense of the applicant, and shall be deposited accordingly.

Day for hearing appeal.

552. The Appellate Court shall fix a day for hearing the appeal.

Such day shall be fixed with reference to the current business of the Court, the place of residence of the respondent, and the time necessary for the service of the notice of appeal, so as to allow the respondent a sufficient time to enable him to appear and answer the appeal on such day.

Publication and service of notice of day for hearing appeal.

553. Notice of the day so fixed shall be stuck up in the appellate courthouse, and a like notice shall be sent by the Appellate Court to the Court against whose decree the appeal is made, and shall be served on the respondent or his pleader in the manner provided in chapter VI for the service of a summons to a defendant to appear and answer; and all rules applicable to such summons and to proceedings with reference to the service thereof, shall apply to the service of such notice.

Appellate Court may itself cause notice to be served.

Instead of sending the notice to the Court against whose decree the appeal is made, the Appellate Court may itself cause the notice to be served on the respondent or his pleader under the rules above referred to.

Contents of notice.

554. The notice to the respondent shall declare that, if he does not appear in the Appellate Court on the day so fixed, the appeal will be heard *ex parte*.

Procedure on Hearing.

Right to begin.

555. On the day so fixed, or on any other day to which the hearing may be adjourned, the party having the right to begin shall be heard in support of or against the appeal, as the case may be. The other party shall then be heard, and the party having the right to begin shall then be entitled to reply.

Explanation.—If the appeal is from the whole decree, or if there are cross-appeals, the party having the right to begin is the party who had the right to begin on the hearing in the Court whose decree is appealed from.

If the appeal is from only a portion of the decree, and there is no cross-appeal, the appellant has the right to begin.

Dismissal of appeal for appellant's default.

556. If on the day so fixed, or any other day to which the hearing may be adjourned, the appellant does not attend in person or by his pleader, the appeal shall be dismissed for default.

Hearing appeal *ex parte*.

If the appellant attends and the respondent does not attend, the appeal shall be heard *ex parte* in his absence.

Dismissal of appeal where notice has not been served in consequence of appellant's failure to deposit cost of notice.

557. If on the day so fixed, or any other day to which the hearing may be adjourned, it is found that the notice to the respondent has not been served in consequence of the failure of the appellant to deposit, within the period fixed by

the Court, the sum required to defray the cost of issuing the notice, the Court may order that the appeal be dismissed :

Proviso.

Provided that no such order shall be passed, although the notice has not been served upon the respondent, if on the day fixed for hearing the appeal the respondent appears in person or by a pleader, or by a duly authorized agent.

Re-admission of appeal dismissed for default.

558. If an appeal be dismissed under section 556 or section 557, the appellant may apply to the Appellate Court for the re-admission of the appeal; and if it be proved that he was prevented by any sufficient cause from attending when the appeal was called on for hearing, or from depositing the sum so required, the Court may re-admit the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Power to adjourn hearing, and direct persons appearing interested to be made respondents.

559. If it appear to the Court at the hearing that any person who was a party to the suit in the Court against whose decree the appeal is made, but who has not been made a party to the appeal, is interested in the result of the appeal, the Court may adjourn the hearing to a future day to be fixed by the Court, and direct that such person be made a respondent.

Re-hearing on application of respondent against whom *ex parte* decree is made.

560. When an appeal is heard *ex parte* in the absence of the respondent, and judgment is given against him, he may, within thirty days of the date of the decree, apply to the Appellate Court to re-hear the appeal; and if it be proved that the respondent was prevented by sufficient cause from attending when the appeal was called on for hearing, the Court may re-hear the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Upon hearing respondent may object to decree as if he had preferred separate appeal.

561. Any respondent, though he may not have appealed against any part of the decree, may, upon the hearing, take any objection to the decree which he could have taken by way of appeal, provided he has given through the Court to the appellant seven days' notice of such objection.

Form of notice, and provisions applicable thereto.

Such notice shall be in the form of a memorandum, and the provisions of sections 540, 541 and 542, so far as they relate to the form and contents of the memorandum of appeal, shall apply to such notice.

A respondent cannot by such notice raise questions between himself and any party to the suit, other than the appellant.

Remand of case by Appellate Court.

562. If without going into the merits, the Court against whose decree the appeal is made has disposed of the suit upon a preliminary point so as to exclude any evidence of fact which appears to the Appellate Court essential to the determination of the rights of the parties, and the decree upon such preliminary point is reversed in appeal, the Appellate Court may, if it thinks fit, remand the case, together with a copy of the decree or order in appeal, to the Court against whose decree the appeal is made, with directions to re-admit the suit under its original number in the register, and

(*a*) to proceed to investigate the suit on the merits, and pass a decree thereon ; or

(*b*) to try a particular issue ; or

(*c*) to take certain specified evidence.

When further evidence barred.

563. When a case is remanded with directions to take such evidence, the Court to which the case is remanded shall not take any other evidence in the case, except evidence tendered to contradict the evidence so taken.

Limit to remand.

564. The Appellate Court shall not remand a case for a second decision, except as provided in section 562.

When evidence on record sufficient, Appellate Court shall determine case finally.

565. When the evidence upon the record is sufficient to enable the Appellate Court to pronounce judgment, the Appellate Court may, if necessary, resettle the issues, and shall finally determine the case notwithstanding that the judgment of the Court against whose decree the appeal is made has proceeded wholly upon some ground other than that on which the Appellate Court proceeds.

When Appellate Court may frame issues and refer them for trial to Court whose decree is appealed against.

566. If the Court against whose decree the appeal is made has omitted to frame or try any issue, or to determine any question of fact, which appears to the Appellate Court essential to the right decision of the suit upon the merits, and the evidence upon the record is not sufficient to enable the Appellate Court to determine such issue or question, the Appellate Court may frame issues for trial, and may refer the same for trial to the Court against whose decree the appeal is made, and in such case shall direct such Court to take the additional evidence required,

and such Court shall proceed to try such issue, and shall return to the Appellate Court its finding thereon together with the evidence.

Finding and evidence to be put on record.

567. Such finding and evidence shall become part of the record in the suit ; and either party may, within a time to be fixed by the Appellate Court, present a memorandum of objections to the finding.

Objections to finding.

Determination of appeal.

After the expiration of the period fixed for presenting such memorandum, the Appellate Court shall proceed to determine the appeal.

Production of additional evidence in Appellate Court.

568. The parties to an appeal shall not be entitled to produce additional evidence, whether oral or documentary, in the Appellate Court. But if

(*a*) the Court against whose decree the appeal is made refused to admit evidence which ought to have been admitted, or

(*b*) the Appellate Court requires any document to be produced or any witness to be examined to enable it to pronounce judgment or for any other substantial cause,

the Appellate Court may allow such evidence to be produced, or document to be received, or witness to be examined.

Whenever additional evidence is admitted by an Appellate Court, the reason for the admission shall be recorded on the proceedings of the Court.

569. Whenever additional evidence is allowed to be received, the Appellate Court may either take such evidence, or direct the Court against whose decree the appeal is made, or any other Subordinate Court, to take such evidence and to send it when taken to the Appellate Court.

Mode of taking additional evidence.

570. In all cases where additional evidence is directed or allowed to be taken, the Appellate Court shall specify the points to which the evidence is to be confined, and record on its proceedings the points so specified.

Points to be defined and recorded.

Of the Judgment in Appeal.

571. The Appellate Court, after hearing the parties or their pleaders and referring to any part of the proceedings, whether on appeal or in the Court against whose decree the appeal is made, to which a reference may be considered necessary, shall pronounce judgment in open Court, either at once or on some future day, of which notice shall be given to the parties or their pleaders.

Judgment when and where pronounced.

572. The judgment shall be written in English; provided that if English is not the mother-tongue of the Judge, and he is not able to write an intelligible judgment in English, the judgment shall be written in his mother-tongue or in the language of the Court.

Language of judgment.

573. When the language in which the judgment is written is not the language of the Court, the judgment shall, if any party so require, be translated into such language, and the translation, after it has been ascertained to be correct, shall be signed by the Judge, or such officer as he appoints in this behalf.

Translation of judgment.

574. The judgment of the Appellate Court shall state—

Contents of judgment.

(*a*) the points for determination;

(*b*) the decision thereupon;

(*c*) the reasons for the decision; and

(*d*) when the decree appealed against is reversed, the relief to which the appellant is entitled,

and shall at the time that it is pronounced be signed and dated by the Judge or by the Judges concurring therein.

Date and signature.

575. When the appeal is heard by a Bench of two or more Judges, the appeal shall be decided in accordance with the opinion of such Judges or of the majority (if any), of such Judges.

Decision when appeal is heard by two or more Judges.

If there be no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed:

Provided that if the Bench hearing the appeal is composed of two Judges belonging to a Court consisting of more than two Judges, and the Judges composing the Bench differ in opinion on a point of law, the appeal may be referred to one or more of the other Judges of the same Court, and shall be decided according to the opinion of the majority (if any) of all the Judges who have heard the appeal, including those who first heard it.

When there is no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed.

The High Court may from time to time make rules consistent with this Code to regulate references under this section.

576. When the appeal is heard by more Judges than one, any Judge dissenting from the judgment of the Court shall state in writing the decision or order which he thinks should be passed on the appeal, and he may state his reasons for the same.

Dissent to be recorded.

577. The judgment may be for confirming, varying, or reversing the decree of the Court against which the appeal is made, or, if the parties to the appeal agree as to the form which the decree in appeal shall take, or as to the order to be passed in appeal, the Appellate Court may pass a decree or order accordingly.

What judgment may direct.

578. No decree shall be varied or reversed nor shall any case be remanded in appeal, on account of any error, defect or irregularity, whether in the decision or in any order passed in the suit, or otherwise, not affecting the merits of the case or the jurisdiction of the Court.

No decree to be reversed or modified for error or irregularity.

Of the Decree in Appeal.

579. The decree of the Appellate Court shall bear date the day on which the judgment was pronounced.

Contents of decree.

The decree shall contain the number of the appeal, and the memorandum of appeal, including the names and description of the appellant and respondent, and shall specify clearly the relief granted or other determination of the appeal.

The decree shall also state the amount of costs incurred in the appeal, and by what parties and in what proportions such costs and the costs in the suit are to be paid.

The decree shall be signed and dated by the Judge or Judges who passed it:

Provided that where there are more Judges than one, if there be a difference of opinion among them, it shall not be necessary for any Judge dissenting from the judgment of the Court to sign the decree.

Judge dissenting from judgment need not sign decree.

580. Certified copies of the judgment and decree shall be furnished to the parties on application to the Court and at their expense.

Copies of judgment and decree to be furnished to parties.

581. A copy of the judgment and of the decree, certified by the Appellate Court or such officer as it appoints in this behalf, shall be sent to the Court

Certified copy of decree to be sent to Court whose decree is appealed against.

which passed the decree appealed against, and shall be filed with the original proceedings in the suit, and an entry of the judgment of the Appellate Court shall be made in the register of Civil suit.

582. The Appellate Court shall have the same powers in appeals under this chapter in respect to adjournments, granting of time, arrest or attachment before judgment, issue of injunctions, examination of the parties or their pleaders and of witnesses or other persons, issue of commissions, award of interest or mesne profits, separation of misjoined suits, permission to bring fresh suits, or otherwise, as are vested by this Code in Courts of original jurisdiction in respect of suits instituted under chapter V.

Appellate Court to have same powers as Courts of original jurisdiction.

The provisions of such chapter, unless when otherwise provided, shall apply to appeals under this chapter so far as the same are applicable.

583. When a party in whose favour a decree is passed in an appeal under this chapter is desirous of obtaining execution of the same, he shall apply to the Court which passed the decree against which the appeal was preferred; and such Court shall proceed to execute the decree passed in appeal, according to the rules hereinbefore prescribed for the execution of decrees in suits.

Execution of decree of Appellate Court.

CHAPTER XLI.

OF APPEALS FROM APPELLATE DECREES.

584. Unless when otherwise provided in this Code or by any other law, from all decrees passed in appeal by any Court subordinate to a High Court, an appeal shall lie to the High Court on any of the following grounds, (namely)—

Second appeals to High Court.

(*a*) the decision being contrary to some specified law or usage having the force of law;

Grounds of second appeal.

(*b*) the decision having failed to determine some issue of law or usage having the force of law;

(*c*) a substantial error or defect in the procedure as prescribed by this Code or any other law, which may have produced error or defect in the decision of the case upon the merits.

585. No second appeal shall lie except on the grounds mentioned in section 584.

Second appeal only on grounds mentioned in section 584.

586. No second appeal shall lie in any suit of the nature cognizable in Courts of Small Causes, when the debt, compensation or demand for which the original suit is instituted, does not exceed the sum of five hundred rupees.

No second appeal in certain suits.

587. Every memorandum of appeal under this chapter shall be accompanied by a copy of the decree appealed against,

Provisions as to second appeals.

and the provisions contained in chapter XL shall apply as far as may be to appeals under this chapter,

and the decree made by the appellate Court shall be executed by the Court which made the decree in the suit in which such appeal was preferred, under the rules hereinbefore provided for the execution of decrees in suits.

Execution of decree in second appeal.

CHAPTER XLII.

OF APPEALS FROM ORDERS.

588. An appeal shall lie from the following orders under this Code and from no other such orders:—

Orders appealable.

(*a*) orders under section 19, staying proceedings in a suit,

(*b*) orders under section 24, determining whether immoveable property is or is not within the local limits of the Court's jurisdiction,

(*c*) orders under section 32 striking out or adding the name of any person as plaintiff or defendant,

(*d*) orders under section 44, adding a cause of action,

(*e*) orders under section 47, excluding a cause of action,

(*f*) orders rejecting or returning plaints under section 53, clause (*d*), or section 54, clauses (*b*) and (*d*), or section 57, clause (*c*),

(*g*) orders rejecting applications under section 102 in cases open to appeal for an order to set aside the dismissal of a suit,

(*h*) orders under section 120 where a party fails to appear,

(*i*) orders under section 168 for attachment of property,

(*j*) orders under section 176 where a party refuses to give evidence or produce a document called for by the Court,

(*k*) orders under section 244 as to questions relating to the execution of decrees,

(*l*) orders under section 261 as to objections to draft conveyances or draft endorsements,

(*m*) orders under section 312 for setting aside, or under section 314 for confirming, a sale,

(*n*) orders in insolvency matters under section 351, 352, 357, or 359,

(*o*) orders rejecting applications under section 370 for dismissal of the suit,

(*p*) orders disallowing objections under section 372,

(*q*) orders as to interpleader suits under section 473, 475 or 476,

(*r*) orders under section 479, 480, 481, 485, 492, 493, 503 or 513.

(*s*) orders under section 518 modifying an award,

(*t*) orders under any of the provisions of this Code, imposing fines, or for the imprisonment of any person, except when such imprisonment is in execution of a decree.

The orders passed in appeals under this section shall be final.

589. An appeal from any order specified in section 588, clause (*a*), shall lie to the High Court.

Court which shall hear appeals.

When an appeal from any other order is allowed by this chapter, it shall lie to the Court to which an appeal would lie from the decree in the suit in relation to which such order was made.

590. The procedure prescribed in chapter XL shall, so far as may be, apply to appeals from orders under this Code, or under any special or local law in which a different procedure is not provided.

Procedure in appeals from orders.

591. Except as provided in this chapter, no appeal shall lie from any order passed in the course of a suit and relating thereto, prior to decree; but if the decree be appealed against, any error, defect or irregularity in any such order, affecting the merits of the case or the jurisdiction of the Court, may be set forth as a ground of objection in the memorandum of appeal.

No appeal, before decree, from order passed in course of suit; but if decree appealed against, error or defect therein may be set forth.

CHAPTER XLIII.

OF PAUPER APPEALS.

592. Any person entitled under this Code or any other law to prefer an appeal, who is unable to pay the fee required for the petition of appeal, may, on presenting an application accompanied by a memorandum of appeal, be allowed to appeal as a pauper, subject to the rules contained in chapters XXVI, XL, XLI and XLII, in so far as those rules are applicable:

Who may appeal as pauper.

Provided that the Court shall reject the application unless upon a perusal thereof and of the judgment and decree against which the appeal is made, it sees reason to think that the decree appealed against is contrary to law or to some usage having the force of law, or is otherwise erroneous or unjust.

Procedure on application for admission of appeal.

593. The inquiry into the pauperism of the applicant may be made either by the Appellate Court or by the Court against whose decision the appeal is made under the orders of the Appellate Court:

Enquiry into pauperism.

Proviso.

Provided that, if the applicant was allowed to sue or appeal as a pauper in the Court against whose decree the appeal is made, no further enquiry in respect of his pauperism shall be necessary, unless the Appellate Court sees special cause to direct such enquiry.

CHAPTER XLIV.

OF APPEALS TO THE QUEEN IN COUNCIL.

594. In this chapter, unless there be something repugnant in the subject or context, the expression 'decree' includes also judgment and order.

'Decree' defined.

595. Subject to such rules as may, from time to time, be made by Her Majesty in Council regarding appeals from the Courts of British India, and to the provisions hereinafter contained—

When appeals lie to Queen in Council.

an appeal shall lie to Her Majesty in Council

(*a*) from any final decree passed on appeal by a High Court or other Court of final appellate jurisdiction,

(*b*) from any final decree passed by a High Court in the exercise of original civil jurisdiction and

(*c*) from any decree, when the case, as hereinafter provided, is certified to be a fit one for appeal to Her Majesty in Council.

596. In each of the cases mentioned in clauses (*a*) and (*b*) of section 595,

Value of subject-matter.

the amount or value of the subject-matter of the suit in the Court of first instance must be ten thousand rupees or upwards, and the amount or value of the matter in dispute on appeal to Her Majesty in Council must be the same sum or upwards,

or the decree must involve, directly or indirectly, some claim or question to, or respecting, property of like amount or value,

and where the decree appealed from affirms the decision of the Court immediately below the Court passing such decree, the appeal must involve some substantial question of law.

597. Notwithstanding anything contained in section 595,

Bar of certain appeals.

no appeal shall lie to Her Majesty in Council from the judgment of one Judge of a High Court established under the twenty-fourth and twenty-fifth of Victoria, chapter 104, or of one Judge of a Division Court, or of two or more Judges of such High Court, or of a Division Court constituted by two or more Judges of such High Court, whenever such Judges are equally divided in opinion, and do not amount in number to a majority of the whole of the Judges of the High Court at the time being;

and no appeal shall lie to Her Majesty in Council from any decree which, under section 586, is final.

598. Whoever desires to appeal under this chapter to Her Majesty in Council must apply by petition to the Court whose decree is complained of.

Application to Court whose decree is complained of.

599. Such application must ordinarily be made within six months from the date of such decree.

Time within which application must be made.

But if that period expires when the Court is closed, the application may be made on the day that the Court re-opens.

600. Every petition under section 598 must state the grounds of appeal, and pray for a certificate, either that, as regards amount or value and nature, the case fulfils the requirements of section 596, or that it is otherwise a fit one for appeal to Her Majesty in Council.

Certificate as to value or fitness.

Upon receipt of such petition, the Court may direct notice to be served on the opposite party to show cause why the said certificate should not be granted.

601. If such certificate be refused, the petition shall be dismissed:

Effect of refusal of certificate.

Provided that, if the decree complained of be a final decree passed by a Court other than a High Court, the order refusing the certificate shall be appealable, within thirty days from the date of the order, to the High Court to which the former Court is subordinate.

602. If the certificate be granted, the applicant shall, within six months from the date of the decree complained of, or within six weeks from the grant of the certificate, whichever is the later date,

Security and deposit required on grant of certificate.

(*a*) give security for the costs of the respondent, and

(*b*) deposit the amount required to defray the expense of translating, transcribing, indexing, and transmitting to Her Majesty in Council a correct copy of the whole record of the suit, except

(1) formal documents directed to be excluded by any order of Her Majesty in Council in force for the time being;

(2) papers which the parties agree to exclude;

(3) accounts, or portions of accounts, which the officer empowered by the Court for that purpose considers unnecessary, and which the parties have not specifically asked to be included, and

(4) such other documents as the High Court may direct to be excluded:

and when the applicant prefers to print in India the copy of the record, except as aforesaid, he shall also, within the time mentioned in the first clause of this section, deposit the amount required to defray the expense of printing such copy.

603. When such security has been completed and deposit made to the satisfaction of the Court, the Court may,

Admission of appeal and procedure thereon.

(*a*) declare the appeal admitted, and

(*b*) give notice thereof to the respondent, and shall then

(*c*) transmit to Her Majesty in Council, under the seal of the Court, a correct copy of the said record, except as aforesaid, and

(*d*) give to either party one or more authenticated copies of any of the papers in the suit on his applying therefor and paying the reasonable expenses incurred in preparing them.

604. At any time before the admission of the appeal, the Court may, upon cause shown, revoke the acceptance of any such security, and make further directions thereon.

Revocation of acceptance of security.

605. If at any time after the admission of the appeal, but before the transmission of the copy of the record, except as aforesaid, to Her Majesty in Council, such security appears inadequate,

Power to order further security or payment.

or further payment is required for the purpose of translating, transcribing, printing, indexing, or transmitting the copy of the record, except as aforesaid,

the Court may order the appellant to furnish, within a time to be fixed by the Court, other and adequate security, or to make, within like time, the required payment.

606. If the appellant fail to comply with such order, the proceedings shall be stayed,

Effect of failure to comply with order.

and the appeal shall not proceed without an order in this behalf of Her Majesty in Council,

and in the meantime execution of the decree appealed against shall not be stayed.

607. When the copy of the record, except as aforesaid, has been transmitted to Her Majesty in Council, the appellant may obtain a refund of the balance, if any, of the amount which he has deposited under section 602.

Refund of balance of deposit.

608. Notwithstanding the admission of any appeal under this chapter, the decree appealed against shall be unconditionally enforced, unless the Court admitting the appeal otherwise directs.

Powers of Court pending appeal.

But the Court may, if it think fit, on any special cause shown by any party interested in the suit, or otherwise appearing to the Court—

(*a*) impound any moveable property in dispute, or any part thereof, or

(*b*) allow the decree appealed against to be enforced, taking such security from the respondent as the Court thinks fit for the due performance of any order which Her Majesty in Council may make on the appeal, or

(*c*) stay the execution of the decree appealed against, taking such security from the appellant as the Court thinks fit for the due performance of the decree appealed against, or of any order which Her Majesty in Council may make on the appeal, or

(*d*) place any party seeking the assistance of the Court under such conditions, or give such other direction respecting the subject-matter of the appeal as it thinks fit.

609. If at any time during the pendency of the appeal, the security so furnished by either party appears inadequate, the Court may, on the application of the other party, require further security.

Increase of security found inadequate.

In default of such further security being furnished as required by the Court, if the original security was furnished by the appellant, the Court may, on the application of the respondent, issue execution of the decree appealed against as if the appellant had furnished no such security.

And if the original security was furnished by the respondent, the Court shall, so far as may be practicable, stay all further execution of the decree, and restore the parties to the position in which they respectively were when the security which appears inadequate was furnished, or give such direction respecting the subject-matter of the appeal as it thinks fit.

610. Whoever desires to enforce or to obtain execution of any order of Her Majesty in Council shall apply by petition, accompanied by a certified copy of the decree or order made in appeal and sought to be enforced or executed, to the Court

Procedure to enforce orders of Queen in Council.

from which the appeal to Her Majesty was preferred.

Such Court shall transmit the order of Her Majesty to the Court which made the first decree appealed from, or to such other Court as Her Majesty by her said order may direct, and shall (upon the application of either party) give such directions as may be required for the enforcement or execution of the same; and the Court to which the said order is so transmitted shall enforce or execute it accordingly, in the manner and according to the rules applicable to the execution of its original decrees.

When any monies expressed to be payable in British currency are payable in India under such order, the amount so payable shall be estimated according to the rate of exchange for the time being fixed by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, for the adjustment of financial transactions between the Imperial and the Indian Governments.

611. The orders made by the Court which enforces or executes the order of Her Majesty in Council relating to such enforcement or execution, shall be appealable in the same manner and subject to the same rules as the orders of such Court relating to the enforcement or execution of its own decrees.

Appeal against order relating to execution.

612. The first column of No. 169 of the second schedule annexed to the Indian Limitation Act, 1871, shall be read as if the following words were added thereto (that is to say): "or any order of Her Majesty in Council."

Amendment of Act IX of 1871, schedule II, No. 169.

613. The High Court may, from time to time, make general rules consistent with this Act to regulate—

Power to make rules.

(*a*) the service of notices under section 600,

(*b*) the grant or refusal of certificates under sections 601 and 602 by Courts of final appellate jurisdiction subordinate to the High Court,

(*c*) the amount and nature of the security required under sections 602, 605 and 609,

(*d*) the testing of such security,

(*e*) the estimate of the cost of transcribing the record,

(*f*) the preparation, examination and certifying of such transcript,

(*g*) the revision and authentication of translations,

(*h*) the preparation of indices to transcripts of records, and of lists of the papers not included therein,

(*i*) the recovery of costs incurred in British India in connection with appeals to Her Majesty in Council,

and all other matters connected with the enforcement of this chapter.

All such rules shall be published in the local official Gazette, and shall thereupon have the force of law in the High Court and the Courts of final appellate jurisdiction subordinate thereto.

Publication of rules.

All rules heretofore made and published by any High Court relating to appeal to Her Majesty in Council and in force immediately before the passing of this Act, shall, so far as they are consistent with this Act, be deemed to have been made and published hereunder.

Legalization of existing rules.

614. In sections 595 and 613, the expression 'High Court' shall be deemed to include also the Recorder of Rangoon, but not so as to empower him to make rules binding on Courts other than his own Court.

Recorder of Rangoon.

615. The rules and restrictions referred to in Bengal Regulation III of 1828, section IV, clause *fifth*, shall be deemed to be the rules and restrictions applicable to appeals under this Code from the decisions of the High Court of Judicature at Fort William in Bengal.

Construction of Bengal Regulation III of 1828, section 4, clause 5.

616. Nothing herein contained shall be understood—

Saving of Her Majesty's pleasure,

(*a*) to bar the full and unqualified exercise of Her Majesty's pleasure in receiving or rejecting appeals to Her Majesty in Council, or otherwise howsoever, or

(*b*) to interfere with any rules made by the Judicial Committee of the Privy Council, and for the time being in force, for the presentation of appeals to Her Majesty in Council, or their conduct before the said Judicial Committee.

and of rules for conduct of business before Judicial Committee.

And nothing in this chapter applies to any matter of criminal or admiralty or vice-admiralty jurisdiction, nor to appeals from orders and decrees of Prize Courts.

PART VII.

CHAPTER XLV.

OF REFERENCE TO THE HIGH COURT.

617. If before or in the hearing of a suit or appeal in which the decree is final, or if in the execution of any such decree, any question of law or usage having the force of law, or the construction of a document which construction may affect the merits, arises, on which the Court trying the suit or appeal entertains reasonable doubt, the Court may, either of its own motion or on the application of any of the parties, draw up a statement of the point on which doubt is entertained, and refer such statement with its own opinion for the decision of the High Court.

Reference of question to High Court.

618. The Court may either stay the proceedings or proceed in the suit or appeal notwithstanding such reference, and may pass a decree contingent upon the opinion of the High Court on the point referred;

Court may pass decree contingent upon opinion of High Court.

but no execution shall be issued in any case in which such reference is made to the High Court until the receipt of the order of that Court.

If a decree has been made its execution shall be stayed until the receipt of a copy of the judgment of the High Court upon such reference.

619. The High Court shall hear the parties to the suit or appeal in which the reference is made, in person or by their respective pleaders, and shall determine the point so referred to it, and shall transmit a copy of its judgment, under the signature of the Registrar, to the Court by which the reference was made, and such Court shall, on the receipt thereof, proceed to dispose of the suit or appeal in conformity with the decision of the High Court.

Judgment of High Court to be transmitted, and case disposed of accordingly.

620. Costs, if any, consequent on a reference for the opinion of the High Court, shall be costs in the suit or appeal.

Costs of reference to High Court.

621. When a case is referred to the High Court under this chapter, the High Court may return the case for amendment, and may alter, cancel or set aside any decree which the Court making the reference has passed in the suit or appeal out of which the reference arose, and make such order as it thinks fit.

Power to alter, &c., decrees of Court making reference.

PART VIII.

CHAPTER XLVI.

OF REVIEW OF JUDGMENT.

622. The High Court may call for the record of any case in which no appeal lies to the High Court, if the Court by which the case was decided appears to have exercised a jurisdiction not vested in it by law, or to have passed any order contrary to law, and may set aside the decision, or pass such other order in the case as the High Court thinks fit.

Power to call for record of cases decided by Small Cause Courts, or, on appeal, by subordinate Courts.

The District Court may exercise the like powers as to any case decided by any Court subordinate thereto.

623. Any person considering himself aggrieved—

Application for review of judgment.

(*a*) by a decree or order from which an appeal is hereby allowed, but from which no appeal has been preferred;

(*b*) by a decree or order from which no appeal is hereby allowed; or

(*c*) by a judgment on a reference from a Court of Small Causes;

and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be adduced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him,

may apply for a review of judgment to the Court which passed the decree or made the order or to the Court, if any, to which the business of the former Court has been transferred.

A party who is not appealing from a decree may apply for a review of judgment notwithstanding the pendency of an appeal by some other party, except when the ground of such appeal is common to the applicant and the appellant.

624. Except on the discovery of such new and important matter or evidence as aforesaid, or of some clerical error apparent on the face of the decree, no application for a review of judgment, other than that of a High Court, shall be made to any Judge other than the Judge who delivered it.

To whom applications for review may be made.

625. The rules hereinbefore contained as to the form of making appeals shall apply, *mutatis mutandis*, to applications for review.

Form of applications for review.

626. If it appear to the Court that there is not sufficient ground for a review, it shall reject the application.

Application when rejected.

If the Court be of opinion that the review shall be granted, it shall grant the same, and the Judge shall record with his own hand his reasons for such opinion:

Application when granted.

Proviso. Provided that—

(*a*) no such review shall be granted without previous notice to the opposite party to enable him to appear and be heard in support of the decree a review of which is applied for; and

(*b*) no such review shall be granted on the ground of discovery of new matter or evidence which the applicant alleges was not within his knowledge, or could not be adduced by him when the decree or order was passed, without strict proof of such allegation.

627. If the Judge or Judges, or any one of the Judges, who passed the decree or order, a review of which is applied for, continue attached to the Court at the time when the application for a review is presented and are not, or is not, precluded by absence or other cause, for a period of six months next after the application, from considering the decree or order to which the application refers, such Judge or Judges or any of them shall hear the application, and no other Judge or Judges of the Court shall hear the same.

Application for review in Court consisting of two or more Judges.

628. If the application for a review be heard by more than one Judge and the Court be equally divided, the application shall be rejected.

Application when rejected.

If there be a majority the decision shall be according to the opinion of the majority.

629. The order of the Court whether for granting the review or rejecting the application shall be final, except where the review has been granted without jurisdiction, in which case an appeal shall lie.

Order of Court final.

Where the application has been rejected in consequence of the failure of the parties to appear, the applicant may, within fifteen days from such rejection, apply for an order to have the rejected application restored to the file, and if it be proved to the satisfaction of the Court that he was prevented by any sufficient cause from appearing when such application was called on for hearing, the Court may order it to be restored to the file upon such terms as to costs or otherwise as it thinks fit, and shall appoint a day for hearing the same.

No order shall be made under this section unless the applicant has served the opposite party with notice in writing of the latter application.

No application to review an order passed on review or on an application for a review shall be entertained.

630. When an application for a review is granted, a note thereof shall be made in the register and the Court may at once re-hear the case or make such order in regard to the re-hearing as it thinks fit.

Registry of application granted, and order for re-hearing.

PART IX.

CHAPTER XLVII.

SPECIAL RULES RELATING TO THE HIGH COURTS.

631. This chapter applies only to High Courts which are or may hereafter be established under the twenty-fourth and twenty-fifth of Victoria, chapter 104 (*An Act for establishing High Courts of Judicature in India*).

This part to apply only to certain High Courts.

Except as provided in this Part, the provisions of this Code apply to such High Courts.

Application of Code to High Courts.

632. Suits may be tried and determined by the High Court in the exercise of its ordinary original civil jurisdiction, if,

Ordinary original civil jurisdiction of the High Court.

(*a*) in the case of suits for immoveable property, the property or any part thereof is situate, or,

(*b*) in all other cases, the cause of action, or any material part of the cause of action, has arisen, or the defendant or any of the defendants at the time of the commencement of the suit dwells, or carries on business, or personally works for gain, within the local limits of such jurisdiction:

Provided that the leave of the Court be first obtained,

(*c*) in the case of suits for immoveable property where only part thereof is situate within such limits, and

(*d*) in other cases where only part of the cause of action has arisen, or only some of the defendants at the commencement of the suit dwell, or carry on business, or personally work for gain within such limits:

Provided also that no High Court shall, in the exercise of its ordinary original civil jurisdiction, try any case in which the debt, or compensation, or value of the property sued for, does not exceed five hundred rupees, and which falls within the jurisdiction of a Small Cause Court situate within the local limits of such jurisdiction.

633. The High Court shall take evidence, and record judgments and orders in such manner as it by rule from time to time directs.

High Court to record judgments according to its own rules.

634. Whenever a High Court considers it necessary that a decree made in the exercise of its ordinary original civil jurisdiction should be enforced before the amount of the costs incurred in the suit can be ascertained by taxation, the Court may order that the decree shall be executed forthwith, except as to so much thereof as relates to the costs;

and, as to so much thereof as relates to the costs, that the decree may be executed as soon as the amount of the costs shall be ascertained by taxation.

Power to order execution of decree before ascertainment of costs, and execution for costs subsequently.

635. No attorney shall, under the provisions of this Code, be entitled to address the Court or examine witnesses.

Attornies not to address Court.

636. Notices to produce documents, summonses to witnesses, and every other judicial process, issued in the exercise of the ordinary or extraordinary original civil jurisdiction of the High Court, and of its matrimonial, testamentary and intestate jurisdictions, except writs of summons to defendants issued under section 65, writs of execution, and notices under section 553, may be served by the attorneys in the suit, or by persons employed by them, or by such other persons as the High Court by any rule or order from time to time directs.

Process of High Courts may be served by attorneys in suit.

637. Any act not of a judicial nature which this Code requires to be done by a Judge, may be done by the Registrar of the Court or by such other officer of the Court as the Court may direct to perform such act.

Non-judicial acts may be done by Registrar.

The High Court may from time to time by rule declare what shall be deemed to be acts not of a judicial nature within the meaning of this section.

638. The procedure in civil cases brought before the High Court in the exercise of its Admiralty or Vice-Admiralty jurisdiction shall be regulated, so far as the circumstances of the case will permit, by the rules prescribed in this Code.

Procedure in Admiralty cases.

In the following cases in the exercise of such jurisdiction, (namely)—

(*a*) cases in which a ship, or a ship and cargo, has or have been or is or are to be proceeded against or arrested,

(*b*) cases in which goods only have been or are to be proceeded against or arrested, either for the purpose of proceeding against the goods or the freight due thereon,

(*c*) cases in which property has been or is arrested and no party has appeared or appears at the return of the warrant, and

(*d*) all other cases in the exercise of Admiralty or Vice-Admiralty jurisdiction in which the rules contained in this Code are not applicable,

the practice and procedure shall be regulated as nearly as possible by the Rules and Regulations made and ordained by his late Majesty King William the Fourth in Council in pursuance of the Second of William the Fourth, chapter 51, and touching the practice to be observed in the several Courts of Vice-Admiralty in the Colonies, except so far as such rules may be inconsistent with the Twenty-fourth and Twenty-fifth of Victoria, chapter 104, or with the Letters Patent granted in pursuance thereof.

639. In suits for mariners' wages brought before the High Court in the exercise of Admiralty or Vice-Admiralty jurisdiction, any number of mariners belonging to the same ship or serving under the same owner may proceed jointly in one suit.

Joinder of mariners in suits for wages.

640. The following portions of this Code shall not apply to the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction, namely, sections 37, 54 clause (*a*), 119, 160, 182 to 185 (both inclusive), 187, 189, 190, 191, 206, 261, 403, 404, 405,

Sections not applying to High Court in original civil jurisdiction.

and section 579 shall not apply to the High Court in the exercise of its appellate jurisdiction.

Nothing in this Code shall extend or apply to any High Court in the exercise of its jurisdiction as an Insolvent Court.

Code not to affect High Court in exercise of insolvent jurisdiction.

641. The High Court shall have power to frame forms for every proceeding in such Court, for which the High Court thinks it necessary that forms should be provided, and for keeping all books, entries and accounts to be kept by its officers.

Power to frame forms.

PART X.

CHAPTER XLVIII.

MISCELLANEOUS.

Exemption from Personal Appearance.

642. Women, who according to the customs and manners of the country ought not to be compelled to appear in public, shall be exempt from personal appearance in Court.

Exemption of certain women from personal appearance.

But nothing herein contained shall be deemed to exempt such women from arrest in execution of civil process.

643. The Local Government may, by notification in the official Gazette, exempt from personal appearance in Court any person whose rank, in the opinion of such Government, entitles him to the privilege of exemption, and may, by like notification, withdraw such privilege.

Local Government may exempt certain persons from personal appearance.

The names and residences of the persons so exempted shall from time to time be forwarded to the High Court by the Local Government, and a list of such persons shall be kept in such Court, and a list of such persons as reside within the local limits of the jurisdiction of each Court subordinate to the High Court shall be kept in such subordinate Court.

List of names of persons exempted to be kept in subordinate Court.

When any person so exempted claims the privilege of such exemption, and it is consequently necessary to examine him by commission, he shall pay the costs of that commission.

Costs of commission rendered necessary by claiming privilege.

Exemption from Arrest.

644. No Judge, Magistrate or other judicial officer shall be liable to arrest under this Code while going to, presiding in, or returning from his Court.

Persons exempt from arrest.

And, except as hereinafter provided, the parties to a suit and their pleaders and recognized agents shall be exempt from arrest under this Code while going to or attending a Civil Court for the purpose of such suit and while returning from such Court. Witnesses acting in obedience to a summons shall be similarly exempt.

Offences in Court.

645. When in a case pending before any Court, there appears to the Court sufficient ground for sending for investigation to the Magistrate a charge of any such offence as is described in section 193, 196, 199, 200, 205, 206 207, 208, 209, 210, 463, 471, 474, 475, 476 or 477 of the Indian Penal Code, which may be made in respect to any document offered in evidence in the case, the Court may send the person accused in custody to the Magistrate, or take sufficient bail for his appearance before the Magistrate.

Procedure in case of certain offences relating to documents.

The Court shall send to the Magistrate the evidence and documents relevant to the charge, and shall bind over any person to appear and give evidence before such Magistrate.

The Magistrate shall receive such charge and proceed with it according to law.

Forms.

646. Subject to the power conferred on the High Court by section 640 and by the twenty-fourth and twenty-fifth of Victoria, chapter 104, section 15, the forms set forth in the fourth schedule hereto annexed, with such variation as the circumstances of each case require, shall be used for the respective purposes therein mentioned.

Use of forms in fourth schedule.

Language of Courts.

647. The language which, when this Code comes into force, is the language of any Court subordinate to a High Court, shall continue to be the language of such Court until the Local Government otherwise orders;

Language of subordinate Courts.

but it shall be lawful for the Local Government from time to time to declare what language shall be the language of every such Court.

Statement of Cases by Registrars of Small Cause Courts.

648. Whenever the Registrar of a Court of Small Causes has any doubt upon any question of law or usage having the force of law, or as to the construction of a document which construction may affect the merits of the decision, he may state a case for the opinion of the Judge; and all the provisions herein contained relative to the stating of a case by the Judge shall apply, *mutatis mutandis*, to the stating of a case by the Registrar.

Power of Registrars of Small Cause Courts to state cases.

Miscellaneous Proceedings.

649. The procedure herein prescribed shall be followed, as far as it can be made applicable, in all proceedings in any Court, other than suits and appeals.

Miscellaneous proceedings.

The High Court may from time to time make rules to provide for the admission, in such proceedings, of affidavits as evidence of the matters to which such affidavits respectively relate; and such rules, on being published in the local official Gazette, shall have the force of law.

Admission of affidavits as evidence.

Civil Process for Attachment, Sale or Payment.

650. If any property to be attached under this Code is situate without the local limits of the jurisdiction of the Court making the order of attachment, such Court, if a District Court, shall send to the District Court within the local limits of whose jurisdiction such property is situate, a copy of the order together with the probable amount of the costs of the attachment.

Procedure when property to be attached is situate outside the local limits of jurisdiction.

Such District Court shall, on receipt of such copy and amount, cause the attachment to be made as if the original order of attachment had been made by itself, and inform the Court by which such order was made or transmitted of the making of the attachment.

If the Court making the order of attachment is subordinate to a District Court, it shall send such copy to the District Court to which it is subordinate, and such Court shall, if it think fit, deal with the order as if it had been made by itself.

651. The rules contained in chapter XIX shall be applicable to the execution of any judicial process for the sale of property or payment of money, which may be desired or ordered by a Civil Court in any civil proceeding.

Rules applicable to all civil process for sale or payment.

Witnesses.

652. The provisions of chapters XIV and XV relating to witnesses shall apply to all persons required to give evidence, or to produce documents in any proceeding under this Code.

Application of rules as to witnesses.

Escape from Custody.

653. Whoever offers any resistance or illegal obstruction to the lawful apprehension of himself under this Code, or under the warrant of any Court of civil judicature, or escapes or attempts to escape from any custody in which he is lawfully detained under this Code or under such warrant, shall be punished with imprisonment for a term which may extend to six months or with fine not exceeding one thousand rupees, or with both.

Penalty for escaping from custody under Code.

Subsidiary Rules.

654. The High Court may from time to time make rules consistent with this Code to regulate any matter connected with the procedure of the Courts of Civil Judicature. All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

Power to make subsidiary rules of procedure.

THE FIRST SCHEDULE.

(See section 3.)

A.—STATUTE REPEALED.

Year and chapter.	Title.	Extent of repeal.
29 Char. II, chap. 7 ...	An Act for the better observance of the Lord's day commonly called Sunday.	The whole.

B.—ACTS REPEALED.

Number and year.	Subject or Title.	Extent of repeal.
IX of 1840 ...	For amending the law administered in Her Majesty's Courts of Justice with reference to Arbitrations, Damages, and interested Witnesses.	So much as has not been repealed.
XXIII of 1840 ...	For executing within the local limits of the jurisdiction of Her Majesty's Courts legal Process issued by authorities in the Mufassal.	So far as it relates to the execution of the process of Civil Courts.
VIII of 1841 ...	Interpleader	The whole.
XXVI of 1841 ...	Extending 3 & 4 Wm. IV, c. 42 ...	So much as has not been repealed.
XIV of 1848 ...	Commissions for taking affidavits ...	The whole.
XVII of 1852 ...	Special cases	The whole.
XXXIII of 1852 ...	Enforcement of judgments ...	The whole Act, except so far as it relates to the decrees of Military Courts of Requests.
VI of 1855 ...	Writs of execution	The whole.
XXXIV of 1855 ...	Execution of judgments ...	The whole.
VIII of 1859 ...	For simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter.	The whole Act, except sections 15 and 192.
XXIII of 1861 ...	To amend Act VIII of 1859 ...	So much as has not been repealed.
XX of 1862 ...	To provide for the levy of Fees and Stamp duties in the High Court, &c.	So much as has not been repealed.
XXIV of 1862 ...	To continue in force Act XX of 1862...	So much as has not been repealed.
IX of 1863 ...	To amend the Code of Civil Procedure	The whole.
XVIII of 1863 ...	To make provision for the speedy and efficient disposal of the business, &c.	So much as has not been repealed.
XXXII of 1863 ...	To continue in force Act XX of 1862...	So much as has not been repealed.

THE FIRST SCHEDULE.

ACTS REPEALED—*continued*.

Number and year.	Subject or Title.	Extent of repeal.
XI of 1865 ...	Mufassal Small Cause Courts Act ...	Sections 8, 9, 10, 11, para. 2, 22, 23, 24, 25, 26, 27, 28, 42 and 47, and in section 32 the words "contained in the twenty-second, twenty-third, twenty-fourth and twenty-fifth sections of this Act."
XIV of 1865 ...	Central Provinces Courts Act ...	Sections 17 and 18.
XIX of 1865 ...	Panjáb Courts Act ...	Sections 13 and 17.
V of 1866 ...	To provide a summary procedure on Bills of Exchange, &c.	In the title, the words '*to provide a summary procedure on Bills of Exchange and*' The preamble down to and including the words 'Notes; and' In section 1 the definitions of 'High Court' and 'Local Government.' Sections two to eight (both inclusive). Section fourteen.
XXIV of 1866 ...	High Court, North-Western Provinces	So much as has not been repealed.
X of 1867 ...	References by Mufassal Small Cause Courts.	The whole.
XXVI of 1867 ...	To amend the law relating to Stamp Duties.	So much as has not been repealed.
XV of 1869 ...	Prisoners' Testimony Act ...	So much of sections 15 and 16 as relates to process issued by a Civil Court.
IX of 1873 ...	Panjáb Appeals Act, 1873 ...	Sections 7, 9 and 10.
VI of 1874 ...	The Privy Council Appeals Act, 1874 ..	The whole.

C.—REGULATION REPEALED.

Madras Regulation XIV of 1816.	Vakíls	Section 27.

THE SECOND SCHEDULE.

(*See section* 5.)

Chapters and Sections extending to Mufassal Courts of Small Causes.

PRELIMINARY: Sections 1, 2, 3 and 5.

CHAPTER I.—Of the Jurisdiction of the Courts and *Res Judicata*, except section 11.

CHAPTER II.—Of the Place of Suing, except section 19, para. 4, and sections 21 to 24 (both inclusive).

CHAPTER III.—Of Parties and their Appearances, Applications and Acts.

CHAPTER IV.—Of the Frame of the suit, except sections 42, 44 rule *a*, 45, 46 and 47.

CHAPTER V.—Of the Institution of Suits.

CHAPTER VI.—Of the Issue and Service of Summons, except section 77.

CHAPTER VII.—Of the Appearance of the Parties and consequence of Non-appearance.

CHAPTER VIII.—Section 111, Set-off.

CHAPTER IX.—Of the Examination of the Parties by the Court, except section 119.

CHAPTER X.—Of Discovery and the Admission, &c., of Documents.

CHAPTER XII.—Section 155, para. 1, Judgment where either party fails to produce his evidence.

CHAPTER XIII.—Of Adjournments.

CHAPTER XIV.—Of the Summoning and Attendance of Witnesses.

CHAPTER XV.—Of the Hearing of the Suit and Examination of Witnesses, except sections 182 to 188, both inclusive.

CHAPTER XVII.—Of Judgment and Decree, except sections 204, 207, 211, 212, 213 and 214.

CHAPTER XVIII.—Sections 219, 220 and 221, of Costs.

CHAPTER XIX.—Of the Execution of Decrees, sections 230 to 235 (both inclusive), 238 to 258 (both inclusive), 259 (except so far as relates to the recovery of wives), 266 (except so far as relates to immoveable property), 267 to 272 (both inclusive), 273 (so far as relates to decrees for moveable property), 275 to 280 (both inclusive), 283, 284, 286, 287, 288, 289, 290, 291, 292, 293 (so far as relates to re-sales under 297), 294 to 302 (both inclusive), 335 to 343 (both inclusive).

CHAPTER XXI.—Of the Death, Marriage and Insolvency of Parties.

CHAPTER XXII.—Of the Withdrawal and Adjustment of Suits.

CHAPTER XXIII.—Of Payment into Court.

CHAPTER XXIV.—Of requiring Security for Costs.

CHAPTER XXV.—Of Commissions.

CHAPTER XXVI.—Suits by Paupers.

CHAPTER XXVII.—Suits by and against Government or Government Servants.

CHAPTER XXVIII.—Suits by Aliens and by and against Foreign and Native Rulers, except the first paragraph of section 403.

CHAPTER XXIX.—Suits by and against Corporations and Companies.

CHAPTER XXX.—Suits by and against Trustees, Executors and Administrators.

CHAPTER XXXI.—Suits by and against Minors and Persons of unsound Mind.

CHAPTER XXXII.—Suits by and against Military Men.

CHAPTER XXXIII.—Interpleader.

CHAPTER XXXIV.—Of Arrest and Attachment before judgment.

CHAPTER XXXVII.—Reference to Arbitration, sections 506 to 522, both inclusive.

CHAPTER XXXVIII.—Of proceedings on Agreement of Parties.

CHAPTER XLV.—Reference to High Court.

CHAPTER XLVI.—Of Review of judgment.

CHAPTER XLVIII.—Miscellaneous, sections 642 to 649, both inclusive, sections 651, 652, 653 and 654.

THE THIRD SCHEDULE.

(See section 7.)

Bombay enactments.

Bombay Regulation XXIX, 1827.
" " VII, 1830.
" " I, 1831.
" " XVI, 1831.
Act XIX of 1835.
" XIII of 1842.

WHITLEY STOKES,
Secy. to the Govt. of India.

Continuation sheets of the Gazette, Part V, published at Simla on this date.

SCHEDULE.

(See s. 646.)

FORMS OF PLEADINGS AND DECREES.

A.—PART I. PLAINTS.

No. 1.

FOR MONEY LENT.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , he lent the defendant rupees repayable on demand [*or* on the day of].

2. That the defendant has not paid the same, except rupees paid on the day of 18 .

[*If the plaintiff claims exemption from any law of limitation, say*:—

3. The plaintiff was a minor [*or* insane] from the day of till the day of].

4. The plaintiff prays judgment for rupees, with interest at per cent. from the day of 18 .

[NOTE.—The object of stating when the debt is to be repaid is merely to fix a date for interest. If, therefore, interest is not claimed, the statement may be omitted.]

No. 2.

FOR MONEY RECEIVED TO PLAINTIFF'S USE.

(*Title.*)

A. B., and *G. H.*, the above-named plaintiffs, state as follows:—

1. That on the day of 18 , at , the defendant received rupees [*or* a cheque on the Bank for Rs.] from one *E. F.* for the use of the plaintiffs.

2. That the defendant has not paid [*or* delivered] the same accordingly.

3. The plaintiffs pray judgment for rupees, with interest at per cent. from the day of 18 .

No. 3.

FOR PRICE OF GOODS SOLD BY A FACTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at he and *E. F.*, since deceased, delivered to the defendant [*one thousand barrels of flour, five hundred maunds of rice, or as the case may be*] for sale upon commission.

2. That on the day of 18 [*or*, on some day unknown to the plaintiff, before the day of 18], the defendant sold the said merchandise for rupees.

3. That the commission and expenses of the defendant thereon, amount to rupees.

4. That on the day of 18 , the plaintiff demanded from the defendant the proceeds of the said merchandise.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 4.

FOR MONEY RECEIVED BY DEFENDANT THROUGH THE PLAINTIFF'S MISTAKE OF FACT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff agreed to buy and the defendant agreed to sell bars of silver at annas per tola of fine silver.

2. That the plaintiff procured the said bars to be assayed by one *E. F.*, who was paid by the defendant for such assay, and that the said *E. F.* declared each of the said bars to contain 1,500 tolas of fine silver, and that the plaintiff accordingly paid the defendant Rs. annas therefor.

3. That each of the said bars contain only 1,200 tolas of fine silver.

4. That the defendant has not repaid the sum so overpaid.

[*Demand of judgment.*]

[NOTE.—A demand of repayment is not necessary, but it may affect the question of interest or the costs.]

No. 5.

FOR MONEY PAID TO A THIRD PARTY AT THE DEFENDANT'S REQUEST.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , at the request [*or* by the authority] of the defendant, the plaintiff paid to one *E. F.* rupees.

2. That, in consideration thereof, the defendant promised [*or* became bound] to pay the same to the plaintiff on demand [*or as the case may be.*]

3. That [on the day of 18 , the plaintiff demanded payment of the same from the defendant, but] he has not paid the same.

[*Demand of judgment.*]

[NOTE.—If the request or authority is implied, the plaint should state facts raising the implication.]

No. 6.

FOR GOODS SOLD AT A FIXED PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of deceased sold and delivered to the defendant [one hundred barrels of flour, *or*, the goods mentioned in the schedule hereto annexed, *or*, sundry goods].

2. That the defendant promised to pay rupees for the said goods on delivery [*or* on the day of *some day before the plaint was filed*].

3. That he has not paid the same.

4. That the said *E. F.* in his lifetime made his will, whereby he appointed the plaintiff executor thereof.

5. That on the day of 187 the said *E. F.* died.

6. That on the day of probate of the said will was granted to the plaintiff by the Court of .

7. The plaintiff as executor as aforesaid [*Demand of judgment*].

[NOTE.—If a day was fixed for payment it should be stated as furnishing a date for the commencement of interest.]

No. 7.

GOODS SOLD AT A REASONABLE PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff sold and delivered to the defendant [*sundry articles of house furniture*] but no express agreement was made as to the price.

2. That the same were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—The law implies a promise to pay so much as the goods are reasonably worth.]

No. 8.

FOR GOODS DELIVERED TO A THIRD PARTY AT DEFENDANT'S REQUEST AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff sold to the defendant [*one hundred barrels of flour*] and, at the request of the defendant, delivered the same to one *E. F.*

2. That the defendant promised to pay to the plaintiff rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 9.

FOR NECESSARIES FURNISHED TO THE FAMILY OF DEFENDANT'S TESTATOR WITHOUT HIS EXPRESS REQUEST, AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff furnished to [*Mary Jones*] the wife of *James Jones* deceased, at her request, sundry articles of [*food and clothing*], but no express agreement was made as to the price.

2. That the same were necessary for her.

3. That the same were reasonably worth rupees.

4. That the said *James Jones* refused to pay the same.

5. That the defendant is the executor of the last will of the said *James Jones*.

[*Demand of judgment.*]

No. 10.

FOR GOODS SOLD AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold to *E. F.* of deceased [*all the crops then growing on his farm in*].

2. That the said *E. F.* promised to pay the plaintiff rupees for the same.

3. That he did not pay the same.

4. That the defendant is administrator of the estate of the said *E. F.*

[*Demand of judgment.*]

No. 11.

FOR GOODS SOLD AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of sold to the defendant [*all the fruit growing in his orchard in*], but no express agreement was made as to the price.

2. That the same was reasonably worth rupees.

3. That the defendant has not paid the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the plaintiff committee of his estate with the usual powers for the management thereof.

5. The plaintiff as committee as aforesaid [*Demand of judgment.*]

[NOTE.—When the lunatic's estate is not subject to the ordinary original jurisdiction of a High Court, for paragraphs 4 and 5 substitute the following:—]

4. That on the day of the Civil Court of duly adjudged the said *E. F.* to be of unsound mind and incapable of managing his affairs and appointed the plaintiff Manager of his estate.

5. The plaintiff as Manager as aforesaid [*Demand of judgment.*]

No. 12.

FOR GOODS MADE AT DEFENDANT'S REQUEST, AND NOT ACCEPTED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of agreed with the plaintiff that the plaintiff should make for him [*six tables and fifty chairs*], and that the said *E. F.* should pay for the same upon delivery thereof rupees.

2. That the plaintiff made the said goods, and on the day of 18 offered to deliver the same to the said *E. F.*, and has ever since been ready and willing so to do.

3. That the said *E. F.* has not paid for the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the defendant committee of his estate.

5. The plaintiff prays judgment for rupees with interest from the day of , at the rate of per cent. per annum, to be paid out of the estate of the said *E. F.* in the hands of the defendant.

No. 13.

FOR DEFICIENCY UPON A RE-SALE [GOODS SOLD AT AUCTION].

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff put up at auction sundry [*articles of merchandise*], subject to the condition that all goods not paid for and removed by the purchaser thereof, within [*ten days*] after the sale, should be re-sold by auction on his account of which condition the defendant had notice.

2. That the defendant purchased [*one crate of crockery*] at the said auction at the price of rupees.

3. That the plaintiff was ready and willing to deliver the same to the defendant on the said day and for [*ten days*] thereafter, of which the defendant had notice.

4. That the defendant did not take away the said goods purchased by him, nor pay therefor, within [*ten days*] after the sale, nor afterwards.

5. That on the day of 18 , at , the plaintiff re-sold the said [*crate of crockery*], on account of the defendant, by public auction, for rupees.

6. That the expenses attendant upon such re-sale amounted to rupees.

7. That the defendant has not paid the deficiency thus arising, amounting to rupees.

[*Demand of judgment.*]

[NOTE to § 4. Unless the seller agreed to deliver, the purchaser must fetch the goods. See Act IX of 1872, sec. 93.]

No. 14.

FOR THE PURCHASE-MONEY OF LANDS CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold [and conveyed] to the defendant [the house and compound No. , in the city of *or*, a farm known as , in *or*, a piece of land lying, *&c.*]

2. That the defendant promised to pay the plaintiff rupees for the said [house and compound, *or* farm, *or* land].

3. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—Where there has been no actual conveyance, say, in § 1, "sold to the defendant the house, &c., and placed him in possession of the same."]

No. 15.

FOR THE PURCHASE-MONEY OF IMMOVEABLE PROPERTY CONTRACTED TO BE SOLD, BUT NOT CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff [the house No. in the town of , *or* one hundred bighás of land in , bounded by the East Indian railroad, and by other lands of the plaintiff] for rupees.

2. That on the day of 18 , at , the plaintiff tendered [*or*, was ready and willing, and offered to execute] a sufficient instrument of conveyance of the said property to the defendant, on paymentof the said sum, and still is ready and willing to execute the same.

3. That the defendant has not paid the said sum.

[*Demand of judgment.*]

No. 16.

FOR SERVICES AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant [hired plaintiff as a clerk, at the salary of rupees per year].

2. That from the [said day] until the day of 18 , the plaintiff [served the defendant as his clerk].

3. That the defendant has not paid the said salary.

[*Demand of judgment.*]

No. 17.

FOR SERVICES AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That between the day of 18 , and the day of 18 , at , plaintiff [executed sundry drawings, designs and diagrams] for the defendant, at his request; but no express agreement was made as to the sum to be paid for such services.

2. That the said services were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 18.

FOR SERVICES AND MATERIALS, AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff [furnished the paper for and printed one thousand copies of a book called] for the defendant, at his request [and delivered the same to him].

2. That the defendant promised to pay rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 19.

FOR SERVICES AND MATERIALS AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff built a house [known as No. , in]. and furnished the materials therefor, for the defendant, at his request; but no express agreement was made as to the price to be paid for such work and materials.

2. That the said work and materials were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 20.

FOR RENT RESERVED IN A LEASE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant entered into a covenant with the plaintiff, under their hands, a copy of which is hereto annexed.

[*Or state the substance of the agreement.*]

2. That the defendant has not paid the rent of the [month] ending on the day of 18 , amounting to rupees.

[*Demand of judgment.*]

Another Form.

1. That the plaintiff let to the defendant a house No. 27 Chowringhee for seven years to hold from the day of 187 at rupees a year, payable quarterly.

2. That of such rent quarters are due and unpaid.

[*Demand of judgment.*]

No. 21.

FOR USE AND OCCUPATION AT A FIXED RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant hired from the plaintiff [the house No. , street] , at the rent of rupees, payable on the first days of .

2. That the defendant occupied the said premises from the day of 18 to the day of 18 .

3. That the defendant has not paid rupees, being the part of said rent due on the first day of 18 .

[*Demand of judgment.*]

No. 22.

FOR USE AND OCCUPATION AT A REASONABLE RENT.

(*Title.*)

A. B., the above-named plaintiff, executor of the will of *X. Y.*, deceased, states as follows:—

1. That the defendant occupied the [house No , street], by permission of the said *X. Y.*, from the day of 18 , until the day of 18 and no agreement was made as to payment for the use of the said premises.

2. That the use of the said premises for the said period was reasonably worth rupees.

3. That the defendant has not paid the same.

4. The plaintiff as such executor as aforesaid prays judgment for rupees.

No. 23.

FOR BOARD AND LODGING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That from the day of 18 , until the day of 18 , the defendant occupied certain rooms in the house [No. , street], by permission of the plaintiff, and was furnished by the plaintiff, at his request, with meat, drink, attendance and other necessaries.

2. That in consideration thereof, the defendant promised to pay, [*or* that no agreement was made as to payment for such meat, drink, attendance or necessaries, but the same were reasonably worth] the sum of rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 24.

FOR FREIGHT OF GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff transported in [his barge, *or otherwise*] [one thousand barrels of flour, *or* sundry goods], from to , at the request of the defendant.

2. That the defendant promised to pay the plaintiff the sum of [one rupee per barrel] as freight thereon. [*Or*, that no agreement was made as to payment for such transportation, but that such transportation was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 25.

FOR PASSAGE-MONEY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff conveyed the defendant [in his ship, called the] from to at his request.

2. That the defendant promised to pay the plaintiff rupees therefor. [*or* that no agreement was made as to the price of the said passage; but that the said passage was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 26.

ON AN AWARD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff defendant, having a controversy between them concerning [a demand of the plaintiff for price of ten barrels of oil, which the defendant refused to pay], agreed to submit the same he award of *E. F.* and *G. H.*, as arbitrators [*or*, entered into an agreement, a copy of h is hereto annexed.]

2. That on the day of 18 , at , the said arbitrators awarded that the defendant should [pay the plaintiff rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—This will apply where the agreement to refer is not filed in Court.]

No. 27.

ON A FOREIGN JUDGMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , in the State [*or* Kingdom] of , the Court of that State [*or* Kingdom], in a suit therein pending between the plaintiff and the defendant, duly adjudged that the defendant should pay to the plaintiff rupees, with interest from the said date.

2. That the defendant has not paid the same.

[*Demand of judgment.*]

PLAINTS UPON INSTRUMENTS FOR THE PAYMENT OF MONEY ONLY.

No. 28.

ON AN ANNUITY BOND.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant by his bond became bound to the plaintiff in the sum of rupees to be paid by the defendant to the plaintiff, subject to a condition that if the defendant should pay to the plaintiff rupees half yearly on the day of and the day of in every year during the life of the plaintiff, the said bond should be void.

2. That afterwards, on the day of 187 , the sum of rupees for of the said half-yearly payments of the said annuity, became due to the plaintiff and is still unpaid.

[*Demand of judgment.*]

No. 29.

PAYEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of , 18 , at , the defendant by his promissory note now overdue, promised to pay to the plaintiff rupees [days] after date.

2. That he has not paid the same [except rupees, paid on the day of 18].

[*Demand of judgment.*]

[NOTE.—*Where the note is payable after notice, for paras.* 1 *and* 2 *substitute*—]

1. That on the day of at the defendant by his promissory note promised to pay to the plaintiff rupees months after notice.

2. That notice was afterwards given by the plaintiff to the defendant to pay the same months after the said notice.

3. That the said time for payment has elapsed, but the defendant has not paid the same.

[*Where the notice is payable at a particular place, say*—]

1.—That on the day of 187 at the defendant by his promissory note now overdue promised to pay to the plaintiff [at Messrs. *A and Co.*, Madras] rupees months after date.

2.—That the said note was duly presented for payment [at Messrs. *A. and Co.*] aforesaid, but has not been paid.

Written statement of the Defendant.

In the Court, &c.

C. D., the above-named defendant, states as follows :—

1. The defendant made the note sued upon under the following circumstances: The plaintiff and defendant had for some years been in partnership as indigo manufacturers, and it had been agreed between them that they should dissolve partnership, that the plaintiff should retire from the business, that the defendant should take over the whole of the partnership assets and liabilities and should pay the plaintiff the value of his share in the assets after deducting the liabilities.

2. The plaintiff thereupon undertook to examine the partnership books and enquire into the state of the partnership assets and liabilities; and he did accordingly examine the said books and make the said enquiries, and he thereupon represented to the defendant that the assets of the firm exceeded Rs. 1,00,000 and that the liabilities of the firm were less than Rs. 30,000, whereas the fact was that the assets of the firm were less than Rs. 50,000 and the liabilities of the firm largely exceeded the assets.

3. The misrepresentations mentioned in the second para. of this statement induced the defendant to make the note now sued on, and there never was any other consideration for the making of such note.

No. 30.

FIRST INDORSEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant, by his promissory note, now overdue, promised to pay to the order of *E. F.* [*or* to *E. F.* or order] rupees [days after date].

2. That the said *E. F.* indorsed the same to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 31.

SUBSEQUENT INDORSEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. [*As in the preceding form.*]

2. That the same was, by the indorsement of the said *E. F.* and of *G. H.* and *I. J.* [*or* and others] transferred to the plaintiff.

[*Demand of judgment.*]

No. 32.

FIRST INDORSEE AGAINST FIRST INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That *E. F.*, on the day of 18 , at , by his promissory note now overdue promised to pay to the defendant or order rupees months after date.

2. That the defendant indorsed the same to the plaintiff.

3. That on the day of 18 the same was duly presented for payment, but was not paid.

[*Or state facts excusing want of presentment.*]

4. That the defendant had notice thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 33.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That the defendant indorsed to one *E. F.* a promissory note, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , to the order of the defendant, for the sum of rupees [payable days after date].

2. That the same was by the indorsement of the said *E. F.* [and others] transferred to the plaintiff. [*Or*, that the said *E. F.* indorsed the same to the plaintiff.]

3, 4 *and* 5. [*Same as* 2, 3 *and* 4 *of the preceding form.*]

[*Demand of judgment.*]

No. 34.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to him a promissory note, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant.

2, 3 *and* 4. [*As in No.* 33.]

[*Demand of judgment.*]

No. 35.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

Title).

A. B., the above-named plaintiff, states as follows:—

1. That a promissory note, now overdue, made [*or* purporting to have been made] by one *F. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant, was by the indorsement of the defendant [and others] transferred to the plaintiff.

2, 3 *and* 4. [*As in No* 33.]

[*Demand of judgment.*]

No. 36.

SUBSEQUENT INDORSEE AGAINST MAKER, FIRST AND SECOND INDORSER.

IN THE COURT OF AT

Civil Regular No.

A. B. of

against

C. D. of

E. F. of

and

G. H. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his promissory note, now overdue, promised to pay to the order of the defendant, *E. F.*, rupees [months after date].

2. That the said *E. F.* indorsed the same to the defendant, *G. H.*, who indorsed it to the plaintiff.

3. That on the day of 18 , the same was presented [*or state facts excusing want of presentment*] to the said *C. D.* for payment, but was not paid.

4. That the said *E. F.* and *G. H.* had notice thereof.

5. That they have not paid the same.

[*Demand of judgment.*]

No. 37.

DRAWER AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , by his bill of exchange, now overdue, the plaintiff required the defendant to pay to him rupees [days after date, *or* sight thereof].

2. That the defendant accepted the said bill. [*If the bill is payable at a certain time after sight, the date of acceptance should be stated, otherwise it is not necessary.*]

3. That he has not paid the same.

4. That by reason thereof the plaintiff incurred expenses in and about the presenting and noting of the bill, and incidental to the dishonour thereof.

[*Demand of judgment.*]

[NOTE.—Where the bill is payable to a third party, for paras. 1, 2, 3, say:—]

1. That on &c., at &c., by his bill of exchange, now overdue, directed to the defendant the plaintiff required the defendant to pay to *E. F.* or order rupees months after date.

2. That the plaintiff delivered the said bill to the said *E. F.* on

3. That the defendant accepted the said bill, but did not pay the same, whereupon the same was returned to the plaintiff.

No. 38.

PAYEE AGAINST ACCEPTOR.

(*Title*).

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the plaintiff rupees after sight thereof.

2. That he has not paid the same.

[*Demand of judgment.*]

No. 39.

FIRST INDORSEE AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the order of one *G. H.* rupees after sight thereof.

2. That the said *G. H.* indorsed the same to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 40.

SUBSEQUENT INDORSEE AGAINST ACCEPTOR.

(*Title.*

A. B., the above-named plaintiff, states as follows:—

1. [*As in the preceding form, to the end of art.* 1.]

2. That by the indorsement of the said *G. H.* [and others], the same was transferred to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 41.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant by his bill of exchange, directed to *E. F.*, required the said *E. F.* to pay to the plaintiff rupees [days after sight].

2. That on the day of 18 , the same was duly presented to the said *E. F.* for acceptance, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—Notice of dishonour by non-acceptance must be given at once]

No. 42.

FIRST INDORSEE AGAINST FIRST INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to the plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at requiring one *G. H.* to pay to the order of the defendant rupees [days] after sight [*or* after date, *or* at sight] thereof, [and accepted by the said *G. H.* on the day of 18 .]

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 43.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to one *E. F.*, a bill of exchange, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , at requiring one *I. J.* to pay to the order of the defendant rupees days after sight thereof [*or otherwise*], and accepted by the said *I. J.* on the day of 18 . [*This clause may be omitted, if not according to the fact.*]

2. That the same was, by the indorsement of the said *E. F.* [and others], transferred to the plaintiff.

3. That on the day of 18 the same was presented to the said *I. J.* for payment, and was dishonoured.

4. That the defendant had due notice thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 44.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at requiring one *G. H.* to pay to the order of *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant.

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 45.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring one *G. H.*, to pay to the order of one *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant, was, by the indorsement of the defendant [and others], transferred to the plaintiff.

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 46.

INDORSEE AGAINST DRAWER, ACCEPTOR AND INDORSER.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of
E. F. of
G. H. of

A, B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his bill of exchange, now overdue, directed to the defendant *E. F.*, required the said *E. F.* to pay to the order of the defendant *G. H.*, rupees [days after sight thereof].

2. That on the day of 18 , the said *E. F.* accepted the same.

3. That the said *G. H.* indorsed the same to the plaintiff.

4. That on the day of 18 , the same was presented to the said *E. F.* for payment, and was dishonoured.

5. That the other defendants had due notice thereof.

6. That they have not paid the same.

[*Demand of judgment.*]

No. 47.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant by his bill of exchange, required one *E. F.* to pay to the plaintiff in [London] pounds sterling, [sixty days] after sight thereof.

2. That on the day of 18 , the same was presented to the said *E. F.* for acceptance, and was dishonoured, and was thereupon duly protested.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[5. That the value of pounds sterling, at the time of the service of notice of protest on the defendant, was rupees annas.]

Wherefore the plaintiff demands judgment against the defendant for rupees, with [ten per centum] compensation and interest from the day of 18 .

No. 48.

PAYEE AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.*, by his bill of exchange, now overdue, directed to the defendant, required the defendant to pay to the plaintiff rupees after date [*or* days after sight] thereof.

2. That on the day of 18 , the defendant accepted the said bill.

3. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—This form omits to state the delivery of the bill to the plaintiff or his title to sue. See *Churchill* v. *Gardner*, 7 T. R. 596.]

No. 49.

ON A MARINE [OPEN] POLICY, ON VESSEL LOST BY PERILS OF THE SEA.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] the ship at the time of its loss, as hereafter mentioned.

2. That on the day of 18 , at , the defendants, in consideration of rupees to them paid [*or*, which the plaintiff then promised to pay], executed to him a policy of insurance upon the said ship, a copy of which is hereto annexed; [*or*, whereby they promised to pay to the plaintiff, within days after proof of loss and interest, all loss and damage accruing to him by reason of the destruction or injury of the said ship, during its next voyage from to , whether by perils of the sea or by fire, or by other causes therein mentioned, not exceeding rupees].

3. That the said vessel, while proceeding on the voyage mentioned in the said policy, was, on the day of 18 , totally lost by the perils of the sea [*or otherwise*].

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendants with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendants have not paid the said loss.

[*Demand of judgment.*]

No. 50.

ON CARGO, LOST BY FIRE:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] on board the ship at the time of its loss as hereafter mentioned.

2. That on the day of 18 , at , the defendant, in consideration of rupees which the plaintiff then paid [*or*, promised to pay], executed to him a policy of insurance upon the said goods, a copy of which is hereto annexed; [*or*, whereby it promised to pay to the plaintiff rupees in case of the total loss, by fire or other causes mentioned, of the said goods before their landing at ; *or*, in case of partial loss, such damage as the plaintiff might sustain thereby, provided the same should exceed per centum of the whole value of the goods].

3. That on the day of 18 , at , while proceeding on the voyage mentioned in the said policy, the said goods were totally destroyed by fire.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the last preceding Form.*]

[*Demand of judgment.*]

No. 51.

ON FREIGHT:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff had an interest in the freight to be earned by the ship [ ] on her voyage from to , at the time of her loss as hereafter mentioned, and that a large quantity of goods was shipped upon freight in her at that time.

2. That on the day of 18 , at , the defendant, in consideration of rupees to it paid, executed to the plaintiff a policy of insurance upon the said freight, a copy of which is hereto annexed [*or state its tenor, as before*].

3. That the said vessel, while proceeding upon the voyage mentioned in the said policy, was, on the day of 18 , totally lost by [the perils of the sea].

4. That the plaintiff has not received any freight from the said vessel, nor did she earn any on the said voyage, by reason of her loss as aforesaid.

5 *and* 6. [*As in Form No.* 50.]

[*Demand of judgment.*]

No. 52.

FOR A LOSS BY GENERAL AVERAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] shipped on board a vessel called the *Y. Z.*, from to , at the time of the loss hereafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [which the plaintiff then promised to pay], the defendant executed to the plaintiff a policy of insurance upon his said goods, a copy of which is hereto annexed [*or state its tenor, as before.*]

3. That on the day of 18 , while proceeding on the voyage mentioned in the said policy, the said vessel was so endangered by perils of the sea, that the master and crew thereof were compelled to, and did, cast into the sea a large part of her rigging and furniture.

4. That the plaintiff was, by reason thereof, compelled to, and did, pay a general average loss of rupees.

5. That on the day of 18 , he furnished the defendant with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 53.

FOR A PARTICULAR AVERAGE LOSS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1 *and* 2. [*As in the preceding Form.*]

3. That on the day of 18 , while on the high seas, the sea-water broke into the said ship, and damaged the said [cotton] to the amount of rupees.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the preceding Form.*]

[*Demand of judgment.*

No. 54.

ON A FIRE INSURANCE POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff [was the owner of, *or*] had an interest in a [dwelling-house, known as No. , street, in the city of ,] at the time of its destruction [*or*, injury] by fire as hereinafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [to it paid], the defendant executed to the plaintiff a policy of insurance on the said [premises], a copy of which is hereto annexed [*or state its tenor*].

3. That on the day of 18 , the said [dwelling-house] was totally destroyed [*or*, greatly damaged] by fire.

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendant with proof of his said loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 55.

AGAINST SURETIES FOR PAYMENT OF RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.* hired from the plaintiff, for the term of years, the [house No. street,], at the annual rent of rupees, payable [monthly].

2. That [at the same time and place] the defendant agreed, in consideration of the letting of the said premises to the said *E. F.*, to guarantee the punctual payment of the said rent.

3. That the rent aforesaid for the month of 18 , amounting to rupees, has not been paid.

[*If, by the terms of the agreement, notice is required to be given to the surety, add:*—]

4. That on the day of 18 , the plaintiff gave notice to the defendant of the non-payment of the said rent, and demanded payment thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

B. PLAINTS FOR COMPENSATION FOR BREACH OF CONTRACT.

No. 56.

FOR BREACH OF AGREEMENT TO CONVEY LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* that on, &c., the defendant agreed with the plaintiff that, in consideration of a deposit of rupees then paid, and of the further sum of ten thousand rupees payable as hereafter mentioned, he would, on the day of 18 , at , execute to the plaintiff a sufficient conveyance of [the house No. street, in the city of free from all incumbrances; and the plaintiff agreed to pay ten thousand rupees for the same on delivery thereof]

2. That on the day of 18 , the plaintiff demanded the conveyance of the said property from the defendant and tendered rupees to the defendant [*or, that all conditions were fulfilled, and all things happened and all times elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part.*]

3. That on the day of 18 , the plaintiff again demanded such conveyance [*or*, that the defendant refused to execute the same].

4. That the defendant has not executed any conveyance of the said property to the plaintiff [*or* that there is a mortgage upon the said property, made by to , for rupees, registered in the office of , on the day of 18 , and still unsatisfied, *or any other defect of title*].

5. That the plaintiff has thereby lost the use of the money paid by him as such deposit as aforesaid and of other moneys provided by him for the completion of the said purchase, and has lost the expenses incurred by him in investigating the title of the defendant and in preparing to perform the agreement on his part, and has incurred expense in endeavouring to procure the performance thereof by the defendant.

The plaintiff prays judgment for rupees compensation.

No. 57.

FOR BREACH OF AGREEMENT TO PURCHASE LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* that on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff, forty bighás of land in the village of , for rupees].

2. That on the day of 18 , at , the plaintiff being then the absolute owner of the said property [and the same being free from all incumbrances, as was made to appear to the defendant], tendered to the defendant a sufficient instrument of conveyance of the same [*or*, was ready and willing, and offered to convey the same to the defendant by a sufficient instrument,] on the payment by the defendant of the said sum.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 72.

FOR TRESPASS IN ENTERING A DWELLING-HOUSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant entered a dwelling-house of the plaintiff called , and made a noise and disturbance therein for a long time, and broke open the doors of the said dwelling-house, and removed, took and carried away the fixtures and goods of the plaintiff therein, and disposed of the same to the defendant's own use, and expelled the plaintiff and his family from the possession of the said dwelling-house, and kept them so expelled for a long time.

2. That the plaintiff was thereby prevented from carrying on his business, and incurred, expense in procuring another dwelling-house for himself and family.

[*Demand of judgment.*]

No. 73.

FOR TRESPASS ON MOVEABLES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant broke open ten barrels of rum belonging to the plaintiff, and emptied their contents into the street [*or* seized and took the plaintiff's goods, that is to say, iron, rice and household furniture, *or as the case may be*], and carried away the same and disposed of them to his own use:

[*or*, seized and took the plaintiff's cows and bullocks, and impounded them and kept them impounded for a long time.]

2. That the plaintiff was thereby deprived of the use of the cows and bullocks during that time, and incurred expense in feeding them and in getting them restored to him; and was also prevented from selling them at fair, as he otherwise would have done, and the said cows and bullocks are diminished in value to the plaintiff [*otherwise state the injury according to the facts*].

[*Demand of judgment.*]

No. 74.

FOR THE CONVERSION OF MOVEABLE PROPERTY

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff was in possession of certain goods described in the schedule hereto annexed [*or* of one thousand barrels of flour].

2. That on that day, at , the defendant converted the same to his own use, and wrongfully deprived the plaintiff of the use and possession of the same.

[*Demand of judgment.*]

The Schedule.

No. 75.

AGAINST A WAREHOUSEMAN FOR REFUSAL TO DELIVER GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, in consideration of the payment to him of rupees [*or*, rupees per barrel, per month, &c.], agreed to keep in his godown [one hundred barrels of flour], and to deliver the same to the plaintiff, on payment of the said sum.

2. That thereupon the plaintiff deposited with the defendant the said [hundred barrels of flour],

3. That on the day of 18 , the plaintiff requested the defendant to deliver the said goods, and tendered him rupees [*or*, the full amount of storage due thereon], but the defendant refused to deliver the same.

4. That the plaintiff was thereby prevented from selling the said goods to *E. F.*, and the same are lost to the plaintiff.

[*Demand of judgment.*]

No. 76.

FOR PROCURING PROPERTY BY FRAUD.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant, for the purpose of inducing the plaintiff to sell him certain goods, represented to the plaintiff that [he, the defendant, was solvent, and worth rupees over all his liabilities].

2. That the plaintiff was thereby induced to sell [and deliver] to the defendant [dry goods] of the value of rupees.

3. That the said representations were false [*or, state the particular falsehoods*], and were then known by the defendant to be so.

4. That the defendant has not paid for the said goods. [*Or, if the goods were not delivered*] That the plaintiff, in preparing and shipping the said goods and procuring their restoration, expended rupees.

[*Demand of judgment.*]

No. 77.

FOR FRAUDULENTLY PROCURING CREDIT TO BE GIVEN TO ANOTHER PERSON.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant represented to the plaintiff, that one *E. F.* was solvent and in good credit, and worth rupees over all his liabilities [*or*, that *E. F.* then held a responsible situation and was in good circumstances, and might safely be trusted with goods on credit].

2. That the plaintiff was thereby induced to sell to the said *E. F.* [rice] of the value of rupees [on month's credit].

3. That the said representations were false and were then known by the defendant to be so, and were made by him with intent to deceive and defraud the plaintiff [*or*, to deceive and injure the plaintiff].

4. That the said *E. F.* [did not pay for the said goods at the expiration of the credit aforesaid, *or*,] has not paid for the said rice, and the plaintiff has wholly lost the same by reason of the premises.

[*Demand of judgment.*]

No. 78.

FOR POLLUTING THE WATER UNDER THE PLAINTIFF'S LAND.

Title.)

A. B., the above-named plaintiff, states as follows :—

1. That he is, and at all the times hereinafter mentioned was, possessed of certain land called and situate in , and of a well therein, and of water in the said well, and was entitled to the use and benefit of the said well and of the said water therein, and to have certain springs and streams of water which flowed and ran into the said well to supply the same so flow or run without being fouled or polluted.

2. That on the day of 18 , the defendant wrongfully fouled and polluted the said well and the said water therein and the said springs and streams of water which flowed into the said well.

3. That by reason of the premises the said water in the said well became impure and unfit for domestic and other necessary purposes, and the plaintiff and his family are deprived of the use and benefit of the said well and water.

[*Demand of judgment.*]

No. 79.

FOR CARRYING ON A NOXIOUS MANUFACTURE.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That the plaintiff is, and at all the times hereinafter mentioned was, possessed of certain lands called situate in

2. That ever since the day of 18 , the defendant has wrongfully caused to issue from certain smelting works carried on by the defendant large quantities of offensive and unwholesome smoke and other vapours and noxious matter, which spread themselves over and upon the said lands, and corrupted the air, and settled on the surface of the said lands.

3. That thereby the trees, hedges, herbage and crops of the plaintiff growing on the said lands were damaged and deteriorated in value, and the cattle and live stock of the plaintiff on the said lands became unhealthy, and divers of them were poisoned and died.

4. That by reason of the premises the plaintiff was unable to depasture the said lands with cattle and sheep, as he otherwise might have done, and was obliged to remove his cattle, sheep and farming stock therefrom, and has been prevented from having so beneficial and healthy a use and occupation of the said lands as he otherwise would have had.

[*Demand of judgment.*]

No. 80.

FOR OBSTRUCTING A WAY.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That plaintiff is, and at the time hereafter mentioned was, possessed of [a house in the town of].

2. That he was accustomed to pass [with vehicles, *or*, on foot] along a certain way leading from his said house to [the highway].

3. That on the day , 18 , the defendant obstructed the said way, so that the plaintiff could not pass [with vehicles, *or*, on foot, *or*, in any manner] along the said way [and has ever since obstructed the same].

4. [*State special damage, if any.*]

[*Demand of judgment.*]

Another Form.

1. That the defendant wrongfully dug a trench and heaped up earth and stones in the public highway leading from to so as to obstruct it.

2. That thereby the plaintiff, while lawfully passing along the said highway, fell over the said earth and stones [*or*, into the said trench] and broke his arm, and suffered great pain, and was prevented from attending to his business for a long time, and incurred expense for medical attendance.

Demand of judgment.]

No. 81.

FOR DIVERTING A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That the plaintiff is, and at the time hereinafter mentioned was, possessed of a mill situated on a [stream], known as the , in the village of district of

2. That by reason of such possession the plaintiff was entitled to the flow of the said stream for working the said mill.

3. That on the day of 18 , the defendant, by cutting the bank of the said stream, diverted the water thereof so that less water ran into the plaintiff's mill.

4. That by reason thereof, the plaintiff has been unable to grind more than sacks per day, whereas, before the said diversion of water, he was able to grind sacks per day.

[*Demand of judgment.*]

No. 82.

FOR OBSTRUCTING A RIGHT TO USE WATER FOR IRRIGATION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and was at the time hereinafter mentioned, possessed of certain lands situate, *&c.*, and entitled to take and use a portion of the water of a certain stream for irrigating the said lands.

2. That on the day of the defendant prevented the plaintiff from taking and using the said portion of the said water as aforesaid, by obstructing and diverting the said stream.

[*Demand of judgment.*]

No. 83.

FOR WASTE BY A LESSEE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant hired from him the [house No. street] for the term of

2. That the defendant occupied the same under such hiring.

3. That during the period of such occupation, the defendant greatly injured the premises [defaced the walls, tore up the floors, and broke down the doors; *or otherwise specify the injuries as far as possible*].

The plaintiff prays judgment for rupees compensation.

No. 84.

FOR ASSAULT AND BATTERY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

That on the day of 18 , at , the defendant assaulted and beat him.

The plaintiff prays judgment for rupees compensation.

No. 85.

FOR ASSAULT AND BATTERY, WITH SPECIAL DAMAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted and beat the plaintiff, until he became insensible.

2. That the plaintiff was thereby disabled from attending to his business for [six weeks thereafter], and was compelled to pay rupees for medical attendance, and has been ever since disabled [from using his right arm]. [*Or otherwise state the damage, as the case may be.*]

[*Demand of judgment.*]

No. 86.

FOR ASSAULT AND FALSE IMPRISONMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted the plaintiff and imprisoned him for days [*or* hours]; [*state special damage, if any, thus*:—]

2. That by reason thereof the plaintiff suffered great pain of body and mind and was exposed and injured in his credit and circumstances, and was prevented from carrying on his business and from providing for his family by his personal care and attention, and incurred expense in obtaining his liberation from the said imprisonment, [*or otherwise as the case may be*].

[*Demand of judgment.*]

No. 87.

FOR INJURIES CAUSED BY NEGLIGENCE ON A RAILROAD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendants were common carriers of passengers by railway between and

2. That on that day the plaintiff was a passenger in one of the carriages of the defendants on the said road.

3. That while he was such passenger, at [*or*, near the station of ; *or*, between the stations of and], a collision occurred on the said railway, caused by the negligence and unskilfulness of the defendants' servants, whereby the plaintiff was much injured [having his leg broken, his head cut, *&c.*, *and state the special damage, if any, as*], and incurred expense for medical attendance, and is permanently disabled from carrying on his former business as a salesman.

[*Demand of judgment.*]

[*Or thus*:—2. That on that day the defendants by their servants so negligently and unskilfully drove and managed an engine and a train of carriages attached thereto upon and along the defendants' railway which the plaintiff was then lawfully crossing, that the said engine and train were driven and struck against the plaintiff, whereby, *&c., as in* § 3.]

No. 88.

FOR INJURIES CAUSED BY NEGLIGENT DRIVING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. The plaintiff is a shoe-maker, carrying on business at
The defendant is a merchant of

2. On the [23rd May 1875], the plaintiff was walking eastward along Chowringhee, in the city of Calcutta, at about three o'clock in the afternoon. He was obliged to cross Harington street, which is a street running into Chowringhee at right angles. While he was crossing this street, and just before he could reach the foot-pavement on the further side thereof, a carriage of the defendant's drawn by two horses, under the charge and control of the defendant's servants, was negligently, suddenly, and without any warning, turned at a rapid and dangerous pace out of Harington Street into Chowringhee. The pole of the carriage struck the plaintiff, and knocked him down, and he was much trampled by the horses.

3. By the blow and fall and trampling the plaintiff's left arm was broken, and he was bruised and injured on the side and back, as well as internally, and in consequence thereof the plaintiff was for four months ill and in suffering, and unable to attend to his business, and incurred heavy medical and other expenses, and sustained great loss of business and profits.

The plaintiff claims rupees damages.

(*Title.*)

Written Statement of Defendant.

1. The defendant denies that the carriage mentioned in the plaint was the defendant's carriage, or that it was under the charge or control of the defendant's servants. The carriage belonged to [Messrs. *E. F.* and *G. H.*] of Street, Calcutta, livery stable-keepers, employed by the defendant to supply him with carriages and horses; and the person under whose charge and control the said carriage was, was the servant of the said Messrs. *E. F.* and *G. H.*

2. The defendant does not admit that the said carriage was turned out of Harington Street either negligently, suddenly, or without warning, or at a rapid or dangerous pace.

3. The defendant says, that the plaintiff might and could, by the exercise of reasonable care and diligence, have seen the said carriage approaching him, and avoided any collision with it.

4. The defendant does not admit the statements of the third paragraph of the plaint.

No. 89.

FOR LIBEL; THE WORDS BEING LIBELLOUS IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant published in a newspaper, called the [*or*, in a letter addressed to *E. F.*], the following words, concerning the plaintiff:—

[*Set forth the words used.*]

2. That the said publication was false and malicious.

[*Demand of judgment.*]

NOTE.—If the libel was in a language not the language of the Court, set out the libel *verbatim* in the foreign language in which it was published, and then proceed thus:—"Which said words, being translated into the language, have the meaning and effect following, and were so understood by the persons to whom they were so published, that is to say, [*here set out a literal translation of the libel in the language of the Court.*]

No. 90.

FOR LIBEL; THE WORDS NOT BEING LIBELLOUS IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff [is, and] was, on and before the day of 18 , a merchant, doing business in the city of

2. That on the day of 18 , at , the defendant published in a newspaper, called the [*or*, in a letter addressed to *E. F.*, *or otherwise show how published*], the following words concerning the plaintiff:—

["*A. B.*, of this city, has modestly retired to foreign lands. It is said that creditors to the amount of rupees are anxiously seeking his address."]

3. That the defendant meant thereby that [the plaintiff had absconded to avoid his creditors, and with intent to defraud them].

4. That the said publication was false and malicious.

[*Demand of judgment.*]

No. 91.

FOR SLANDER; THE WORDS BEING ACTIONABLE IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant falsely and maliciously spoke, in the hearing of *E. F.* [*or*, sundry persons], the following words, concerning the plaintiff: "He is a thief"].

2. That, in consequence of the said words, the plaintiff lost his situation as in the employ of .

[*Demand of judgment.*]

No. 92.

FOR SLANDER; THE WORDS NOT BEING ACTIONABLE IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant falsely and maliciously said to one *E. F.*, concerning the plaintiff: ["He is a young man of remarkably easy conscience"].

2. That the plaintiff was then seeking employment as a clerk, and the defendant meant, by the said words, that the plaintiff was not trustworthy as a clerk.

3. That, in consequence of the said words, [the said *E. F.* refused to employ the plaintiff as a clerk].

[*Demand of judgment.*]

No. 93.

FOR MALICIOUS PROSECUTION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at the defendant obtained a warrant of arrest from [a police magistrate of the said city, *or, as the case may be,*] on a charge of , and the plaintiff was arrested thereon, and imprisoned for [days, *or*, hours, and gave bail in the sum of rupees to obtain his release].

2. That in so doing, the defendant acted maliciously and without reasonable or probable cause.

3. That on the day of 18 , the said magistrate dismissed the complaint of the defendant, and acquitted the plaintiff.

4. That many persons, whose names are unknown to the plaintiff, hearing of the said arrest, and supposing the plaintiff to be a criminal, have ceased to do business with him; *or*, that, in consequence of the said arrest, the plaintiff lost his situation as clerk to one *E. F.*, *or*, that by reason of the premises the plaintiff suffered pain of body and mind, and was prevented from transacting his business, and was injured in his credit, and incurred expense in obtaining his release from the said imprisonment and in defending himself against the said complaint.

[*Demand of judgment.*]

D. PLAINTS IN SUITS FOR SPECIFIC PROPERTY.

No. 94.

BY THE ABSOLUTE OWNER FOR THE POSSESSION OF IMMOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That he is the absolute owner of [the estate, *or*, the share of the estate, called situate in the District of , the Government revenue of which is rupees and the estimated value rupees *or*, of the house No. , street in the town of Calcutta the estimated value of which is rupees].

2. That the defendant withholds the possession thereof from the plaintiff.

The plaintiff prays judgment:

(1). For the possession of the said premises;

(2). For rupees compensation for withholding the same.

Another Form.

A. B., the above-named plaintiff, states as follows:—

1. On the day of , the plaintiff, by deed, let to the defendant a house and premises No. 52 Russell Street, in the for a term of five years from the day of , at the monthly rent of rupees 300.

2. By the said deed the defendant covenanted to keep the said house and premises in good and tenantable repair.

3. The said deed also contained a clause of re-entry, entitling the plaintiff to re-enter upon the said house and premises, in case the rent thereby reserved, whether demanded or not, should be in arrear for twenty-one days, or in case the defendant should make default in the performance of any covenant upon his part to be performed.

4. On the day of 187 a month's rent became due, and on the day of 187 another month's rent became due; on the day of 187 both had been in arrear for twenty-one days, and both are still due.

5. On the same day of 187 the house and premises were not and are not now in good or tenantable repair, and it would require the expenditure of a large sum of money to re-instate the same in good and tenantable repair, and the plaintiff's reversion is much depreciated in value. The plaintiff claims:

(1). Possession of the said house and premises;
(2). Rupees for arrears of rent;
(3). Rupees damages for the defendant's breach of his covenant to repair;
(4). Rupees for the occupation of the house and premises from the day of 187 to the day of recovering possession.

No. 95.

BY THE TENANT.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That one *E. F.* is the absolute owner of [a piece of land in the town of Calcutta, , bounded as follows:], the estimated value of which is rupees

2. That on the day of 18 , the said *E. F.* let the said premises to the plaintiff for years, from

3. That the defendant withholds the possession thereof from the plaintiff.

[*Demand of judgment.*]

No. 96.

FOR MOVEABLE PROPERTY WRONGFULLY TAKEN.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff owned [*or*, was possessed of] one hundred barrels of flour, the estimated value of which is rupees

2. That on that day, at , the defendant took the same.

The plaintiff prays judgment:

(1.) For the possession of the said goods, or for rupees in case such possession cannot be had;
(2.) For rupees compensation for the detention thereof.

No. 97.

FOR MOVEABLES WRONGFULLY DETAINED.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff owned [*or, state facts showing a right to the possession*] the goods mentioned in the schedule hereto annexed [*or describe the goods*], the estimated value of which is rupees

2. That from that day until the commencement of this suit, the defendant has detained the same from the plaintiff.

3. That before the commencement of this suit, to wit, on the day of 18 , the plaintiff demanded the same from the defendant, but he refused to deliver them.

The plaintiff prays judgment:

(1). For the possession of the said goods, or for rupees, in case such possession cannot be had;
(2.) For rupees compensation for the detention thereof.

The schedule.

No. 98.

AGAINST A FRAUDULENT PURCHASER AND HIS TRANSFEREE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant [*C. D.*], for the purpose of inducing the plaintiff to sell him certain goods, represented to the plaintiff that [he was solvent, and worth rupees over all his liabilities].

2. That the plaintiff was thereby induced to sell and deliver to the said *C. D.* [one hundred boxes of tea], the estimated value of which is rupees.

3. That the said representations were false, and were then known by the said *C. D.* to be so. [*Or*, That at the time of making the said representations, the said *C. D.* was insolvent, and knew himself to be so.]

4. That the said *C. D.* afterwards transferred the said goods to the defendant, *E. F.*

The plaintiff prays judgment:

(1). For the possession of the said goods, or for rupees, in case such possession cannot be had;
(2). For rupees compensation for the detention thereof.

E. PLAINTS IN SUITS FOR SPECIAL RELIEF.

No. 99.

FOR RESCISSION OF A CONTRACT ON THE GROUND OF MISTAKE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant represented to the plaintiff that a certain piece of ground belonging to the defendant, situated at , contained [ten bighás].

2. That the plaintiff was thereby induced to purchase the same at the price of rupees in the belief that the said representation was true, and signed an agreement, of which a copy is hereto annexed. But no conveyance of the same has been executed to him.

3. That on the day of 18 , the plaintiff paid the defendant rupees as part of such purchase-money.

4. That the said piece of ground contained in fact only [five bighás].

The plaintiff prays judgment:

(1). For rupees, with interest from the day of 18 ;
(2). That the said agreement of purchase be delivered up and cancelled.

No. 100.

FOR AN INJUNCTION RESTRAINING WASTE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is the absolute owner of [*describe the property*].

2. That the defendant is in possession of the same under a lease from the plaintiff.

3. That the defendant has [cut down a number of valuable trees, and threatens to cut down many more for the purpose of sale] without the consent of the plaintiff

The plaintiff prays judgment, that the defendant be restrained by injunction from committing or permitting any further waste on the said premises.

[*Pecuniary compensation might also be prayed.*]

No. 101.

FOR ABATEMENT OF A NUISANCE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all the times hereinafter mentioned was, the absolute owner of [the house No. , street, Calcutta].

2. That the defendant is, and at all the said times was, the absolute owner of [a plot of ground in the same street].

3. That on the day of 18 , the defendant erected upon his said lot a slaughter-house, and still maintains the same; and from that day until the present time has continually caused cattle to be brought and killed there [and has caused the blood and offal to be thrown into the street opposite the said house of the plaintiff].

4. That [the plaintiff has been compelled, by reason of the premises, to abandon the said house, and has been unable to rent the same].

The plaintiff prays judgment, that the said nuisance be abated.

No. 102.

FOR AN INJUNCTION AGAINST THE DIVERSION OF A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

[*As in No.* 81.]

The plaintiff prays judgment, that the defendant be restrained by injunction from diverting the water as aforesaid.

No. 103.

FOR RESTORATION OF MOVEABLE PROPERTY, THREATENED WITH DESTRUCTION, AND FOR AN INJUNCTION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all times hereinafter mentioned was, the owner of [a portrait of his grandfather, which was executed by an eminent painter], and of which no duplicate exists [*or state any facts showing that the property is of a kind that cannot be replaced by money*].

2. That on the day of 18 , he deposited the same for safe-keeping with the defendant.

3. That on the day of 18 , he demanded the same from the defendant, and offered to pay all reasonable charges for the storage of the same.

4. That the defendant refuses to deliver the same to the plaintiff, and threatens to conceal, dispose of, cut or injure the same if required to deliver it up.

5. That no pecuniary compensation would be an adequate compensation to the plaintiff for the loss of the said [painting].

The plaintiff prays judgment:

(1). That the defendant be restrained by injunction from disposing of, injuring, or concealing the said [painting];

(2). That he return the same to the plaintiff.

[NOTE.—See *Wood* v. *Rowcliffe*, 3 Hare 309. And see 2 Giff. 64.]

No. 104.

INTERPLEADER

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That before the date of the claims hereinafter mentioned, one *G. H.* deposited with the plaintiff [*describe the property*] for [safe keeping].

2. That the defendant, *C. D.*, claims the same [under an alleged assignment thereof to him from the said *G. H.*]

3. That the defendant, *E. F.*, also claims the same [under an order of the said *G. H.* transferring the same to him].

4. That the plaintiff is ignorant of the respective rights of the defendants.

5. That he has no claim upon the said property, and is ready and willing to deliver it to such persons as the Court shall direct.

6. That this suit is not brought by collusion with either of the defendants.

The plaintiff prays judgment:

(1). That the defendants be restrained, by injunction, from taking any proceedings against the plaintiff in relation thereto;

(2). That they be required to interplead together concerning their claims to the said property;

[(3). That some person be authorized to receive the said property pending such litigation];

(4). That upon delivering the same to such [person], the plaintiff be discharged from all liability to either of the defendants in relation thereto.

No. 105.

ADMINISTRATION BY CREDITOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. *E. F.*, late of , was at the time of his death, and his estate still is, indebted to the plaintiff in the sum of [*here insert nature of debt and security, if any*].

2. The said *E. F.* made his Will, dated the day of and thereof appointed *C. D.* executor [*or*, devised his estate in trust, &c., *or*, died intestate, *as the case may be*].

3. The said Will was proved by the said *C. D.* [*or*, letters of administration were granted, *&c.*].

4. The defendant has possessed himself of the moveable [and immoveable, *or*, the proceeds of the immoveable,] property of the said *E. F.*, and has not paid the plaintiff his said debt.

5. The said *E. F.* died on or about the day of

6. The plaintiff prays that an account may be taken of the moveable [and immoveable] property of the said *E. F.*, deceased, and that the same may be administered under the decree of the Court.

No. 106.

ADMINISTRATION BY SPECIFIC LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—]

[*Omit paragraph* 1 *and commence paragraph* 2] *E. F.*, late of , duly made his last Will, dated the day of and thereof appointed *C. D.* executor and by such Will bequeathed to the plaintiff [*here state the specific legacy*].

For paragraph 4, *substitute*—

The defendant is in possession of the moveable property of the said *E. F.*, and, amongst other things, of the said [*here name the subject of the specific bequest*].

For the commencement of paragraph 6 *substitute*—

The plaintiff prays that the defendant may be ordered to deliver to him the said [*here name the subject of the specific bequest*] or that, &c.

No. 107.

ADMINISTRATION BY PECUNIARY LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—].

[*Omit paragraph* 1 *and substitute for paragraph* 2] *E. F.*, late of , duly made his last Will dated the day of , and thereof appointed *C. D.* executor and by such Will bequeathed to the plaintiff a legacy of rupees

In paragraph 4, *substitute* "legacy" *for* "debt."

Another Form.

Between *E. F.* ... ... *Plaintiff*

and

G. H. ... ... *Defendant*

A. B., the above-named plaintiff, states as follows:—

1. *A. B.* of *K* in the duly made his last Will, dated the [first day of March 1873], whereby he appointed the defendant and *M. N.* [who died in the testator's life-time] executors thereof, and bequeathed his property, whether moveable or immoveable, to his executors in trust, to pay the rents and income thereof to the plaintiff for his life; and after his decease, and in default of his having a son who should attain twenty-one, or a daughter who should attain that age or marry, upon trust as to his immoveable property for the person who would be the testator's heir-at-law, and as to his moveable property for the persons who would be the testator's next-of-kin if he had died intestate at the time of the death of the plaintiff, and such failure of his issue as aforesaid.

2. The testator died on the [first day of July 1873], and his Will was proved by the defendant on the [fourth of October 1873]. The plaintiff has not been married.

3. The testator was at his death entitled to moveable and immoveable property; the defendant entered into the receipt of the rents of the immoveable property and got in the moveable property; he has sold some part of the immoveable property.

The plainitff claims—

(1). To have the moveable and immoveable property of *A. B.* administered in this Court, and for that purpose to have all proper directions given and accounts taken.

(2). Such further or other relief as the nature of the case may require.

Between *E. F.* ... ... *Plaintiff*,

and

G. H. ... ... *Defendant.*

Written Statement of Defendant.

1. *A. B's* Will contained a charge of debts; he died insolvent; he was entitled at his death to some immoveable property which the defendant sold, and which produced the nett sum of rupees and the testator had some moveable property which the defendant got in, and which produced the nett sum of rupees .

2. The defendant applied the whole of the said sums and the sum of rupees which the defendant received from rents of the immoveable property in the payment of the funeral and testamentary expenses and some of the debts of the testator.

3. The defendant made up his accounts and sent a copy thereof to the plaintiff on the [tenth of January 1875], and offered the plaintiff free access to the vouchers to verify such accounts, but he declined to avail himself of the defendant's offer.

4. The defendant submits that the plaintiff ought to pay the costs of this suit.

No. 108.

EXECUTION OF TRUSTS.

IN THE COURT OF AT

Civil Regular No.

A. B. of ... *Plaintiff,*

against

C. D. of the beneficiary [*or*, one of the beneficiaries], ... *Defendant.*

A. B., the above-named plaintiff, states as follows:—

1. That he is one of the trustees under an instrument of settlement bearing date on or about the day of made upon the marriage of the said *E. F.* and *G. H.* the father and mother of the defendant [*or*, an instrument of assignment of the estate and effects of *E. F.* for the benefit of *C. D.*, the defendant, and other the creditors of *E. F.*].

2. The said *A. B.* has taken upon himself the burden of the said trust, and is in possession of [*or*, of the proceeds of] the moveable and immoveable property conveyed [*or* assigned] by the before-mentioned deed.

3. The said *C. D.* claims to be entitled to a beneficial interest under the before-mentioned deed.

4. The plaintiff is desirous to account for all the rents and profits of the said immoveable property [and the proceeds of the sale of the said, *or* of part of the said, immoveable property, *or* moveable, *or* the proceeds of the sale of, *or* of part of, the said moveable, property, *or* the profits accruing to the plaintiff as such trustee in the execution of the said trust]; and he prays that the Court will take the accounts of the said trust, and also that the whole of the said trust estate may be administered in the Court for the benefit of the said *C. D.*, the defendant, and all other persons who may be interested in such administration, in the presence of the said *C. D.* and such other persons so interested as the Court may direct, or that the said *C. D.* may shew good cause to the contrary.

[*N. B.—Where the suit is by a beneficiary, the plaint may be modelled,* mutatis mutandis, *on the plaint by a legatee.*]

No. 109.

FORECLOSURE OR SALE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an instrument of mortgage bearing date on or about the day of 18 , a house with the garden and appurtenances, situated within the jurisdiction of this Court, were conveyed [*or* assigned] by the defendant to him the plaintiff, his heirs [*or* executors, administrators,] and assigns, for securing the principal sum of Rs. together with interest thereon after the rate of Rs. per centum per annum, subject to redemption upon payment by the said defendant of the said principal and interest at a day long since past.

2. There is now due from the defendant to the plaintiff the sum of Rs. for principal and interest on the said mortgage.

3. The plaintiff prays (*a*) that the Court will order the defendant to pay him the said sum of Rs. , with such further interest as may accrue between the filing of the plaint and the day of payment, and also the costs of this suit, on some day to be named by the Court, and in default that the equity of redemption of the said mortgaged premises may be foreclosed and the plaintiff placed in possession of the same premises; or (*b*) that the said premises may be sold, and the proceeds applied in and towards the payment of the amount of the said principal, interest and costs; and (*c*) that if such proceeds shall not be sufficient for the payment in full of such amount, the defendant do pay to the plaintiff the amount of the deficiency with interest thereon at the rate of six per cent. per annum until realization; and (*d*) that for that purpose all proper directions may be given and accounts taken by the Court

No. 110.

REDEMPTION.

(*Title.*)

[*Alter Form* 109 *thus*:—]

Transpose parties and also the facts in paragraph 1.

For paragraph 2, *substitute*—

2. There is now due from the plaintiff to the defendant, for principal and interest on the said mortgage, the sum of Rs. which the plaintiff is ready and willing to pay to the defendant, of which the defendant, before filing this plaint, had notice.

For paragraph 3, *substitute*—

The plaintiff prays that he may redeem the said premises and that the defendant may be ordered to re-convey [*or* re-assign] the same to him upon payment of the said sum of Rs. and interest, with such costs (if any), as the Court may order upon a day to be named by the Court, and that the Court will give all proper directions for the preparation and execution of such re-conveyance [*or* assignment], and doing such other acts as may be necessary to put him into possession of the said premises, freed from the said mortgage.

No. 111.

SPECIFIC PERFORMANCE. (No. 1).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an agreement dated the day of and signed by the above-named defendant, *C. D.*, he the said *C. D.* contracted to buy of [*or* sell to] him certain immoveable property, therein described and referred to, for the sum of Rs.

2. He has applied to the said *C. D.* specifically to perform the said agreement on his part, but he has not done so.

3. The said *A. B.* has been and still is ready and willing specifically to perform the agreement on his part, of which the said *C. D.* has had notice.

4. The plaintiff prays that the Court will order the said *A. B.* specifically to perform the said agreement, and to do all acts necessary to put the said *A. B.* in full possession of the said property [*or* to accept a conveyance and possession of the said property] and to pay the costs of the suit.

[*N. B.—In suit for delivery up, to be cancelled, of any agreement, omit paragraphs* 2 *and* 3, *and substitute a paragraph stating generally the grounds for requiring the agreement to be delivered up to be cancelled, such as that the plaintiff signed it by mistake, under distress, or by the fraud of the defendant, and alter the prayer according* to the *relief sought.*]

No. 112.

SPECIFIC PERFORMANCE. (No. 2).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant was absolutely entitled to certain immoveable property described in the agreement hereto annexed.

2. That on the same day, the plaintiff and defendant entered into an agreement, under their hands, a copy of which is hereto annexed.

3. That on the day of 18 , the plaintiff tendered rupees to the defendant, and demanded a conveyance of the said property.

4. That on the day of 18 , the plaintiff again demanded such conveyance. [*Or*, that the defendant refused to convey the same to the plaintiff.]

5. That the defendant has not executed such conveyance.

6. That the plaintiff is still ready and willing to pay the purchase-money of the said property to the defendant.

The plaintiff prays judgment:

(1). That the defendant execute to the plaintiff a sufficient conveyance of the said property [*following the terms of the agreement*];

(2). For rupees compensation for withholding the same.

No. 113.

PARTNERSHIP.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. He and the said *C. D.*, the defendant, have been for the space of years [*or* months] last past carrying on business together at within the jurisdiction of this Court, under certain articles of partnership in writing, signed by them respectively, [*or*, under a certain deed sealed and executed by them respectively, *or*, under a verbal agreement between them, the said plaintiff and defendant].

2. Divers disputes and differences have arisen between the plaintiff and defendant as such partners, whereby it has become impossible to carry on the said business in partnership with advantage to the partners.

3. The plaintiff desires to have the said partnership dissolved, and he is ready and willing to bear his share of the debts and obligations of the partnership according to the terms of the said articles [*or* deed, *or* agreement].

4. The plaintiff prays the Court to decree a dissolution of the said partnership, and that the accounts of the said partnership trading may be taken by the Court, and the assets thereof realized, and that each party may be ordered to pay into Court any balance due from him upon such partnership-account, and that the debts and liabilities of the said partnership may be paid and discharged, and that the costs of the suit may be paid out of the partnership-assets, and that any balance remaining of such assets, after such payment and discharge, and the payment of the said costs, may be divided between the plaintiff and defendant, according to the terms of the said articles [*or* deed, *or* agreement], or that, if the said assets shall prove insufficient, he the plaintiff and the said defendant may be ordered to contribute in such proportions as shall be just to a fund to be raised for the payment and discharge of such debts, liabilities and costs. And to give such other relief as the Court shall think fit.

This plaint was filed by of
Pleader for the plaintiff, *or* by

[*N. B.—In suits for winding-up of any partnership, omit the prayer for dissolution: but instead thereof insert a paragraph stating the fact of the partnership having been dissolved.*]

No. 114.

FORMS OF CONCISE STATEMENTS.

Money lent.	The plaintiff's claim is rs. for money lent [and interest].
Several demands.	The plaintiff's claim is rs., whereof rs. is for the price of goods sold, and rs. for money lent, and rs. for interest.
Rent.	The plaintiff's claim is rs. for arrears of rent.
Salary, &c.	The plaintiff's claim is rs. for arrears of salary as a clerk [*or, as the case may be*].
Interest.	The plaintiff's claim is rs. for interest upon money lent.
General average.	The plaintiff's claim is rs. for a general average contribution.
Freight, &c.	The plaintiff's claim is rs. for freight and demurrage.
Banker's balance.	The plaintiff's claim is rs. for money deposited with the defendant as a banker.
Fees, &c., as solicitors.	The plaintiff's claim is rs. for fees for work done [and money expended] as a pleader.
Commission.	The plaintiff's claim is rs. for commission earned as [*state character, as* auctioneer, cotton-broker, *&c.*].
Medical attendance, &c.	The plaintiff's claim is rs. for medical attendances.
Return of premium.	The plaintiff's claim is rs. for a return of premiums paid upon policies of insurance.
Warehouse rent.	The plaintiff's claim is rs. for the warehousing of goods.
Carriage of goods.	The plaintiff's claim is rs. for the carriage of goods by railway.
Use and occupation of houses.	The plaintiff's claim is rs. for the use and occupation of a house.
Hire of goods.	The plaintiff's claim is rs. for the hire of [furniture].
Work done.	The plaintiff's claim is rs. for work done as a [surveyor].
Board and lodging.	The plaintiff's claim is rs. for board and lodging.
Schooling.	The plaintiff's claim is rs. for the [board, lodging and] tuition of *X. Y.*
Money received.	The plaintiff's claim is rs. for money received by the defendant as pleader [*or* factor, *or* collector, *or*, *&c.*] of the plaintiff.
Fees of office.	The plaintiff's claim is rs. for fees received by the defendant under colour of the office of
Money overpaid.	The plaintiff's claim is rs. for a return of money overcharged for the carriage of goods by railway.
	The plaintiff's claim is rs. for a return of fees overcharged by the defendant as

Return of money by stake-holder.	The plaintiff's claim is rs. for a return of money deposited with the defendant as stake-holder.
Money won from stake-holder.	The plaintiff's claim is rs. for money entrusted to the defendant as stake-holder, and become payable to plaintiff.
Money entrusted to agent.	The plaintiff's claim is rs. for a return of money entrusted to the defendant as agent of the plaintiff.
Money obtained by fraud.	The plaintiff's claim is rs. for a return of money obtained from the plaintiff by fraud.
Money paid by mistake.	The plaintiff's claim is rs. for a return of money paid to the defendant by mistake.
Money paid for consideration which has failed.	The plaintiff's claim is rs. for a return of money paid to the defendant for [work to be done, *or* work left undone; *or*, a bill to be taken up, *or*, a bill not taken up, *or*, *&c.*]
	The plaintiff's claim is rs. for a return of money paid as a deposit upon shares to be allotted.
Money paid by surety for defendant.	The plaintiff's claim is rs. for money paid for the defendant as his surety.
Rent paid.	The plaintiff's claim is rs. for money paid for rent due by the defendant.
Money paid on accommodation-bill.	The plaintiff's claim is rs. upon a bill of exchange accepted [*or* indorsed] for the defendant's accommodation.
Contribution by surety.	The plaintiff's claim is rs. for a contribution in respect of money paid by the plaintiff as surety.
By co-debtor.	The plaintiff's claim is rs. for a contribution in respect of a joint debt of the plaintiff and the defendant, paid by the plaintiff.
Money paid for calls.	The plaintiff's claim is rs. for money paid for calls upon shares, against which the defendant was bound to indemnify the plaintiff.
Money payable under award.	The plaintiff's claim is rs. for money payable under an award.
Life-policy.	The plaintiff's claim is rs. upon a policy of insurance upon the life of *X. Y.*, deceased.
Money-bond.	The plaintiff's claim is rs. upon a bond to secure payment of rs. and interest.
Foreign judgment.	The plaintiff's claim is rs. upon a judgment of the Court in [the Empire of Russia].
Bills of exchange, &c.	The plaintiff's claim is rs. upon a cheque drawn by the defendant.
	The plaintiff's claim is rs. upon a bill of exchange accepted [*or* drawn, *or* indorsed] by the defendant.
	The plaintiff's claim is rs. upon a promissory note made [*or* indorsed] by the defendant.
	The plaintiff's claim is rs. against the defendant, *A. B.*, as acceptor, and against the defendant, *C. D.*, as drawer [*or* indorser] of a bill of exchange.
Surety.	The plaintiff's claim is rs. against the defendant as surety for the price of goods sold.
	The plaintiff's claim is rs. against the defendant, *A. B.*, as principal, and against the defendant, *C. D.*, as surety, for the price of goods sold [*or* for arrears of rent, *or* for money lent, *or* for money received by the defendant, *A. B.*, as traveller for the plaintiff, *or*, *&c.*].
Calls.	The plaintiff's claim is rs. for calls upon shares.

Indorsement for costs, &c.

[*Add to the above Forms*] and rs. for costs; and if the amount claimed be paid to the plaintiff or his pleader within days [*or, if the writ is to be served out of the jurisdiction, or notice in lieu of service is allowed, insert the time for appearance limited by the order*] from the service hereof, further proceedings will be stayed.

Damages and other claims.

Agent, &c.	The plaintiff's claim is for damages for breach of a contract to employ the plaintiff as traveller.
	The plaintiff's claim is for damages for wrongful dismissal from the defendant's employment as traveller [and rs. for arrears of wages].
	The plaintiff's claim is for damages for the defendant's wrongfully quitting the plaintiff's employment as manager.
	The plaintiff's claim is for damages for breach of duty as factor [*or*, *&c.*,] of the plaintiff [and rs. for money received as factor, *or &c.*]
Apprentices.	The plaintiff's claim is for damages for breach of the terms of a deed of apprenticeship of *X. Y.* to the defendant [*or* plaintiff].
Arbitration.	The plaintiff's claim is for damages for non-compliance with the award of *X. Y.*
Assault, &c.	The plaintiff's claim is for damages for assault [and false imprisonment, and for malicious prosecution].
By husband and wife.	The plaintiff's claim is for damages for assault and false imprisonment of the plaintiff, *C. D.*
Against husband and wife.	The plaintiff's claim is for damages for assault by the defendant, *C. D.*

Pleader. The plaintiff's claim is for damages for injury by the defendant's negligence as pleader of the plaintiff.

Bailment. The plaintiff's claim is for damages for negligence in the custody of goods [and for wrongfully detaining the same].

Pledge. The plaintiff's claim is for damages for negligence in the keeping of goods pawned [and for wrongfully detaining the same].

Hire. The plaintiff's claim is for damages for negligence in the custody of furniture [*or*, a carriage] lent on hire, [and for wrongfully, *&c.*].

Banker. The plaintiff's claim is for damages for wrongfully neglecting [*or* refusing] to pay the plaintiff's cheque.

Bill. The plaintiff's claim is for damages for breach of a contract to accept the plaintiff's drafts.

Bond. The plaintiff's claim is upon a bond conditioned not to carry on the trade of a

Carrier. The plaintiff's claim is for damages for refusing to carry the plaintiff's goods by railway.
The plaintiff's claim is for damages for refusing to carry the plaintiff by railway.
The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of coals by railway.
The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of machinery by sea.

Charter-party. The plaintiff's claim is for damages for breach of charter-party of ship [*Mary*].

Claim for return of goods; damages. The plaintiff's claim is for return of household furniture, [*or, &c.,*] or their value, and for damages for detaining the same.

Damages for depriving of goods. The plaintiff's claim is for wrongfully depriving plaintiff of goods, household furniture, &c.

Defamation. The plaintiff's claim is for damages for libel.
The plaintiff's claim is for damages for slander.

Replevin; wrongful distress. The plaintiff's claim is for damages for improperly distraining.

[*This Form shall be sufficient whether the distress complained of be wrongful or excessive, or irregular, and whether the claim be for damages only, or for double value*].

Ejectment. The plaintiff's claim is to recover possession of a house, No. in Street, or of a farm called Blackacre, situate in the of in the of

To establish title and recover rents. The plaintiff's claim is to establish his title to [*here describe property*] and to recover the rents thereof.

[*The two previous Forms may be combined*].

Fishery. The plaintiff's claim is for damages for infringement of the plaintiff's right of fishing.

Fraud. The plaintiff's claim is for damages for fraudulent misrepresentation on the sale of a horse [*or* a business, *or* shares, *or, &c.*].

The plaintiff's claim is for damages for fraudulent misrepresentation of the credit of *A. B.*

Guarantee. The plaintiff's claim is for damages for breach of a contract of guarantee for *A. B.*
The plaintiff's claim is for damages for breach of a contract to indemnify the plaintiff as the defendant's agent to distrain.

Insurance. The plaintiff's claim is for a loss under a policy upon the ship [*Royal Charter*], and freight of cargo [*or* for return of premiums].

[*This Form shall be sufficient whether the loss claimed be total or partial*].

Fire insurance The plaintiff's claim is for a loss under a policy of fire insurance upon house and furniture.

Landlord and tenant. The plaintiff's claim is for damages for breach of a contract to insure a house.
The plaintiff's claim is for damages for breach of a contract to keep a house in repair.
The plaintiff's claim is for damages for breaches of covenants contained in a lease of a farm.

Medical man. The plaintiff's claim is for damages for injury to the plaintiff from the defendant's negligence as a medical man.

Mischievous animal. The plaintiff's claim is for damages for injury by the defendant's dog.

Negligence. The plaintiff's claim is for damages for injury to the plaintiff by the negligent driving of the defendant or his servants.
The plaintiff's claim is for damages for injury to the plaintiff while a passenger on the defendant's railway by the negligence of the defendant's servants.
The plaintiff's claim is for damages for injury to the plaintiff at the defendant's railway-station from the defective condition of the station.

Lord Campbell's Act. The plaintiff's claim is as executor of *A. B.* deceased, for damages for the death of the said *A. B.*, from injuries received while a passenger on the defendant's railway, by the negligence of the defendant's servants.

Promise of marriage. The plaintiff's claim is for damages for breach of promise of marriage.

Sale of goods. The plaintiff's claim is for damages for breach of contract to accept and pay for goods.
The plaintiff's claim is for damages for non-delivery [*or* short delivery, *or* defective quality, *or other breach of contract of sale*] of cotton [*or, &c.*].

Sale of goods. The plaintiff's claim is for damages for breach of warranty of a horse.

Sale of land. The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] land.
The plaintiff's claim is for damages for breach of a contract to let [*or* take] a house.
The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] the lease, with good-will, fixtures, and stock-in-trade of a public-house.
The plaintiff's claim is for damages for breach of covenant for title [*or* for quiet enjoyment, *or, &c.*] in a conveyance of land.

Trespass on land. The plaintiff's claim is for damages for wrongfully entering the plaintiff's land and drawing water from his well [*or* cutting his grass, *or* pulling down his timber, *or* pulling down his fences, *or* removing his gate, *or* using his road or path, *or* crossing his field, *or* depositing sand there, *or* carrying away gravel from thence, *or* carrying away stones from his river].

Support. The plaintiff's claim is for damages for wrongfully taking away the support of plaintiff's land [*or* house, *or* mine].

Way. The plaintiff's claim is for damages for wrongfully obstructing a way [public highway, *or* private, way].

Watercourse, &c. The plaintiff's claim is for damages for wrongfully diverting [*or* obstructing, *or* polluting, *or* diverting water from] a water-course.
The plaintiff's claim is for damages for wrongfully discharging water upon the plaintiff's land [*or* into the plaintiff's mine].
The plaintiff's claim is for damages for wrongfully obstructing the plaintiff's use of a well.

Pasture. The plaintiff's claim is for damages for the infringement of the plaintiff's right of pasture.

[*This Form shall be sufficient whatever the nature of the right to pasture be.*]

Light. The plaintiff's claim is for damages for obstructing the access of light to plaintiff's house.

Sporting. The plaintiff's claim is for damages for the infringement of the plaintiff's right of sporting.

Patent. The plaintiff's claim is for damages for the infringement of the plaintiff's patent.

Copy-right. The plaintiff's claim is for damages for the infringement of the plaintiff's copy-right.

Trade-mark. The plaintiff's claim is for damages for wrongfully using [*or* imitating] the plaintiff's trade-mark.

Work. The plaintiff's claim is for damages for breach of a contract to build a ship [*or* to repair a house, *&c.*].
The plaintiff's claim is for damages for breach of a contract to employ the plaintiff to build a ship, &c.

Nuisance. The plaintiff's claim is for damages to his house, trees, crops, &c., caused by noxious vapours from the defendant's factory [*or, &c.*].
The plaintiff's claim is for damages from nuisance by noise from the defendant's works [*or* stables, *or, &c.*].

Injunction. [*Add to indorsement*]:—and for an injunction.

Mesne profits. [*Add to indorsement where claim is to land, or to establish title, or both*]:—and for mesne profits.

Arrears of rent. and for an account of rents or arrears of rent.

Breach of covenant. and for breach of covenant for [repairs].

1. *Creditor to administer Estate.*

The plaintiff's claim is as a creditor of *X. Y.*, of deceased, to have the moveable and immoveable property of the said *X. Y.* administered. The defendant, *C. D.*, is sued as the administrator of the said *X. Y.*, [and the defendants, *E. F.* and *G. H.*, as his coheirs at law.]

2. *Legatee to administer Estate.*

The plaintiff's claim is as a legatee under the will dated the day of 18 , of *X. Y.*, deceased, to have the moveable and immoveable property of the said *X. Y.* administered. The defendant, *C. D.*, is sued as the executor of the said *X. Y.* [and the defendants, *E. F.* and *G. H.*, as his devisees].

3. *Partnership.*

The plaintiff's claim is to have an account taken of the partnership dealings between the plaintiff and defendant [under articles of partnership dated the day of], and to have the affairs of the partnership wound up.

4. *By mortgagee.*

The plaintiff's claim is to have an account taken of what is due to him for principal, interest and costs on a mortgage dated the day of , made between [*parties*] [*or*, by deposit of title-deeds], and that the mortgage may be enforced by foreclosure or sale.

5. *By mortgagor.*

The plaintiff's claim is to have an account taken of what, if any thing, is due on a mortgage dated and made between [*parties*], and to redeem the property comprised therein.

6. *Raising Portions.*

The plaintiff's claim is that the sum of rs. which by an indenture of settlement, dated , was provided for the portions of the younger children of may be raised.

7. Execution of Trusts.

The plaintiff's claim is to have the trusts of an indenture dated and made between [*parties*] carried into execution.

8. Cancellation, or Rectification.

The plaintiff's claim is to have a deed dated and made between [*parties*] set aside or rectified.

9. Specific Performance.

The plaintiff's claim is for specific performance of an agreement dated the day of for the sale by the plaintiff to the defendant of certain [freehold] hereditaments at

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No. 115.

PROBATE.

1. *By an executor or legatee propounding a will in solemn form.*

The plaintiff claims to be executor of the last will dated the day of of *C. W.* late of deceased, who died on the day of and to have the said will established. This summons is issued against you as one of the next-of-kin of the said deceased [*or, as the case may be*].

2. *By an executor or legatee of a former will, or a next-of-kin, &c., of the deceased seeking to obtain the revocation of a probate granted in common form.*

The plaintiff claims to be executor of the last will dated the day of of *C.D.*, late of deceased, who died on the day of and to have the probate of a pretended will of the said deceased, dated the day of revoked. This summons is issued against you as the executor of the said pretended will [*or, as the case may be*].

3. *By an executor or legatee of a will when letters of administration have been granted as in an intestacy.*

The plaintiff claims to be executor of the last will of *C. D.*, late of deceased, who died on the day of dated the day of

The plaintiff claims that the grant of letters of administration of the estate of the said deceased obtained by you should be revoked, and probate of the said will granted to him.

4. *By a person claiming a grant of administration as a next-of-kin of the deceased, but whose interest as next-of-kin is disputed.*

The plaintiff claims to be the brother and sole next-of-kin of *C.D.* of deceased, who died on the day of intestate, and to have as such a grant of administration to the personal estate of the said intestate. This writ is issued against you because you have entered a caveat, and have alleged that you are the sole next-of-kin of the deceased [*or, as the case may be*].

Indorsements of character of Parties.

The plaintiff's claim is as executor [*or* administrator] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A. B.*, as executor [*or, &c.*] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A.B.*, as executor of *X. Y.* deceased, and against the defendant, *C.D.*, in his personal capacity, for, *&c.*

By husband and wife executrix. The claim of the plaintiff, *C.D.*, is as executrix of *X. Y.*, deceased, and the claim of the plaintiff, *A.B.*, as her husband, for

Trustees. The plaintiff's claim is as [*or*, the plaintiff's claim is against the defendant as] trustee under the will of *A.B.* [*or* under the settlement upon the marriage of *A.B.* and *X. Y.* his wife].

Public officer. The plaintiff's claim is as public officer of the Bank, for

The plaintiff's claim is against the defendant as public officer of the Bank, for

The plaintiff's claim is against the defendant, *A.B.*, as principal, and against the defendant, *C.D.*, as public officer, of the Bank, as surety, for

Heir and devisee. The plaintiff's claim is against the defendant as heir-at-law of *A.B.*, deceased.

The plaintiff's claim is against the defendant, *C.D.*, as heir-at-law, and against the defendant, *E.F.*, as devisee, of lands under the will of *A.B.*

F.—MISCELLANEOUS.

No. 116.

Section 58 of the Code of Civil Procedure.

COURT of the holden at

REGISTER OF CIVIL SUITS in the year 18 .

Date of presentation of plaint.	No. of Suit.	PLAINTIFF.			DEFENDANT.			CLAIM.			APPEARANCE.			JUDGMENT.		APPEAL.		EXECUTION.					RETURN OF EXECUTION.	
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Particulars.	Amount or value.	When the Cause of Action accrued.	Day for parties to appear.	Plaintiff.	Defendant.	Date.	For whom.	For what, and amount.	Date of Appeal.	Judgment in Appeal.	Date of application.	Date of Order.	Against whom.	For what, and amount if money.	Amount of Costs.	Amount paid into Court.	Arrested.	Minute of other Return than payment of Arrest, and date of every Return.

No. 117.

SUMMONS FOR DISPOSAL OF SUIT.

Sections 64 and 68 of the Code of Civil Procedure.

(*Title.*)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any documents on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18 .

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 118.

SUMMONS FOR SETTLEMENT OF ISSUES.

Sections 64 and 68 of the Code of Civil Procedure.

(*Title.*)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the issues will be settled in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of any witness, and the production of any document that you have a right to call on the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 119.

SUMMONS TO APPEAR.

Section 68 of the Code of Civil Procedure.

NO. OF SUIT.

IN THE COURT OF AT

Plaintiff.

Defendant.

To (*Name, description and address.*)

WHEREAS [*here enter the name, description and address of the plaintiff*] has instituted a suit in this Court against you [*here state the particulars of the claim as in the register*]: you are hereby summoned to appear in this Court in person on the day of at in the forenoon [*If not specially required to appear in person, state*—"in person or by a pleader of the Court duly instructed and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions"] to answer the above-named plaintiff. [*If the summons be for the final disposal of the suit, this further direction shall be added here;* "and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day"]: and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you (or send by your agent) [*here mention any document the production of which may be required by the plaintiff*] which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

No. 120.

ORDER FOR TRANSMISSION OF SUMMONS FOR SERVICE IN THE JURISDICTION OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

The day of 18 .

WHEREAS it is stated in the plaint that , the defendant in the above suit is at present residing in , but that the right to sue accrued within the jurisdiction of this Court: it is ordered that a summons returnable on the day of 18 be forwarded for service on the said defendant, to the Court of with a duplicate of this proceeding.

L. S.

Judge.

No. 121.

TO ACCOMPANY RETURN OF SUMMONS OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Miscellaneous No. of 18 .

The day of 18 .

A. B. of

against

C. D. of

Read proceeding from the forwarding for service on in Civil No. of that Court.

Read bailiff's endorsement on the back of the process stating that the and proof of the above having been duly taken by me on the [oath *or*] affirmation of

and it is ordered that the
be returned to the with a copy of this proceeding.

L. S.

Judge.

NOTE.—This form will be applicable to process other than summons, the service of which may have to be effected in the same manner.

No. 122.

DEFENDANT'S STATEMENT.

Section 110 of the Code of Civil Procedure.

(*Title.*)

I, the undersigned defendant [*or* one of the defendants], disclaim all interest under the will of the said *E. F.* in the plaint named [*or*, as heir-at-law of, *or*, as next-of-kin, *or* one of the next-of-kin, of *E. F.*, deceased, in the said plaint named].

Or, I the undersigned defendant state, that I admit [*or* deny] [*here repeat in the language of the plaint the statements admitted or denied*].

Or, I the undersigned defendant submit that, upon the facts stated in the plaint, it does not appear that there is any agreement which can be legally enforced [*or*, that it appears upon the said plaint that I am jointly liable with one *E. F.*, who is not a party to the suit, and not severally liable as by the plaint appears, *or*, that it appears by the said plaint that *G. H.* should have been a joint plaintiff with the said *A. B.* in the said suit, *or, as the case may be*].

Or, that the plaintiff has conveyed [*or* assigned] his interest in the said mortgage [*or* equity of redemption] to one *I. J.* [*or*, that I have conveyed or assigned to *H. L.* by way of further charge for securing the sum of Rs. , the equity of redemption in the property sought by the suit to be foreclosed].

Or, that since the dissolution of the partnership the plaintiff has executed an instrument, whereby the plaintiff covenants to discharge all debts and liabilities of the partnership, and generally to release me from all claims and liabilities either by or to himself and others in respect of the said partnership trading [*or, as the case may be*].

(*Signed*) *C. D.*,
Defendant.

No. 123.

INTERROGATORIES.

Section 121 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18

A. B.
against
C. D., *E. F.* and *G. H.*

Interrogatories on behalf of the above-named *A. B.* [*or C. D.*] for the examination of the above-named [*E. F.* and *G. H.*, *or A. B.*].

1. Did not &c.

2. Has not &c.

The defendant *E. F.* is required to answer the interogatories numbered

The defendant *G. H* is required to answer the interrogatories numbered

No. 124.

FORM OF NOTICE TO PRODUCE DOCUMENTS.

Section 131 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18

A. B.
against
C. D.

Take notice that the plaintiff [*or* defendant] requires you to produce for his inspection the following documents referred to in your plaint [*or* written statement, *or* affidavit], dated the day of 18 .

Describe documents required.

X. Y. Pleader for the plaintiff [*or* the defendant].

To *Z.*

Pleader for the defendant [*or* plaintiff].

No. 125.

SUBPŒNA.

Section 159 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS your attendance is required to
on behalf of the in the above cause, you are hereby required [personally to appear before this Court] on the day of 18 , at the hour of A. M. [and] to bring with you or to send to this Court

A sum of Rs. , being your travelling and other expenses and subsistence-allowance for one day, is herewith sent. If you do not comply with this order, you will be subject to the consequence of non-attendance laid down in the Code of Civil Procedure, section 169.

Notice—(1). If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.

(2). If you are to be detained beyond the day aforesaid, a sum of Rs. will be tendered to you for each day's attendance beyond the day specified.

GIVEN under my hand and the seal of the Court, this day of 18 ..

L. S.

Judge.

No. 126.

SUMMONS TO ATTEND AND GIVE EVIDENCE.

Section 163 of the Code of Civil Procedure.

NO. OF SUIT.

IN THE COURT OF AT

Plaintiff.
Defendant.

To (*Name, description and address.*)

You are hereby summoned to appear in this Court in person on the day of at in the forenoon, to give evidence on behalf of the plaintiff [*or* the defendant] in the above-mentioned suit, and to produce [*here describe with convenient certainty any document the production of which may be required. If the summons be only to give evidence, or if it be only to produce a document, it must be expressed accordingly*] and you are not to depart thence without the leave of the Court.

FORMS OF DECREES.

No. 127.

SIMPLE MONEY-DECREE.

(*Title.*)

Claim for

THIS cause coming on for final disposal before in the presence of , on the part of the plaintiff, and on the part of the defendant, it is ordered that the do pay to the the sum of Rs. , with interest thereon at the rate of per cent. per from to the date of realization of the said sum, and do also pay to the the costs of this suit as taxed by the officer of the Court, with interest thereon at the rate aforesaid from the date of taxation to the date of realization.

Costs of suit.

PLAINTIFF.	Rs.	A.	P.	DEFENDANT.	Rs.	A.	P.
1. Stamp for plaint ...				Stamp for power ...			
2. Do. for power ...				Do. petition ...			
3. Do. exhibits ...				Pleader's fee			
4. Pleader's fees on Rs. ...				Subsistence for witnesses ...			
5. Translation fee ...				Service of process ...			
6. Subsistence for witness for attendance ...				Translation fee ...			
7. Commissioner's fee ...				Commissioner's fee ...			
8. Service of process ...							
9. &c.							
TOTAL ...				TOTAL ...			

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 128.

DECREE FOR SALE IN A SUIT BY A MORTGAGEE OR PERSON ENTITLED TO A LIEN.

(*Title.*)

It is ordered that it be referred to the Registrar [*or* Taxing Officer] to take an account of what is due to the plaintiff for principal and interest on the mortgage [*or* lien] mentioned in the plaint, and to tax the plaintiff's costs of this suit, and that the Registrar do certify to the Court on the day of what he shall find to be due for principal and interest as aforesaid, and for costs; And upon the defendant paying into Court what shall be certified to be due to the plaintiff for principal and interest as aforesaid, together with the said costs, within six months after the Registrar [*or* Taxing Officer] shall have presented his certificate; it is ordered that the plaintiff do reconvey the said mortgaged premises free and clear from all incumbrances done by him, or any claiming by, from, or under him, and do deliver up to the Registrar [*or* Taxing Officer] all deeds and writings in his custody or power relating thereto, and that upon such reconveyance being made, and deeds and writings being delivered up, the Registrar [*or* Taxing Officer] shall pay out to the plaintiff the said sum so paid in as aforesaid for principal, interest and costs; but in default of the defendant paying into Court such principal, interest and costs as aforesaid by the time aforesaid, then it is ordered that the said mortgaged premises [*or* the premises subject to the said lien] be sold with the approbation of the Registrar [*or* Taxing Officer]. And it is ordered that the money to arise by such sale be paid into Court, to the end that the same may be duly applied in payment of what shall be found due to the plaintiff for principal, interest and costs as aforesaid, and that the balance (if any) shall be paid to the defendant.

No. 129.

FINAL DECREE FOR FORECLOSURE.

(*Title.*)

Whereas it appears to the Court that the defendant has not paid into Court the sum which was on the day of last certified by the Registrar to be due to the Plaintiff for principal and interest upon the mortgage in the plaint mentioned, and for costs, pursuant to the order made in this suit on the

day of last, and that the period of six months has elapsed since the said day of

It is ordered that the Defendant do stand absolutely debarred and foreclosed of and from all equity of redemption of, in, and to, the said mortgaged premises.

No. 130.

PRELIMINARY ORDER—ADMINISTRATION SUIT.

Section 213 of the Code of Civil Procedure.

(*Title.*)

It is ordered that the following accounts and inquiries be taken and made; that is to say:—

In creditor's suit—

1. That an account be taken of what is due to the Plaintiff and all other the creditors of the deceased.

In suits by legatees—

2. An account be taken of the legacies given by the testator's will.

In suits by next-of-kin—

An inquiry be made and account taken of what, or of what share, if any, the plaintiff entitled to as next-of-kin [*or* one of the next-of-kin] of the intestate.

[*After the first paragraph, the Order will, where necessary, order, in a creditor's suit, inquiry and accounts for legatees, devisees, heirs-at-law, and next-of-kin. In suits by claimants other than creditors, after the first paragraph, in all cases, an order to inquire and take an account of creditors will follow the first paragraph, and such of the others as may be necessary will follow, omitting the first formal words. The form is continued as in a creditor's suit.*]

3. An account of the funeral and testamentary expenses.

4. An account of the moveable property of the deceased come to the hands of the Defendant, or to the hands of any other person by his order or for his use.

5. An inquiry what part (if any) of the moveable property of the deceased is outstanding and undisposed of.

6. And it is further ordered, that the Defendant do, on or before the day of next, pay into Court all sums of money which shall be found to have come to his hands, or to the hands of any person by his order or to his use.

7. And that if the Registrar shall find it necessary for carrying out the objects of the suit to sell any part of the moveable property of the deceased, that the same be sold accordingly, and the proceeds paid into Court.

8. And that Mr. *E. F.* be Receiver in the suit [*or proceeding*], and receive and get in all outstanding debts and outstanding moveable property of the deceased, and pay the same into the hands of the Registrar [and shall give security by bond for the due performance of his duties to the amount of rupees].

9. And it is further ordered, that if the moveable property of the deceased be found insufficient for carrying out the objects of the suit, then the following further inquiries be made, and accounts taken, that is to say,—

(*a*) an inquiry what immoveable property the deceased was seised of or entitled to at the time of his death;

(*b*) an inquiry what are the incumbrances (if any) affecting the immoveable property of the deceased, or any part thereof;

(*c*) an account, so far as possible, of what is due to the several incumbrancers, and to include a statement of the priorities of such of the incumbrancers as shall consent to the sale hereinafter directed.

10. And that the immoveable property of the deceased, or so much thereof as shall be necessary to make up the fund in Court sufficient to carry out the object of the suit, be sold with the approbation of the Judge, free from incumbrances (if any) of such incumbrancers as shall consent to the sale, and subject to the incumbrances of such of them as shall not consent.

11. And it is ordered, that *G. H.* shall have the conduct of the sale of the immoveable property, and shall prepare the conditions and contracts of sale subject to the approval of the Registrar, and that in case any doubt or difficulty shall arise the papers shall be submitted to the Judge to settle.

12. And it is further ordered, that, for the purpose of the inquiries hereinbefore directed, the Registrar shall advertise in the newspapers according to the practice of the Court, or shall make such inquiries in any other way which shall appear to the Registrar to give the most useful publicity to such inquiries.

13. And it is ordered, that the above inquiries and accounts be made and taken, and that all other acts ordered to be done be completed, before the day of and that the Registrar do certify the result of the inquiries, and the accounts, and that all other acts ordered are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

14. And, lastly, it is ordered, that this suit [*or* matter] stand adjourned for making final decree to the day of

[*Such part only of this order is to be used as is applicable to the particular case.*]

No. 131.

FINAL DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE.

Section 213 of the Code of Civil Procedure.

1. It is ordered that the defendant do on or before the day of pay into Court the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the estate of , the testator, and also the sum of Rs. for interest, at the rate of Rs. per centum per annum, from the day of to the day of amounting together to the sum of Rs.

2. Let the Registrar [*or* Taxing Officer] of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said costs, when so taxed, be paid out of the said sum of Rs. ordered to be paid into Court as aforesaid, as follows:—

(*a.*)—The costs of the plaintiff to Mr. , his attorney [*or* pleader], and the, costs of the defendant to Mr. , his attorney [*or* pleader].

(*b.*)—And (*if any debts are due*), with the residue of the said sum of Rs. after payment of the plaintiff's and defendant's costs as aforesaid, let the sums found to be owing to the several creditors mentioned in the schedule to the Registrar's certificate, together with subsequent interest on such of the debts as bear interest, be paid; and after making such payments, let the amount coming to the several legatees mentioned in the schedule, together with subsequent interest (to be verified as aforesaid), be paid to them.

3. And if there should then be any residue, let the same be paid to the residuary legatee.

DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE, WHERE AN EXECUTOR IS HELD PERSONALLY LIABLE FOR THE PAYMENT OF LEGACIES.

Section 213 of the Code of Civil Procedure.

1. Declare that the defendant is personally liable to pay the legacy of Rs. bequeathed to the plaintiff;

2. And it is ordered, that an account be taken of what is due for principal and interest on the said legacy;

3. And it is also ordered, that the defendant do within weeks after the date of the Registrar's certificate, pay to the plaintiff the amount of what the Registrar shall certify to be due for principal and interest;

4. And it is ordered, that the defendant do pay the plaintiff his costs of suit, the same to be taxed in case the parties differ.

FINAL DECREE IN AN ADMINISTRATION SUIT BY NEXT-OF-KIN.

Section 213 of the Code of Civil Procedure.

1. Let the Registrar of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said plaintiff's costs, when so taxed, be paid by the defendant to the plaintiff out of the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the personal estate of *E. F.*, the intestate, within one week after the taxation of the said costs by the said Registrar, and let the defendant retain for her own use out of such sum her costs, when taxed.

2. And it is ordered, that the residue of the said sum of Rs. , after payment of the plaintiffs' and defendant's costs as aforesaid, be paid and applied by defendant as follows:—

(*a.*)—Let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay one-third share of the said residue to the plaintiffs, *A. B.*, and *C.*, his wife, in her right, as the sister and one of the next-of-kin of the said *E. F.*, the intestate.

(*b.*)—Let the defendant retain for her own use one other third share of the said residue, as the mother, and one other of the next-of-kin of the said *E. F.*, the intestate.

(*c.*)—And let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay the remaining one-third share of the said residue to *G. H.*, as the brother and the other next-of-kin of the said *E. F.*, the intestate.

No. 132.

ORDER—DISSOLUTION OF PARTNERSHIP.

Section 214 of the Code of Civil Procedure.

(*Title.*)

It is declared that the partnership in the plaint mentioned between the plaintiff and defendant ought to stand dissolved as from the day of , and it is ordered that the dissolution thereof as from that day be advertised in the *Gazette, &c.*

And it is ordered that be the Receiver of the partnership-estate and effects in this suit, and do get in all the outstanding book-debts and claims of the partnership.

And it is ordered that the following accounts be taken:—

1. An account of the credits, property and effects now belonging to the said partnership;

2. An account of the debts and liabilities of the said partnership;

3. An account of all dealings and transactions between the plaintiff and defendant, from the foot of the settled account exhibited in this suit and marked (A), and not disturbing any subsequent settled accounts.

And it is ordered that the good will of the business heretofore carried on by the plaintiff and defendant as in the plaint mentioned, and the stock-in-trade, be sold on the premises, and that the Registrar may, on the application of any of the parties, fix a reserved bidding for all or any of the lots at such sale, and that either of the parties is to be at liberty to bid at the sale.

And it is ordered that the above accounts be taken and all the other acts required to be done be completed before the day of , and that the Registrar do certify the result of the accounts, and that all other acts are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

And, lastly, it is ordered that this suit stand adjourned for making a final decree to the day of

No. 133.

PARTNERSHIP. FINAL DECREE.

Section 214 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of

It is ordered that the fund now in Court, amounting to the sum of Rs. be applied as follows:—

1. In payment of the debts due by the partnership set forth in the Registrar's certificate amounting in the whole to Rs.

2. In payment of the costs of all parties in this suit, amounting to Rs.
[*These costs must be ascertained before the decree is drawn up*].

3. In payment of the sum of Rs. to the Plaintiff as his share of the partnership-assets, of the sum of Rs. , being the residue of the said sum of Rs. now in Court to the Defendant as his share of the partnership-assets.

[*Or*, And that sinder of the said sum of Rs. be paid to the said Plaintiff (*or* Defendant) in part payment of the sum of Rs. certified to be due to him in respect of the partnership-accounts.

And that the defendant (*or* plaintiff) do on or before the day of pay to the plaintiff (*or* defendant) the sum of Rs. being the balance of the said sum of Rs. due to him, which will then remain due].

No. 134.

NOTICE TO SHOW CAUSE WHY EXECUTION SHOULD NOT ISSUE.

Section 248 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for execution of decree in Civil Regular No. 18 , this is to give you notice that you are to appear before this Court on the day of 18 , either in person or by a Pleader of this Court, or agent duly authorized and instructed to show cause, if any, why execution should not be granted.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 135.

WARRANT OF ATTACHMENT OF MOVEABLE PROPERTY IN DEFENDANTS POSSESSION IN EXECUTION OF A DECREE FOR MONEY.

Section 255 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS on the day of 18 , was ordered, by decree of this Court, passed of 18 , in Regular Suit No. of , to pay to the plaintiff the sum of Rs. as noted in the margin; and whereas the said has not been paid sum of Rs.

DECREE.			
Principal			
Interest			
Costs			
Total of decree . .			
Interest thereon . .			
Costs of attachment			
TOTAL . .			

THESE ARE TO COMMAND YOU to attach the moveable property of the said as set forth in the list hereunto annexed, or which shall be pointed out to you by the said , and unless the said shall pay to you the said sum of Rs. together with Rs. , the costs of this attachment, to hold the same until further orders from this Court.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 , with an endorsement certifying the date and manner in which it has been executed, or why it has not been executed.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 136.

WARRANT TO THE BAILIFF TO GIVE POSSESSION OF LAND, &c.

Section 263 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS , in the occupancy of has been decreed to , the plaintiff in this suit: you are hereby directed to put the said in possession of the same, and you are hereby authorized to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 137.

ORDER FOR COMMITTAL FOR RESISTING, &c., EXECUTION OF DECREE FOR LAND.

Section 329 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS it appears to the Court that has without just cause resisted (*or* obstructed) the execution of the decree of the Court passed against on the day of in Civil Regular Suit, No. of 18 , whereby certain land or immoveable property was adjudged to , it is ordered that the said be committed to custody for a period of days.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 138.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSON TO THE IMMEDIATE POSSESSION THEREOF.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 in favour of for Rs. it is ordered that the Defendant be, and is hereby, prohibited and restrained, until the further order of this Court, from receiving from the following property in the possession of the said that is to say, to which the defendant is entitled, subject to any claim of the said , and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any person or persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 139.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF DEBTS NOT BEING NEGOTIABLE INSTRUMENTS.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 , in Civil Regular No. of 18 , in favour of for Rs. : it is ordered that the defendant be, and hereby, prohibited and restrained, until the further order of this Court, from receiving from you a certain debt alleged now to be due from you to the said defendant, namely, and that you, the said , be, and you are hereby, prohibited and restrained, until the further order of this Court, from making payment of the said debt, or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 140.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &c.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

Defendant, and to

, Manager of

Company

WHEREAS has failed
to satisfy a decree passed against
on the day of 18 , in Civil Regular No. of 18
in favour of for Rs.
it is ordered that you, the defendant, be, and you are hereby, prohibited and restrained, until
the further order of this Court, from making any transfer of shares in
the aforesaid Company, namely,
or from receiving payment of any dividends thereof; and you
, the manager of the said Company, are hereby prohibited and restrained from permitting any such transfer or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 141.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 274 of the Code of Civil Procedure.

(*Title.*)

To

Defendant.

WHEREAS you have failed to satisfy a decree passed against you on the
day of 18 , in Civil Regular suit No. of 18 , in favour of
for Rs. : it is ordered that
you, the said , be, and you are hereby, prohibited and restrained,
until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 142.

ATTACHMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY OR OF ANY SECURITY IN THE HANDS OF A COURT OF JUSTICE OR OFFICER OF GOVERNMENT.

Sections 272 and 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

To

SIR,

THE plaintiff having applied, under section of the Code of Civil Procedure, for an attachment of certain money now in your hands (*here state how the money is supposed*

to be in the hands of the person addressed, on what account, &c.), I request that you will hold the said money subject to the further order of this Court.

I have the honour to be,

SIR,

Your most obedient Servant,

L. S.

Dated the day of 18 *Judge.*

No. 143.

ORDER FOR PAYMENT TO THE PLAINTIFF, &C., OF MONEY, &C., IN THE HANDS OF A THIRD PARTY.

Section 277 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

Miscellaneous No. of 18

A. B. of

against

C. D. of

TO THE BAILIFF OF THE COURT AND TO

WHEREAS the following property has been attached
in execution of a decree in Civil Regular No. of 18 , passed on the day of
18 , in favour of for Rs. : it is ordered
that the property so attached, consisting of Rs. in money, and Rs. in
Bank Notes, or a sufficient part thereof to satisfy the said decree, shall be paid over by you
the said , to , and that the said property, so far as
may be necessary for the satisfaction of the said decree, shall be sold by you, the Bailiff of the Court, by public auction in the manner prescribed for sale in execution of decrees, and that the money which may be realized by such sale, or a sufficient part thereof to satisfy the said decree, shall be paid over to the said , and the remainder, if any, shall be paid to you, the said

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 144.

APPOINTMENT OF A MANAGER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

To

WHEREAS has been attached in execution of a
decree passed in the above suit on the day of 18 , in
favour of : you are hereby (subject to your giving security to the satisfaction of the Registrar) appointed Manager of the said property under section 269 of the Code of Civil Procedure, with full powers under the provisions of that section.

YOU are required to render a due and proper account of your receipts and disbursements in respect of the said property on . You will be entitled to remuneration at the rate of per cent. upon your receipts under the authority of this appointment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 145.

AUTHORITY TO THE COLLECTOR TO STAY PUBLIC SALE OF LAND ON SECURITIES BEING GIVEN.

Section 325 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

To

Collector of

SIR,

In answer to your communication No. , dated , representing that the sale in execution of decree in this suit of land, lying within your district, paying revenue to Government, is objectionable, I have the honour to inform you that you are authorized, on security to the amount of Rs. decreed to the in the above suit, being given to your satisfaction, to make provision for the satisfaction of the said decree in the manner recommended by you instead of proceeding to a public sale of

I have the honour to be,

SIR,

Your obedient Servant,

L. S.

Judge.

No. 146.

WARRANT OF SALE OF PROPERTY IN EXECUTION OF A DECREE FOR MONEY.

Section 287 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

Miscellaneous No. of 18

A. B. of

against

C. D. of

TO THE BAILIFF OF THE COURT.

THESE ARE TO COMMAND YOU to sell by auction, after giving days' previous notice, by affixing the same in this Court-house, and after making due proclamation,* the right, title and interest of in and to the property attached under a Warrant from this Court dated the of 18 in execution of a decree in favour of in suit No. of 18 or so much of the said property as shall realize the sum of Rs. , being the of the said decree and costs still remaining unsatisfied.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 with an endorsement certifying the manner in which it has been executed, or the reason why it has not been executed.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

* This proclamation shall specify the time, the place of sale, the property to be sold, the revenue assessed, should the property consist of land paying revenue to Government, and the amount for the recovery of which the sale is ordered; you shall also declare that the sale extends only to the right, title and interest of the defendant in the property specified therein.

No. 147.

ORDER CONFIRMING SALE OF LAND, &C.

Section 312 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

WHEREAS the right, title and interest of in the following land (or immoveable property) was on the day of 18 sold by the Bailiff of this Court in execution of the decree in this suit; and whereas thirty days have elapsed and no application has been made (*or* objection allowed) to the said sale, it is ordered that the said sale be, and the said sale is hereby, confirmed.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 148.

CERTIFICATE OF SALE OF LAND.

Section 316 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

THIS is to certify that has been declared the purchaser at a sale by public auction on the day of 18 of the right, title and interest of in in execution of decree in this suit, and that the said sale has been duly confirmed by the Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 149.

NOTICE TO PERSON IN POSSESSION OF MOVEABLE PROPERTY SOLD IN EXECUTION.

Section 316 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of

against

C. D. of

To

WHEREAS has been the purchaser at a sale by auction in execution of the decree in the above suit of now in your possession, you are hereby prohibited from delivering possession of the said to any persons except the said

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 150.

ORDER FOR DELIVERY TO CERTIFIED PURCHASER OF LAND AT A SALE IN EXECUTION.

Section 318 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has become the certified purchaser of at a sale in execution of decree in Civil Regular No. of 18 , and whereas such land is in the possession of , you are hereby ordered to put the said aforesaid, into possession of the said , the certified purchaser, as and if need be, to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 151.

PROHIBITORY ORDER AGAINST PAYMENT OF DEBTS SOLD IN EXECUTION TO ANY OTHER THAN THE PURCHASER.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

and to

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain debt due from you to you , that is to say , it is ordered that you be and you are hereby prohibited from receiving, and you from making payment of, the said debt to any person or persons except the said .

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

No. 152.

PROHIBITORY ORDER AGAINST THE TRANSFER OF SHARES SOLD IN EXECUTION.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

and Manager of Company.

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain shares in the above Company, that is to say of standing in the name of you it is ordered that you be, and you are hereby, prohibited from making, any transfer of the said shares to any person except the said the purchaser aforesaid, or from receiving any dividends thereon: and you , Manager of the said Company, from permitting any such transfer or making any such payment to any person except the said , the purchaser aforesaid.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 153.

WARRANT OF ARREST IN EXECUTION.

IN THE COURT OF AT

Civil Regular No. of 18 .
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS was adjudged by a decree of the Court, in Regular No. of 18 , dated 18 , to pay to the plaintiff the sum of Rs. as noted in the margin, and whereas the said sum of Rs. has not been paid to the said plaintiff in satisfaction of the said decree, these are to command you to arrest the said defendant, and unless the said defendant shall pay to you the said sum of Rs. , together with Rs. for the costs of executing this process, to bring the said defendant before the Court. You are further commanded to return this warrant on or before the day of 18 , with an endorsement certifying the day and manner in which it has been executed, or the reason why it has not been executed.

Principal			
Interest			
Costs			
Execution			
TOTAL .			

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 154.

CERTIFICATE OF NON-SATISFACTION OF DECREE.

Section 225 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D of

CERTIFIED that no [*or* partial, *as the case may be, and if partial, state to what extent*] satisfaction of the decree of this Court, in Civil Regular No. of 18 a copy of which is hereunto attached, has been obtained by execution within the jurisdiction of this Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 155.

NOTICE TO ATTACHING CREDITOR.

Section 278 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

Miscellaneous No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for the removal of attachment on placed at your instance in execution of the decree in Civil Regular No. of 18 this is to give you notice to appear before this Court on , the day of , 18 , either in person or by a Pleader of the Court duly instructed, to support your claim as attaching creditor.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 156.

NOTICE OF PAYMENT INTO COURT.

IN THE 187 .
B. No.

A. B. v. *C. D.*

TAKE notice that the defendant has paid into Court Rs. and says that that sum is enough to satisfy the plaintiff's claim [*or* the plaintiff's claim for, *&c.*].

To Mr. *X. Z.*,
the Plaintiff's Pleader,
Z.,
Defendant's Pleader.

No. 157.

COMMISSION TO EXAMINE ABSENT WITNESSES.

Section 386 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS the evidence of is required by the in the above suit; and whereas you are requested to take the examination on interrogatories [*or* viva voce] of such witnesses and you are hereby appointed a Commissioner for that purpose, and you are further requested to make return of such examination so soon as it may be taken [Process to require the attendance of the witness will be issued by this Court on your application.]*

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

* Not necessary where the commission goes to another Court.

No. 158.

COMMISSION FOR A LOCAL INVESTIGATION, OR TO EXAMINE ACCOUNTS.

Sections 392 and 395 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS it is deemed requisite, for the purposes of this suit, that a commission for should be issued; you are hereby appointed Commissioner for the purpose of [process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on your application.]*

A sum of Rs. , being your fee in the above, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

* Not necessary where the commission goes to another Court.

No. 159.

WARRANT OF ARREST BEFORE JUDGMENT.

Section 478 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the plaintiff in the above suit, has proved to the satisfaction of the Court that there is probable cause for believing that the defendant is about to , these are to command you to take the said into custody, and to bring before the Court, in order that he may show cause why he should not furnish security to the amount of rupees for personal appearance before the Court, until such time as the said suit shall be fully and finally disposed of, and until execution or satisfaction of any decree that may be passed against in the suit.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 160.

ORDER FOR COMMITTAL.

Section 481 of the Code of Civil Procedure.

N THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

To

, Plaintiff in this suit, WHEREAS has made application to the Court that security be taken for the appearance of the Defendant to answer any judgment that may be passed against in the suit; and whereas the Court has called upon the Defendant to furnish such security, or to offer a sufficient deposit in lieu of

security, which has failed to do; it is ordered that the said Defendant be committed to custody until the decision of the suit; or if judgment be given against until the execution of the decree.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 161.

ATTACHMENT BEFORE JUDGMENT, WITH ORDER TO CALL FOR SECURITY FOR FULFILMENT OF DECREE.

Section 484 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has proved to the satisfaction of the Court that the Defendant in the above suit these are to command you to call upon the said Defendant on or before the day of either to furnish security for the sum of rupees to produce and place at the disposal of this Court when required or the value thereof, or such portion of the value as may be sufficient to fulfil any decree that may be passed against or to appear and show cause why should not furnish security; and you are further ordered to attach the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to the Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 162.

ATTACHMENT BEFORE JUDGMENT, ON PROOF OF FAILURE TO FURNISH SECURITY.

Section 485 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the Plaintiff in this suit, has applied to the Court to call upon , the Defendant, to furnish security to fulfil any decree that may be passed against in the suit, and whereas the Court has called upon the said to furnish such security which has failed to do ; these are to command you to attach the property of the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to this Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 163.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED, SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSONS TO THE IMMEDIATE POSSESSION THEREOF.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18
A. B. of
against
C. D. of

To Defendant.

IT is ordered that you the said be, and you are hereby, prohibited and restrained until the further order of this Court from receiving from the following property in the possession of the said that is to say to which the defendant is entitled, subject to any claim of the said and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 164.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18
A. B. of
against
C. D. of

Defendant.

IT is ordered that you the said be, and you are hereby prohibited and restrained, until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby, prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 165.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY IN THE HANDS OF OTHER PERSONS, OR OF DEBTS NOT BEING NEGOTIABLE INSTRUMENTS.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18
A. B. of
against
C. D. of

To be, and he is

IT is ordered that the defendant until the further order of this Court, from receiving, hereby, prohibited and restrained the [money now in from

hands belonging to the said defendant *or* debts, *as the case may be, describing them*] and that the said be and hereby prohibited and restrained, until the further order of this Court, from making payment of the said [money, *&c.*], or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 166.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &c.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of 18

A. B. of
against
C. D. of

To Defendant and

to

Manager of Company.

It is ordered that , the defendant, be and hereby prohibited and restrained, until the further order of the Court, from making any transfer of shares being in the aforesaid Company, or from receiving payment of any dividends thereof, and you Manager of the said Company, are hereby prohibited and restrained from permitting any such transfer, or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 167.

TEMPORARY INJUNCTIONS.

Section 492 of the Code of Civil Procedure.

Upon motion made unto this Court by Pleader of (*or* Counsel for) the plaintiff *A. B.*, and upon reading the petition of the said plaintiff in this matter filed (this day) [*or* the plaint filed in this cause on the day of , *or* the written statement of the said plaintiff filed on the day of] and upon hearing the evidence of and in support thereof, [*if after notice and defendant not appearing, add,* and also the evidence of as to service of notice of this motion upon the defendant *C.D.*] This Court doth order that an injunction be awarded to restrain the defendant *C. D.*, his servants, workmen and agents from pulling down, or suffering to be pulled down the house in the plaint in the said suit of the plaintiff mentioned [*or* in the written statement *or* petition of the plaintiff and evidence at the hearing of this motion mentioned] being No. 9, Oilmongers Street, Hindúpur, in the Taluq of and from selling the materials whereof the said house is composed, until the hearing of this cause or until the further order of this Court.

Dated this day of 187 .

Civil Judge.

[*Where the injunction is sought to restrain the negotiation of a bill, note or security, the ordering part of the order may run thus :—*] to restrain the defendants and from parting with out of the custody of them or any of them, or endorsing, assigning or negotiating the promissory note in question, dated on or about the *&c.*, mentioned in the plaintiff's plaint [*or* petition] and the evidence heard at this motion, until the hearing of this cause, or until the further order of this Court.

[*In copyright cases*] to restrain the defendant, *C. D.*, his servants, agents, or workmen from printing, publishing, or vending a book, called , or any part thereof, until the, *&c.*

[*Where part only of a book is to be restrained*] to restrain the defendant, *C. D.*, his servants, agents, or workmen, from printing, publishing, selling, or otherwise disposing of such parts of the book in the plaint [*or* petition and evidence, *&c.*,] mentioned to have been published by the defendant as hereinafter specified, namely, that part of the said book which is entitled and also that part which is entitled (*or* which is contained in p. to p. both inclusive) until the, *&c.*

[*In patent cases*] to restrain the defendant, *C. D.*, his agents, servants and workmen, from making or vending any perforated bricks (*or, as the case may be*) upon the principle of the inventions in the plaintiff's plaint [*or* petition, *&c., or* written statement, *&c.*,] mentioned, belonging to the plaintiffs, or either of them, during the remainder of the respective terms of the patents in the plaintiff's plaint (*or, as the case may be*) mentioned, and from counterfeiting, imitating or resembling the same inventions, or either of them, or making any addition thereto, or subtraction therefrom, until the hearing, &c.

[*In cases of trade-marks*] to restrain the defendant, *C. D.*, his servants, agents or workmen, from selling, or exposing for sale, or procuring to be sold, any composition or blacking (*or, as the case may be*) described as or purporting to be blacking manufactured by the plaintiff, *A. B.*, in bottles having affixed thereto such labels as in the plaintiff's plaint [*or* petition, *&c.*] mentioned, or any other labels so contrived or expressed as, by colorable imitation or otherwise, to represent the composition or blacking sold by the defendant to be the same as the composition or blacking manufactured and sold by the plaintiff, *A. B.*, and from using trade-cards so contrived or expressed as to represent that any composition or blacking sold or proposed to be sold by the defendant is the same as the composition or blacking manufactured or sold by the plaintiff, *A. B.*, until the, &c.

[*To restrain a partner from in any way, interfering in the business*] to restrain the defendant, *C. D.*, his agents and servants, from entering into any contract, and from accepting, drawing, endorsing or negotiating any bill of exchange, note or written security, in the name of the partnership firm of *B. & D.*, and from contracting any debt, buying and selling any goods, and from making or entering into any verbal or written promise, agreement or undertaking, and from doing or causing to be done, any act, in the name or on the credit of the said partnership firm of *B. & D.*, or whereby the said partnership firm can or may in any manner become or be made liable to or for the payment of any sum of money, or for the performance of any contract, promise or undertaking, until the, &c.

No. 168.

NOTICE OF APPLICATION FOR INJUNCTION.

Section 494 of the Code of Civil Procedure.

IN THE COURT OF AT

A. B. of
against
C. D. of

Take notice that I, *A. B.*, intend to apply at the sitting of the Court at aforesaid, on the day of for an injunction to restrain *C. D.* from further prosecuting a suit which he has commenced against me in to recover damages for the breach of the contract for the specific performance of which this suit was commenced [*or* to restrain him from receiving and giving discharges for any of the debts due to the partnership in the matter of the partnership between us for the winding up of which the suit was commenced, *or* from digging the turf from the land which was agreed to be sold by him to me by the agreement, the specific performance of which this suit is commenced to enforce, *or, as the case may be*].

Dated this day of 18 .

To *C.D.* *A. B.*

[*N. B.—Where the injunction is to be applied for against a party whose name and address does not appear upon any proceeding already filed in the suit, it must be stated in full to enable the proper officer to serve the notice.*]

No. 169.

BOND TO BE GIVEN BY RECEIVER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No. of

A. B. of
against
C. D. of

KNOW all men by these presents, that we , *A. B.* of, &c., and *C. D.* of, &c., and *E. F.* of, &c., are jointly and severally bound to *G. H.*, Registrar of the Court of

in Rs. , to be paid to the said *G. H.* or his attorney, executors, administrators or assigns. For which payment to be made we bind ourselves, and each of us, in the whole, our and each of our heirs, executors and administrators, jointly and severally, by these presents.

Dated this day of one thousand eight hundred and

And whereas a plaint has been filed in this Court by *A. B.* against *C. D.* for the purpose of (*here insert object of suit*).

And whereas the said *A. B.* has been appointed, by order of the above-mentioned Court, to receive the rents and profits of the immoveable property, and to get in the outstanding moveable property of *C. D.*, the testator in the said plaint named.

Now the condition of this obligation is such, that if the above-bounden *A. B.* shall duly account for all and every the sum and sums of money which he shall so receive on account of the rents and profits of the immoveable property, and in respect of the moveable property of the said *C. D.* [*or, as may be*] at such periods as the said Court shall appoint, and shall duly pay the balances which shall from time to time be certified to be due from him as the said Court hath directed or shall hereafter direct, then this obligation shall be void, otherwise it shall remain in full force.

A. B. (L. S.)
C. D. (L. S.)

Signed, and delivered by the above-bounden in the presence of

NOTE.—*If deposit of money be made, the memorandum thereof should follow the terms of the condition of the bond.*

No. 170.

ORDER OF REFERENCE TO ARBITRATION UNDER AGREEMENT OF PARTIES.

Section 508 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS the above-mentioned plaintiff and defendant have agreed to refer the matters in difference between them in the above suit to your arbitration and award, you are hereby appointed accordingly to determine all the said matters in difference between the parties, and with power, by consent of the parties, to determine which party shall pay the costs of this reference.

You are required to deliver your award in writing to this Court on or before the day of 18 , or such other day as this Court may further fix.

Process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on our application, and you are empowered to administer to such witnesses oath or affirmation.

A sum of Rs. , being your fee in the above suit, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 171.

ORDER OF REFERENCE TO ARBITRATION BY COURT, WITH CONSENT.

Section 508 of the Code of Civil Procedure.

(*Title.*)

UPON reading a petition of the plaintiff, filed this day, and on the consent of for the defendant, and upon hearing for the plaintiff and for the defendant, it is ordered, by and with the consent of all the parties, that all matters in difference in this suit, including all dealings and transactions between all parties, be referred to the final determination of , who is to make his award in writing and submit the same to this Court, together with all proceedings, depositions, and exhibits in this suit, within one month from the date hereof. And it is ordered further, by and with the like consent, that the said arbitrator is to be at liberty to examine the parties and their witnesses upon oath or affirmation, which he is empowered to administer, and that the said arbitrator shall have all such powers or authorities as are vested in arbitrators under the Code of Civil Procedure, including therein power to call for all books of account that he may consider necessary. And it is further ordered, by and with the like consent, that the costs of this suit, together with the costs of reference to arbitration, up to and including the award of the said arbitrator, and the enforcement thereof, do abide

the result of the finding of the said arbitrator. And it is further ordered, by and with the like consent, that the said arbitrator be at liberty to appoint a competent accountant to assist him in the investigation of the several matters referred to him as aforesaid, and that the remuneration of such accountant and other charges attending thereto be in the discretion of the said arbitrator.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 172.

SUMMONS IN SUMMARY SUIT ON NEGOTIABLE INSTRUMENT.

Section 532 of the Code of Civil Procedure.

No. OF SUIT.

IN THE HIGH COURT OF AT

Plaintiff.
Defendant.

To [*Here enter the defendant's name, description and address.*]

Whereas [*here enter the plaintiff's name, description and address*] has instituted a suit in this Court against you under Chapter XLII of the Code of Civil Procedure for Rs. principal and interest [*or* Rs. balance of principal and interest] due to him as the payee [*or* indorsee] of a bill of exchange [*or* hundí *or* promissory note], of which a copy is hereto annexed, you are hereby summoned to obtain leave from the Court within seven days from the service hereof, inclusive of the day of such service, to appear and defend the suit, and within such time to cause an appearance to be entered for you. In default whereof the plaintiff will be entitled at any time after the expiration of such seven days to obtain a decree for any sum not exceeding the sum of Rs. [*here state the sum claimed*] and the sum of Rs. for costs.

Leave to appear may be obtained on an application to the Court supported by affidavit or declaration showing that there is a defence to the suit on the merits, or that it is reasonable that you should be allowed to appear in the suit.

[*Here copy the bill of exchange, hundí or promissory note, and all endorsements upon it.*]

No. 173.

MEMORANDUM OF APPEAL.

Section 540 of the Code of Civil Procedure.

MEMORANDUM OF APPEAL.

(*Name, &c., as in Register.*) Plaintiff—Appellant.
(*Name, &c., as in Register.*) Defendant—Respondent.

[*Name of Appellant*] [plaintiff *or* defendant] above-named appeals to the High Court at [*or* District Court at , *as the case may be*] against the decree of in the above suit, dated the day of , for the following reasons, namely [*here state the grounds of objection*].

No. 174.

REGISTER OF APPEALS.

Section 550 of the Code of Civil Procedure.

COURT (OR HIGH COURT) AT

REGISTER OF APPEALS FROM DECREES in the year 18 .

Date of Memorandum.	No. of Appeal.	Appellant.			Respondent.			Decree Appealed from.					Appearance.			Judgment.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Amount or Value.	Particulars.	No. of Original Suit.	Court.	What Court.	Day for parties to appear.	Appellant.	Respondent.	Date.	Confirmed, reversed or altered.	For what, or Amount.

PART V] THE GAZETTE OF INDIA, OCTOBER 14, 1876. 1357

No. 175.

NOTICE TO RESPONDENT OF THE DAY FIXED FOR THE HEARING OF THE APPEAL.

Section 553 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

APPEAL from the of the Court of dated the day of 18 .

Respondent.

Take notice that an appeal from the decree of in this case has been presented by and registered in this Court, and that the day of 18 has been fixed by this Court for the hearing of this appeal.

IF no appearance is made on your behalf by yourself, your pleader, or by some one by law authorized to act for you in this appeal, it will be heard and decided *ex parte* in your absence.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

NOTE.—If a stay of execution has been ordered, intimation should be given of the fact on this notice.]

No. 176.

DECREE ON APPEAL.

Section 579 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

Appeal from the of the Court of dated the day of 18 .

Memorandum of Appeal.

, *Plaintiff*.

, *Defendant*.

Plaintiff [*or* defendant] above-named appeals to the Court at against the decree of in the above suit, dated the day of 18 , for the following reasons, namely;

[*here state the reasons*]

This appeal coming on for hearing on the day of 18 , before , in the presence of for the Appellant, and of for the Respondent, it is ordered—

[*here state the relief granted*]

The costs of this appeal, amounting to , are to be paid by The costs of the original suit are to be paid by

GIVEN under my hand, this day of 18 .

Judge.

No. 177.

REGISTER OF APPEALS FROM APPELLATE DECREES.

Section 587 of the Code of Civil Procedure.

HIGH COURT AT

REGISTER OF APPEALS FROM APPELLATE DECREES.

Date of Memorandum.	No. of Appeal.	APPELLANT.			RESPONDENT.			DECREE APPEALED FROM.				APPEARANCE.			JUDGMENT.	
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Of what Court.	No. of Original suit and of Appeal.	Parties.	Amount or Value.	Day for parties to appear.	Appellant.	Respondent.	Date.	Confirmed, reversed or altered.	For what, or Amount.

No. 178.

NOTICE TO SHOW CAUSE WHY A REVIEW SHOULD NOT BE GRANTED.

Section 626 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Plaintiff*, v. , *Defendant*.

To

TAKE notice that has applied to this Court for a review of its judgment passed on the day of 18 in the above case. The day of 18 is fixed for you to show cause why the Court should not grant a review of its judgment in this case.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 179.

NOTICE OF CHANGE OF PLEADER.

IN THE COURT OF AT

A. B. of
against
C. D. of

TO THE REGISTRAR OF THE COURT.

TAKE notice that I, *A. B.* [*or C. D.*], have hitherto employed as my pleader *G. H.* of in the above-mentioned cause, but that I have ceased to employ him, and that my present pleader is *J. K.* of

A. B. [*or C. D.*]

No. 180.

MEMORANDUM TO BE PLACED AT FOOT OF EVERY SUMMONS, NOTICE, DECREE, OR ORDER OF COURT, OR ANY OTHER PROCESS OF THE COURT.

Hours of attendance at the office of the Registrar [*place of office*] from *ten* till *four*, except on [*here insert the day on which the office will be closed*], when the office will be closed at *one*.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, NOVEMBER 11, 1876.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The 30th October 1876.

[Second publication.]

The following Bill, and Statement of Objects and Reasons accompanying it, are published for general information, by order of the President, under the 22nd of the Rules for the Conduct of Business at Meetings of the Council of the Governor General of India for the purpose of making Laws and Regulations :—

CONSOLIDATED CUSTOMS BILL, 1877.

ARRANGEMENT OF SECTIONS.

PREAMBLE.

CHAPTER I.

PRELIMINARY.

SECTION.

1. Short title.
2. Repeal of enactments.
3. Interpretation.

CHAPTER II.

GENERAL RULES.

SECTION.

4. Making, issuing and publishing of rules.
5. Rules respecting passengers' baggage and mails.

Fee for landing baggage.

6. Appeals how and by whom to be adjudicated.

CHAPTER III.

APPOINTMENT OF OFFICERS, PORTS, WHARVES AND WAREHOUSES.

7. Local Government to appoint necessary officers.

Suspension and dismissal of such officers.

8. Local Government may delegate its powers under section 7 to Customs Authority.

Suspension and dismissal of Subordinate Officers.

9. Collector of District to perform duties of Customs Officer, where there is no separate Customs Officer.
10. Power to appoint Ports and Wharves for shipment and landing.
11. Power to declare that an Indian Port not in British India shall be regarded as a British Indian Port for certain purposes.
12. Power to declare Warehousing Ports and places.

Existing Ports to continue in use until otherwise declared.

13. Approval, appointment and licensing of warehouses.

CHAPTER IV.

LEVY OF AND EXEMPTION FROM CUSTOMS DUTIES.

SECTION.

14. Import Customs.
15. Export Customs.
16. No duties on goods carried from one Indian Port to another not a free Port.
    Proviso as to opium, salt and spirits.
17. Power to exempt from Customs duties.
    Power to cancel exemption.
    Power to authorize exemption from payment of duty.
18. Baggage in actual use.

Transhipment of goods.

19. Power to permit transhipment with payment of duty.
    Proviso.
20. Rules regulating exercise of power.
21. Levy of transhipment fee.
22. Power to prohibit transhipment.
23. Duty on Opium re-exported by Sea.

CHAPTER V.

GENERAL PROVISIONS.

24. Prohibitions and restrictions.
25. Importation without license of arms and ammunition prohibited.
    Proviso.
26. Power to prohibit or restrict importation or exportation of goods.
27. Importation and exportation.
28. Owner, &c., to declare real value of goods in bill of entry or clearance, and, if necessary, to produce invoice, &c.
    Assessment of goods liable to duty according to value.
29. Under-valued goods how dealt with.
30. Duties on goods retained under section 29 for use of Government.
31. Date of importation how determined.
32. Date of exportation how determined.
33. Contracts for sale of goods duty on which is raised or lowered before performance.
34. Duty leviable on sea-borne goods, duty on which has been altered during transit.
35. Re-imported articles of country produce to be deemed Foreign.
    Proviso.
36. Officer in charge of Custom House may require goods to be weighed or measured on board before landing.
37. Customs Officer may open package and examine goods shipped.
38. Stations for Customs Officers to board and also land from ship.
39. Power to depute Officer of Customs to board ships.
    Proviso.
SECTION.
40. Servant to be received with Officer.
    Accommodation of Officer and servant.
41. Officers of Customs to have free access to every part of the ship, and may seal and secure goods.
    Officer in charge of Custom House may authorize search and opening of locks.
42. Goods not to be landed on Sundays, holidays, &c., without permission, nor except within fixed hours, &c.

CHAPTER VI.

IMPORTATION.

43. Power to fix places beyond which inward bound vessels are not to proceed until manifest delivered.
    Delivery of manifest when vessel anchors below reporting station.
44. Power to Master of steamer to enter ship's agent as consignee.
45. Duty of person receiving manifest.
46. Bulk not to be broken until manifest, &c., delivered, and ship entered at Custom House.
47. Master, if required, to deliver bill of lading, &c., to Officer in charge of Custom House.
48. Goods not to leave ship unless entered in manifest.
49. Amendment of errors in manifest.
50. Period to be allowed for landing import cargo.
    Consequence of exceeding same.
51. Procedure in respect of goods not landed within time allowed.
52. Effect of not discharging cargo in any earlier period specified in the bill of lading.
53. Goods may be landed at any time after arrival, with consent.
54. Procedure in case of non-payment of duties within four months after entry of vessel.
55. Goods not cleared within two months from date of landing to be sold.
    Disposal of proceeds.
    Proviso.
56. Goods removed from ship to be forthwith landed.
57. Goods not to be landed elsewhere than at appointed wharf or place.
58. Boat-note.
59. Entry for home-consumption.
60. Claims to abatement of duty on account of damage.
61. Disposal of damaged goods and levy of duty thereon.
62. Goods derelict and wreck to be treated as Foreign goods.
63. No duty on portion of import cargo intended for another Port, ship's stores, &c.

CHAPTER VII.

WAREHOUSING.

SECTION.

64. Deposit of goods in warehouse without payment of duty.
65. Warehouse-keeper.
    Responsibility of keeper.
66. Chief Customs Authority to decide what goods may be deposited in public warehouse, and on what terms.
    Table of rates of rent.
67. Power to license private warehouses.
    Revocation of license.
68. Form of application for license.
69. Form of application for admission of goods into warehouse.
70. No goods to be warehoused without payment of duty, unless assessed for Customs duty.
    Public warehouse-keeper, or license-holder of private warehouse, answerable for weight or gauge.
    Saving of re-assessment of warehoused goods on clearance for home-consumption.
71. Bond under what circumstances to be taken. Form and conditions of bond.
72. Terms of bond to be executed.
73. Period for which goods may remain warehoused under bond.
74. Procedure in respect of goods to be warehoused.
75. Packages, &c., to be marked and numbered before admission into warehouse.
76. Goods how warehoused.
77. Power to cause packages lodged in warehouse to be opened and examined.
78. Access of Customs Officer to private warehouse.
79. When bond for duty on goods in private warehouse may be sued on.
80. Access of owners to warehoused goods.
81. Goods in warehouse may be sorted, repacked, &c., by owner, &c.
82. Compensation for loss or injury not admissible, except in case of proved wilful neglect, &c.
83. Power to remit duties on warehoused goods lost or destroyed,
    and if goods are damaged, duty to be levied on actual value.
84. Import duty to be on quantity or value registered at time of importation.
    Proviso as to Wines, Spirits, Beer or Salt.
85. Allowance for ullage or wastage in case of wines, &c., lodged in private warehouse.
86. Goods not to be removed from warehouse, except after application to Officer in charge of Custom House.
87. Form of application for removal of goods.
    Twenty-four hours' notice to be given.
88. Immediate payment of duty on goods improperly taken out of warehouse.
89. Expenses of carriage, packing, &c., to be borne by owners.
SECTION.
90. Payment of rent and warehouse dues.
    In case of failure goods may be sold, &c.
    Disposal of proceeds.
91. On goods being removed otherwise than for export, &c., full duty to be paid.
92. Procedure on failure to pay duty.
93. Power to remove goods from one warehouse to another.
94. Bonded goods may be removed from one Port to another.
    Procedure.
95. Officers at Port of removal to transmit account of goods to Officers at Port of destination.
    Owner to execute bond for due arrival, &c.
96. Remover may enter into a general bond.
97. Goods on arrival at Port of destination to be subject to same laws as goods on first importation.
98. Removal of goods to be noted on the bond, with particulars.
99. Register of bonds to be kept.
    When bonds are to be cancelled and returned to obligee.
100. Duty on warehoused goods to be settled within three years.
101. Warrant to be given every time goods are warehoused.
    Form of warrant.
102. Provisions relating to private warehouses applicable to Bengal Bonded Warehouse Association.

CHAPTER VIII.

TRANSHIPMENT.

103. When goods brought into one Indian Port, but intended for another Indian or Foreign Port, may be transhipped without payment of duty.
104. Levy of transhipment fee.
105. Entry and warehousing on arrival of goods transhipped under section 103.
106. Transhipment of stores from one vessel to another of same owner without payment of duty.

CHAPTER IX.

EXPORTATION.

107. Permission for entry outwards to be obtained before export cargo is shipped.
108. Period allowed for shipment of export cargo.
    Consequence of exceeding same.
    Allowance for period during which vessel is laid up.
109. Exporter to deliver shipping bill before shipping any goods.
110. On entry outwards, bond to be given for shipping and landing.
111. Boat-note.
112. No vessel to depart without a port-clearance.

SECTION.
113. No Pilot to take charge of any vessel proceeding to sea, without production of port-clearance.
114. Master on applying for port-clearance, to deliver manifest and certificates.
115. Port-clearance may be refused unless all documents are delivered and charges paid.
116. Additional charge on goods passed for shipment after port-clearance has been granted.
117. Return of duty on goods not shipped or relanded.
Proviso.
118. Goods re-landed from a vessel returning to Port, or putting into another Port.
119. Vessel returning to Port may enter and land goods under Import rules.
120. Provisions, stores, &c., for consumption on vessels proceeding to Foreign ports may be exported duty-free on certain conditions.

CHAPTER X.

DRAWBACK.

121. Amount of drawback allowable on re-export.
Conditions for grant of drawback.
122. Time to claim and demand payment of drawback.
123. Drawback not allowed on goods of value less than amount claimed.
124. Drawback on exportation of spirit.
125. No drawback on goods not entered in Export manifest.
126. No drawback allowed except on goods exported out of India.
Proviso.
127. Declaration to be made by parties claiming drawback.
128. Drawback of duties on wine allowed for Officers of Navy.
129. Persons entering such wine for drawback to declare name and rank of Officer claiming same.
130. Transfer of wine from one Naval Officer to another, &c.
131. Provisions and stores for Her Majesty's Navy exempt from duty.

CHAPTER XI.

COASTING TRADE.

132. Power to regulate carriage of goods coastwise.
133. Rules respecting cargo-book to be kept by Masters of coasting vessels.
134. Power to prescribe rules for Masters of other coasting vessels.
135. Coasting vessels to deliver account and obtain port-clearance before leaving Port of lading.

SECTION.
136. Power to require bond before port-clearance is granted.
137. Grant and revocation of general pass.
138. Time for delivery of pass.
139. Goods on coasting vessel, if excisable, not to be unladen without permission.
140. Power to board and examine any coasting vessel.

CHAPTER XII.

CARGO BOATS.

141. Power to prohibit plying of unlicensed cargo boats.
142. Issue of licenses.

CHAPTER XIII.

SPIRITS.

143. Rules for removal of spirits from distillery without payment of duty, and for exportation thereof.
144. Spirits for export to be taken direct from distillery to Custom House under pass.
145. Rules to be observed in exportation of spirits.
146. Duty to be recovered on any deficiency in spirits under bond.
147. Drawback of Excise duty on spirits manufactured after English method.
148. No drawback allowed on spirits exported to Indian Ports not being Customs Ports, but such spirits may be exported under bond.
149. Duty on spirits exported from one Indian Port to another how to be adjusted.
150. Rum-shrub, &c., how to be charged with duty.
May be exported under same rules as spirits.
151. Spirits intended for exportation may be removed for local consumption.
152. Conditions of drawback and remission of duty on spirits.
Re-land of spirits shipped.
153. Power to make rules for ascertaining that imported spirit has been rendered unfit for human consumption.
154. Decision where no rules or their applicability disputed.

CHAPTER XIV.

CUSTOM-HOUSE AGENTS.

155. Agents must be duly authorized.
156. Agent to produce authority if required.

CHAPTER XV.

DUPLICATE BILLS OF ENTRY.

157. Importer or exporter to deliver duplicate of bill of entry, or shipping bill, if required.

CHAPTER XVI.

TAKING OF SAMPLES.

SECTION.
158. Officer in charge of Custom House may take samples of goods.

CHAPTER XVII.

MISCELLANEOUS PROVISIONS.

159. Power to fix values of dutiable goods.
160. Payment of duties short levied or erroneously refunded.
161. No refund of charges erroneously levied or paid, unless application made within six months.
162. Importer and exporter to pay expense incidental to compliance with Custom House rules.
163. No compensation for loss or injury except on proof of wilful neglect.
164. Rates of wharfage fees.
165. Duplicates may be granted and amendments made on payment of fee.
166. Customs Officers may be exempted from service on any jury or inquest.

CHAPTER XVIII.

OFFENCES AND PENALTIES.

167. Goods imported or exported contrary to prohibition liable to confiscation, and persons concerned to penalty.
168. Goods brought to be passed through Custom House liable to confiscation in case of discrepancy, misdescription, &c.
168a. For infringing rules under section 38.
169. For proceeding inward beyond fixed place before delivery of manifest.
170. For omitting to deliver manifest when vessel anchors below reporting station.
For like omission when reporting station has not been fixed.
171. For Pilot, &c., not receiving manifest.
172. For vessel removing from place of mooring, or unlading, without due authority.
173. For not bringing to at boarding station.
174. For refusing to receive Officer of Customs on board.
175. For disobeying section 40.
176. For discharging goods not duly entered in manifest.
176a. Goods found concealed liable to confiscation.
177. For Masters resisting search, &c.
178. For false entry, fraudulent alteration, &c.
179. Goods not agreeing in description and quantity with entry in manifest liable to confiscation or extra duty.
180. For not being able to account for missing or deficient package, &c.
181. For removing goods contrary to section 43.
182. For not landing goods in accordance with section 56.

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183. For landing, &c., goods contrary to section 57.
184. For sending goods without boat-note.
185. For taking or passing goods without entry.
186. For removing goods after landing and before due entry.
187. For improper carrying into warehouse.
188. For withholding or removing before examination goods entered to be warehoused.
189. For misdescription of goods.
190. For warehousing goods improperly.
For altering warehoused goods.
For removing them improperly.
191. For neglecting to stow goods properly in warehouse.
192. Or for neglecting to produce goods when required.
193. Goods entered to be warehoused, if not duly warehoused, or if concealed or removed, liable to be confiscated.
194. For refusing to open private warehouse when duly required.
195. For importer or owner of warehoused goods clandestinely gaining access.
196. For deficiencies in a private warehouse if beyond ullage and wastage allowed.
197. For excess, in private warehouse, over registered quantity.
198. For taking goods out of warehouse without paying duty.
199. For infringing rules under section 103.
200. For shipping goods before entry outwards.
201. For lading in absence of Customs Officer.
202. For causing goods to be shipped contrary to section 109.
203. For non-receipt or non-delivery of boat-note.
204. For departing without port-clearance.
205. On Pilot taking charge of vessel without port-clearance.
206. Certain goods if entered in manifest and not shipped liable to confiscation.
For shipping goods not in manifest, &c.
For landing at place other than that for which goods have been cleared.
207. Levy of penalty for failure to bring to when required under section 42.
208. For deficiency in goods on which drawback has been paid on board vessel returning to Port, or putting into another Port.
209. Confiscation of goods entered for drawback, which are less in value than the amount.
210. Drawback goods, if not exported, or if re-landed, liable to confiscation, and parties concerned to penalty.
211. Wine not laden, or unladen without permission, liable to confiscation.
212. For contravention of rules as to coasting trade.
213. For breach of rules as to cargo-book.
214. For breach of rules under section 134.
215. For signing false account.

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216. For failure to produce certificate.
217. For failure of Master of coasting vessel to deliver pass.
218. For breach in respect of lading, carrying coastwise, and unlading.
219. For refusal to produce documents.
220. Goods found in unlicensed cargo-boats may be confiscated.
221. For contravening rules under section 153.
222. For acting as agent without authority.
223. For irregularly re-landing spirituous liquors.
224. For non-compliance with section 157.
225. For Masters of tug-steamers or pilot-vessels receiving or discharging any goods without due authority.
226. For landing or shipping goods at unauthorized Port, &c.
227. For shipping, landing, concealing, &c., contrary to Act.
228. Goods found in boat in excess of boat-note or pass liable to confiscation.
229. Vessels in Port with a cargo, and afterwards found in ballast and cargo unaccounted for, liable to confiscation.
230. Tackle, &c., included in confiscation of vessels.
Packages and contents included in confiscation of goods.
Also conveyances and animals used in removal.
231. Goods may be detained and port-clearance refused, pending payment of fines incurred.
232. Persons reasonably suspected may be detained.
233. Vessels, goods and persons may be seized or detained.
234. Vessels and goods seized how to be dealt with.
235. Persons detained to be taken to nearest Magistrate or Officer of Custom House.
236. Persons taken before a Magistrate for offence under Customs Acts may be detained or admitted to bail.
237. Any person escaping may be afterwards detained.
238. Persons in Her Majesty's Navy, when detained, to be secured on board until warrant procured.
239. When seizure is made, seizing officer to give reason in writing.
240. Procedure in respect of goods seized on suspicion.
For neglect of Police Officer to give notice.
241. Officers of Customs may stop carts, &c., and search for goods on reasonable suspicion.
242. Magistrate of District may issue search-warrant on application.
243. Persons may be searched on reasonable suspicion.
For possession of smuggled goods.
244. Persons before search may require to be taken before a Magistrate, &c.

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245. For searching persons on insufficient grounds.
246. Customs Officers, if guilty of breach of duty, how punishable.
247. Customs Officers committing or conniving at frauds how punishable.
248. No suit or proceeding to be commenced without notice.
249. Punishment for obstruction to Customs Officers.
250. For making false declaration, refusing to answer questions, &c.
251. For unauthorized declaration as to value of goods.
252. Officer in charge of Custom House may adjudge confiscations and penalties.
253. Local Government may confer like powers on other Officers of Customs.
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254. On confiscation of vessel or goods, property to vest in Her Majesty.
255. Appeal from Subordinate to Chief Customs Authority.
256. Penalty under this Act not to interfere with punishment which may be inflicted under any other law.
257. Offences not specially provided for how to be adjudicated.
258. Penalty adjudged by Magistrate, &c., may be remitted or commuted by Chief Customs Authority.
259. How payment of penalty to be enforced.
260. Periods of imprisonment, in default of payment of penalty or fine, to be fixed within certain limits.
261. Imprisonment to terminate upon recovery of fine.
262. Or upon recovery of proportional part of fine.
263. Option to pay fine in lieu of confiscation.
264. Appropriation of penalties, &c., and grant of rewards.

SCHEDULE.

PART I.—ACTS REPEALED.

PART II.—FORMS.

A. Form of Application for a license for private Warehouse.
B. Form of Application to warehouse goods.
C. Form of Bond for Import Duty.
D. Form of Application to remove goods from Warehouse.
E. Form of Application to remove goods from one Warehouse to another.
F. Form of Shipping Bill.
G. Form of Coasting Pass.
H. Form of Bond for the removal of Spirits from licensed Distillery.
I. Form of Bonded Warehouse Warrant.

A Bill to consolidate and amend the laws relating to the administration of the Department of Sea Customs in India.

Whereas it is expedient that the laws relating to the administration of the Department of Sea Customs in India should be consolidated and amended; It is enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Consolidated Customs Act, 1877."

Short title.

2. The Acts mentioned in the first schedule hereto annexed are repealed to the extent specified therein, except as to any act done, offence committed, or liability incurred.

Repeal of enactments.

All references to any of the said Acts in Acts passed subsequently thereto shall be read as if made to the corresponding provisions of this Act.

All notifications made, public warehouses appointed, and licenses issued under Act No. VI of 1863 and now in force, shall be deemed to be, respectively, made, appointed and issued under this Act.

3. In this Act, unless there be something repugnant in the subject or context—

Interpretation.

(*a*). The words "Chief Customs Authority" denote the persons authorized to exercise, under any Local Government, the chief control in the Department of Customs in any Port to which this Act applies:

"Chief Customs Authority."

(*b*). The words "Chief Officer of Customs" denote the Executive Officer of highest rank in the Department of Customs in any Port to which this Act applies:

"Chief Officer of Customs."

(*c*). The words "Officer in charge of the Custom House" include every officer of customs for the time being in separate charge of a Custom House:

"Officer in charge of the Custom House."

(*d*). The word "Magistrate" includes every officer exercising any of the powers of a Magistrate, and, in the Towns of Calcutta, Madras and Bombay, a Presidency Magistrate:

"Magistrate."

(*e*). The words "Customs Port" denote any Port at which duties of customs are leviable:

"Customs Port."

(*f*). The words "Foreign Port" include Aden and any Port not situated in British India:

"Foreign Port."

(*g*). The words "Foreign Goods" include all goods not produced or manufactured in British India:

"Foreign Goods."

(*h*). The word "Vessel" includes anything made for the conveyance by water of human beings or property:

"Vessel."

(*i*). The words "Coasting Vessel" denote any vessel proceeding from one Customs Port to another Customs Port:

"Coasting Vessel."

(*j*). The word "Master" includes every person, except a Pilot, having command or charge of any vessel:

"Master."

(*k*). The word "Warehouse" denotes any place approved, appointed, or licensed under this Act for the keeping and securing of goods entered to be warehoused without payment of duty on the first entry thereof.

"Warehouse."

CHAPTER II.

GENERAL RULES.

4. The Chief Customs Authority may, with the sanction of the Local Government, make and issue rules for regulating the practice and proceedings of officers in the Department of Sea Customs, and may from time to time add to, alter, or revoke such rules or any of them:

Making, issuing, and publishing of rules.

provided that no rule so made shall be inconsistent with this Act or any other law for the time being in force.

All rules made under this section shall be published in the local official Gazette.

5. Any rules made under section 4 may include such rules as appear expedient for the landing and shipping of passengers' baggage and the passing of the same through the Custom House, and for the landing, shipping, and clearing of parcels forwarded by Her Majesty's or other mails, or by other regular packets and passenger vessels.

Rules respecting passengers' baggage and mails.

When any baggage or parcels are made over to an officer of Customs for the purpose of being landed, a fee of such amount as the Local Government from time to time directs shall be chargeable thereon, as compensation for the expense and trouble incurred in landing and depositing the same in the Custom House.

Fee for landing baggage.

6. If any dispute arises between any officer of Customs and any Master of a vessel, or importer, exporter, owner or consignee of goods, or agent, or other person, in respect to any matter (not specially provided for by any law for the time being in force) relating

Appeals how and by whom to be adjudicated.

to the importation, exportation, or warehousing of any goods,

or to the proper rate of duty payable in respect thereof,

or to the levy of any duty or penalty thereon,

or to any seizure or forfeiture thereof,

the Chief Customs Authority, or such officer of Customs as the said Authority from time to time appoints in this behalf, shall settle such dispute, subject to an appeal to the Local Government, acting under the general instructions of the Governor General in Council.

Where the dispute relates to the proper rate of duty in respect of any goods, the importer, exporter, owner, or consignee of such goods, or his agent, shall deposit in the hands of the Officer in charge of the Custom House at the Port of importation or exportation, respectively, the amount of duty demanded by such officer, pending the decision of the Chief Customs Authority.

Upon payment of such deposit and compliance with the provisions of this Act relating to the entry of such goods, the Officer in charge of the Custom House shall cause the goods to be delivered to such importer, exporter, owner or consignee, or his agent.

CHAPTER III.

APPOINTMENT OF OFFICERS, PORTS, WHARVES AND WAREHOUSES.

Local Government to appoint necessary officers.

7. The Local Government of every place in which duties of Sea Customs are levied, shall appoint such persons as it thinks proper to exercise the powers conferred, and to perform the duties imposed, by this Act.

Every person so appointed shall be liable to be suspended or dismissed by the Local Government which appointed him.

Suspension and dismissal of such officers.

Local Government may delegate its powers under section 7 to Customs Authority.

8. The Local Government may delegate to any Authority within its jurisdiction in the Department of Customs all or any of the powers vested in it by section 7.

Every subordinate officer who is appointed by virtue of such delegated power shall be liable to be suspended or dismissed by the Authority which appointed him.

Suspension and dismissal of subordinate officers.

Collector of District to perform duties of Customs Officer, where there is no separate Customs Officer.

9. At any place at which there is no Officer in charge of a Custom House, the Collector of Revenue of the District and the officers subordinate to him shall be deemed to be the proper officers for the performance of all duties required by this Act to be performed by an Officer in charge of a Custom House and other Officers of Customs.

Power to appoint Ports and Wharves for shipment and landing.

10. The Local Government may from time to time, by notification in the official Gazette,

(*a*) declare the places which alone shall be Ports for the shipment and landing of goods;

(*b*) declare the limits of such Ports;

(*c*) appoint proper places therein to be Wharves for the landing and shipping of goods;

(*d*) declare the bounds and extent of any such Wharf;

(*e*) alter the name of any such Port or Wharf.

Every such Port, except Aden, shall be deemed to be a Customs Port within the meaning of this Act.

The Local Government may also from time to time in like manner declare what shall, for the purposes of this Act, be deemed to be the limits of the Custom House.

Power to declare that an Indian Port not in British India shall be regarded as a British Indian Port for certain purposes.

11. The Governor General in Council may from time to time declare, by notification in the *Gazette of India*, that any Foreign Port in India shall, with such limitations and on such conditions (if any) as he thinks fit, be deemed a Customs Port for the purposes of sections 16, 126, and 132 to 140, inclusive, in so far as the said sections or any of them are capable of being applied to such Port; and may in like manner from time to time, by notification in the said Gazette, revoke or suspend the operation of any such declaration.

Power to declare Warehousing Ports and places.

12. The Local Government may from time to time declare, by notification in the official Gazette, that any Port or place subject to its administration shall be a Warehousing Port or place for the purposes of this Act;

Existing Ports to continue in use until otherwise declared.

and every Port which, at the passing of this Act, shall have been declared to be or shall be existing as a Warehousing Port, shall continue to be a Warehousing Port under this Act, until the Local Government otherwise declares by notification in the official Gazette.

Approval, appointment, and licensing of warehouses.

13. In any Warehousing Port or place the Chief Customs Authority may from time to time appoint or license public Warehouses or places of security wherein dutiable goods may be deposited without payment of duty on the first entry thereof.

CHAPTER IV.

LEVY OF AND EXEMPTION FROM CUSTOMS DUTIES.

Import Customs.

14. Duties of customs shall be levied on goods imported by sea into any Customs Port from any Foreign Port or place, at such rates and with such exemptions as may be prescribed by any law for the time being in force.

Export Customs.

15. Duties of customs shall be levied on goods exported by sea from any Customs Port to any Foreign Port or place, at such rates and with such exemptions as may be prescribed by any law for the time being in force.

No duties on goods carried from one Indian Port to another not a Free Port.

16. No duties of customs shall be levied on goods carried by sea from any Customs Port to any other Customs Port:

Proviso as to opium, salt, and spirits.

Provided that nothing in this section shall apply to opium, salt or spirits;

or to goods brought from any Foreign Port or place to any Customs Port, and there transhipped for, or thence carried to, any other Customs Port without payment of duty;

or to goods removed in bond.

Power to exempt from Customs Duties.

17. The Governor General in Council may from time to time, by notification in the *Gazette of India*, exempt any goods imported or exported into or from British India, or into or from any specified port or place therein, from the whole or any part of the duties of customs to which they are liable under the law for the time being in force relating to such duties, and may, by like notification, cancel any such exemption.

Power to cancel exemption.

Power to authorize exemption from payment of duty.

The Local Government may authorize the Chief Customs Authority to exempt, by special order, from the payment of duty, under stated circumstances of an exceptional nature, any goods on which duties of Customs are directed to be levied by any law for the time being in force.

Baggage in actual use.

18. The Officer in charge of a Custom House may pass free of duty at his discretion any baggage in actual use, and for this purpose may determine, subject to such general rules as may from time to time be made under section 4, whether any goods shall be treated as baggage in actual use, or as goods subject to duty.

Transhipment of Goods.

Power to permit transhipment with payment of duty.

19. In the Ports of Calcutta, Madras, Bombay, Karáchi, Aden, Rangoon, Maulmain, Akyab, Chittagong, and such other British Indian Ports as the Governor General in Council may from time to time by notification in the *Gazette of India* direct in this behalf, the Chief Officer of Customs may (subject to the provisions contained in sections 20 and 21), on application of any person interested as owner, agent, consignee or otherwise in any goods imported by steamer into such port, grant leave to tranship the same without payment of duty at the port of transhipment, and without any security or bond for the due arrival and entry of the goods at the port of destination:

Proviso.

Provided that such goods have been specially and distinctly manifested or declared at the time of import as for transhipment to some other British Indian or foreign port.

Rules regulating exercise of power.

20. The power conferred by section 19 shall be exercised subject to such rules as the Local Government may from time to time prescribe by notification in the official Gazette.

Levy of transhipment fee.

21. A transhipment fee on each bale or package of any goods or class of goods transhipped under this Act, may be levied at such rates and under such regulations as the Local Government, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the official Gazette.

Power to prohibit transhipment.

22. The Governor General in Council may from time to time, by order notified in the *Gazette of India*, prohibit the transhipment, at any specified port or at all ports, of any specified class of goods, or prescribe any special mode of transhipping any specified class of goods, and may, by like notification, cancel such order.

Duty on opium re-exported by sea.

23. Opium imported by sea into any British Indian port may, if the Local Government think fit, but not otherwise, be re-exported by sea from the same port on payment of a duty equal in amount to the fee to which it would have been liable if it had been transhipped at such port.

CHAPTER V.

GENERAL PROVISIONS.

Prohibitions and restrictions.

24. The importation into or exportation from British India of the goods enumerated in the following clauses is prohibited:—

(*a*). Any book printed in infringement of any law in force in British India on the subject of copyright, when the proprietor of such copyright, or his agent, has given to the Chief Customs Authority of the Presidency or place a notice in writing that such copyright subsists, and a statement of the date on which it will expire:

(*b*). Counterfeit coin:

(*c*). Any obscene book, pamphlet, paper, drawing, painting, representation, figure or article.

Importation without license of arms and ammunition prohibited.

25. The importation into British India of arms or ammunition, except under a license from the said Governor General in Council, or from some officer authorized in that behalf by the said Governor General in Council, is prohibited.

Proviso.

Nothing in the former part of this section shall apply to fowling pieces and sporting powder *bond fide* imported by any person in reasonable quantities for his own private use.

Governor General may prohibit or restrict importation or exportation of goods.

26. The Governor General in Council may from time to time, by notification in the *Gazette of India*, prohibit or restrict the importation or exportation by sea or by land, or both by sea and by land, of any particular class of goods.

Importation and exportation.

27. It shall be lawful to import into, or to export from, any place declared under section 10 to be a port for the shipment and landing of goods, any goods the importation or exportation of which is not prohibited or restricted by any law or notice of the Governor General in Council for the time being in force.

Owner, &c., to declare real value of goods in bill of entry or clearance, and, if necessary, to produce invoice, &c.

28. On the importation into, or exportation from, any Port in British India of any goods not liable to duty, or liable to fixed duties according to weight or quantity only, or to duties on fixed Tariff valuations, the owner, consignee, importer, exporter or agent of such goods shall, in his bill of entry or shipping bill, truly declare their real value to the best of his knowledge and belief.

In case of doubt, the officer in charge of the Custom House may require any such person or any other person in possession of any invoice, broker's note, policy of insurance, or other document, whereby the value of any such goods can be ascertained, to produce the same, and to furnish any information relating to the value of such goods which it is in his power to furnish.

And thereupon such person shall produce any such document or furnish any such information so required by such officer.

Whenever the value of any goods is required to be stated in the entry, the importer, owner, or consignee, or his agent, shall subscribe a declaration of the truth of such value at the foot of such entry:

Provided that, if the importer, owner or consignee, or his agent, makes a declaration before the Officer in charge of the Custom House to the effect that he is unable, from want of full information, to state the value or contents of any case, package, or parcel of goods, then the officer in charge shall permit him, previous to the entry thereof, to open such case, package, or parcel, and examine the contents in presence of an officer of Customs.

No re-valuation of goods assessed for duty on the declared value thereof shall be allowed after such goods have been removed from the Custom House.

Assessment of goods liable to duty according to value.

In all cases in which goods are liable to duty according to the value thereof, and in which no value has been fixed by law for the purpose of levying duties thereon, the value shall be assessed at the wholesale cash price, less trade-discount, for which goods of the like kind and quality are sold, or are capable of being sold, at the time and place of importation or exportation respectively, without any abatement or deduction whatever, except of so much as the duties payable on the importation thereof amount to.

Nothing in this section applies to opium, salt or spirits.

Under-valued goods how dealt with.

29. If, upon the examination of any goods chargeable with duty upon the value thereof, but for which a specific value is not fixed by law, for the purpose of levying duties thereon, it appears to an Officer of Customs that such goods are properly chargeable with a higher rate or amount of duty than that to which they would be subject according to the value thereof as stated in the bill of entry or shipping bill, such officer may detain such goods.

In every such case the detaining officer shall forthwith give notice in writing to the person entering the goods, of their detention and of the value thereof as estimated by him; and the Officer in charge of the Custom House shall, within two clear working days after such detention, or within such reasonable period as may with the consent of the parties be arranged, determine either to deliver such goods on the entry of such person, or to retain the same for the use of Government.

If the goods be retained for the use of Government, the Officer in charge of the Custom House shall cause the full value at which they were entered to be paid to the person entering the same, in full satisfaction for such goods, in the same manner as if they had been transferred by ordinary sale, and shall then cause them to be sold by public auction after due notice in the official Gazette.

If the proceeds arising from such sale shall exceed the sum paid to the person entering the goods, together with the duty to which the goods are liable, and all charges incurred by Government in connection with them, a portion not exceeding one-half of the overplus shall, at the discretion of the Chief Officer of Customs, be payable to the officer who detected the under-valuation of the goods.

Nothing in this section shall prevent the Chief Officer of Customs, when he has reason to believe that any such under-valuation was solely the result of accident, from permitting the person entering the goods, on his application for that purpose, to amend such entry, on payment of such increased rate of duties, or on such other terms as he may determine.

Duties on goods retained under section 29 for use of Government.

30. When goods are retained under section 29 for the use of Government, the duties payable thereon shall in no case be levied from the person entering such goods.

Date of importation how to be determined.

31. If upon the first levying, repealing, enhancement or reduction of any duty,

or upon any change of any valuation for duty,

or upon the first permitting, prohibiting or restricting of any importation,

it becomes necessary to determine the exact date on which an importation of goods had effect,

such date shall be deemed to be that on which the goods were actually entered for home-consumption at the Custom House.

For the purpose of this section goods shall be deemed to be entered when the bill of entry thereof is delivered to the officer in charge of the Custom House.

Date of exportation how determined.

32. If, in like manner, it becomes necessary to determine the exact date on which an exportation of goods had effect, such date shall be deemed to be that on which the goods were actually entered outwards at the Custom House.

Contracts for sale of goods, duty on which is raised or lowered before performance.

33. When a contract is entered into for the sale of any dutiable goods at a fixed price including the duty leviable in British India at the date of the contract, and subsequently thereto, and before the contract is fully performed, the duty on such goods is raised or lowered, and levied accordingly, the amount to be paid to or received by the parties to the contract shall be increased or diminished, as the case may be, by the amount by which such duty is raised or lowered.

Illustrations.

(*a.*) A, a merchant in Calcutta, contracts with B, a merchant in Liverpool, to sell him 100 maunds of indigo at Rs. 200 per maund, including the export duty at the rate of 3 rupees per maund. Before the contract is fully performed the duty on indigo is reduced to 1 rupee per maund. B is entitled to deduct from the price agreed on Rs. 200, being Rs. 2 per maund.

(*b.*) A, a wine merchant in Bombay, contracts with B, a merchant in Bordeaux, for a thousand gallons of claret at Rs. 5 per gallon, including the import duty of 1 rupee per gallon. Subsequently, and before the contract is fully performed, the duty is raised to Rs. 2 per gallon levied at that rate, B is entitled to be paid at the rate of Rs. 6 per gallon.

Duty leviable on sea-borne goods, duty on which has been altered during transit.

34. When during the transit by sea to British India of any dutiable goods, the duty on such goods is raised, the duty leviable on such goods on arrival in British India shall be the duty which is in force in respect of such goods when such transit commenced, and when the duty on such goods is reduced, the duty leviable thereon shall be such reduced duty.

Re-imported articles of country produce to be deemed Foreign.

35. If goods produced or manufactured in British India be imported into any Customs Port from any Foreign Port or place, such goods shall be treated as Foreign goods, and shall be liable to all the duties, conditions and restrictions to which Foreign goods of the like kind and value are liable on the first importation thereof:

Proviso.

Provided that, if such importation takes place within three years after the exportation of such goods, and it is proved to the satisfaction of the Officer in charge of the Custom House that the property in such goods has continued in the person by whom or on whose account they were exported, the goods may be entered as Indian goods, in such manner as the Chief Customs Authority from time to time directs.

Goods for which any drawback of Excise has been received on exportation shall in all cases be treated as Foreign goods, unless the Chief Customs Authority in any case otherwise directs by special order.

Officer in charge of Custom House may require goods to be weighed or measured on board before landing.

36. The Officer in charge of the Custom House, whenever he sees fit, may require that goods stowed in bulk, and brought by sea or intended for exportation, shall be weighed or measured on board-ship before landing or after shipment, and may levy duty according to the result of such weighing or measurement.

Customs Officer may open package and examine goods shipped.

37. Any Officer of Customs may open any package, and fully examine any goods brought by sea, or shipped or brought for shipment at any place in British India.

Stations for Customs Officers to board and also land from ship.

38. The Chief Customs Authority may from time to time appoint, in any Customs Port, stations or places at which vessels arriving at or departing from such Port shall bring-to for the boarding or landing of Officers of Customs, and may direct at what particular place in any such Port small vessels, not brought into Port by Pilots, shall be required to anchor or moor.

The Chief Officer of Customs may at any time station Officers of Customs on board of any vessel, while such vessel remains within the limits of the Port.

Power to depute Officer of Customs to board ships.

39. The Officer in charge of the Custom House at any Port in British India, may at any time depute at his discretion one or more Officers of Customs to board any vessel arriving at such Port.

Every Officer of Customs so sent shall remain on board of such vessel by day and by night until it be otherwise ordered by the Officer in charge of the Custom House:

Proviso.

Provided that the Officer in charge of the Custom House may direct, whenever he sees fit so to do, and on such conditions as he sees fit to impose, that the discharge of cargo may take place without the presence of an Officer of Customs.

Master to be received with Officer.

Accommodation of Officer and servant.

40. Every Master of a vessel, who is bound to receive on board an Officer of Customs, shall also be bound to receive on board one servant of such Officer, and to provide such Officer and servant with suitable shelter and accommodation, and likewise with a due allowance of fresh water, and with the means of cooking on board.

Officers of Customs to have free access to every part of the ship, and may seal and secure goods.

41. Every Officer of Customs, deputed as above provided on board of any vessel, shall have free access to every part thereof, and may fasten down any hatchway or entrance to the hold, and mark any goods before landing, and lock up, seal, mark, or otherwise secure any goods on board of such vessel.

Officer in charge of Custom House may authorize search and opening of locks.

If any box, place, or closed receptacle in any such vessel be locked, and the keys be withheld, such officer shall report the same to the Officer in charge of the Custom House, who may thereupon issue to the officer on board, or to any other officer under his authority, a written order to search.

On production of such order, the officer bearing the same may require that any place, box, or closed receptacle in such vessel be opened in his presence; and, if it be not opened upon his requisition, he may break the same open;

Goods not to be landed on Sundays, holidays, &c., without permission, nor except within fixed hours, &c.

42. Except with the written permission of the Officer in charge of the Custom House, no goods, with the exception of passengers' baggage, shall on any Sunday or on any holiday or day on which the discharge of cargo is prohibited by the Chief Customs Authority of the Presidency or place, be discharged from any vessel arriving at any Customs Port or be shipped or water-borne for exportation or for carriage coastwise;

nor, except with such written permission, shall any goods be so discharged, shipped or water-borne on any day, except between such hours as the Chief Customs Authority from time to time appoints by notification in the official Gazette; nor without the presence or authority of an Officer of Customs;

nor in the case of goods so shipped or water-borne from any place in any such Port except a wharf duly appointed for such purpose;

nor without the presence of the proper Officer of Customs;

nor before due entry outwards of the exporting vessel and of the goods;

nor before such goods shall have been duly cleared for shipment.

CHAPTER VI.

IMPORTATION.

Power to fix places beyond which inward-bound vessels are not to proceed until manifest delivered.

43. The Local Government may, by notification in the official Gazette, fix a place in any River or Port, beyond which place it shall not be lawful for any vessel, whether laden or in ballast, arriving from any Foreign Port or place, to pass until the Master thereof has delivered to the Pilot, Officer of Customs or other person duly authorized to receive the same, a manifest signed by the Master containing a true specification of all goods imported in such vessel, with such particulars and made out in such form as is from time to time directed by the Chief Customs Authority.

If, in any River or Port wherein a place has been fixed by the Local Government under this section, the Master of any vessel arriving from any Foreign Port or place remains outside or below the place so fixed, such Master shall nevertheless, within twenty-four hours after the vessel anchors, deliver to the Pilot, Officer of Customs or other person authorized to receive the same, a manifest as provided in the same section.

Delivery of manifest when vessel anchors below reporting station.

44. In the case of a steamer the Master may enter in the manifest the name of the ship's agent as that of the consignee of any cargo, and the Chief Customs Authority may treat him as such consignee, provided he gives sufficient security to pay all claims for damage or short delivery which may be established by the owner of such cargo.

Power of Master of steamer to enter ship's agent as consignee.

45. The Pilot, Officer or other person so receiving the said manifest shall countersign the same and enter thereon such particulars as the said Chief Customs Authority from time to time directs in this behalf.

Duty of person receiving manifest.

46. No vessel arriving in any Customs Port from any Foreign Port or place, shall be allowed to break bulk until a manifest has been delivered as hereinbefore provided; nor until a copy of such manifest, together with an application for entry inwards, has been presented to the Officer in charge of the Custom House, and order has been given thereon by such officer for the discharge of the cargo.

Bulk not to be broken until manifest, &c., delivered, and ship entered at Custom House.

The Officer in charge of the Custom House may refuse to give such order, until any port-clearance, cockett, or other paper, which he knows or has reason to believe had been granted at the place from which the vessel is stated to have come, shall likewise have been delivered to him.

Nothing in this section shall prevent an Officer in charge of a Custom House from granting, prior to receipt of the original manifest and prior to the entry of the vessel at the Custom House, a special pass, permitting bulk to be broken. The granting of such pass shall be subject to such rules as may from time to time be prescribed by the Chief Customs Authority.

47. The Master of every vessel arriving from any Foreign Port or place shall, at the time of applying for entry inwards at any Customs Port, deliver to the Officer in charge of the Custom House, if required so to do, the bill of lading or a copy thereof for every part of the cargo laden on board, and shall answer all such questions relating to the vessel, cargo, crew, and voyage as are put to him by such officer.

Master, if required, to deliver bill of lading, &c., to Officer in charge of Custom House.

48. No goods shall be allowed to leave any vessel, unless they be duly entered in the manifest of such vessel.

Goods not to leave ship unless entered in manifest.

49. Nothing contained in section 48 shall prevent any Officer in charge of a Custom House from permitting the Master of any vessel to amend any obvious error in the manifest, or to supply any omission resulting from accident or inadvertence, by furnishing an amended or supplementary manifest.

Amendment of errors in manifest.

But the receiving of such amended or supplementary document shall always be discretionary with the Officer in charge of the Custom House; and, if he decide to receive any such amended or supplementary manifest, he may levy thereon such fee as the Chief Customs Authority from time to time directs.

50. A period of fifteen working days after the entry of a vessel not exceeding six hundred tons, or such other period as the Officer in charge of the Custom House directs, shall be allowed for the landing of import cargo from such vessel.

Period to be allowed for landing import cargo.

One additional day shall in like manner be allowed for every fifty tons in excess of six hundred.

No charge shall be made for the services of a single Officer of Customs for such period of fifteen working days, or for the services of several such officers for respective periods the aggregate of which does not exceed fifteen working days.

If the period occupied in the landing of import cargo be in excess of that so allowed, the vessel shall be charged with the expense of the Officer of Customs at a rate not exceeding five rupees per diem (Sundays and holidays excepted) for such excess period.

Consequence of exceeding same.

51. If the importer, owner or consignee of any goods (except such as have been declared by the Master as not to be landed), or the agent of such importer, owner or consignee does not land such goods within such number of working days, not exceeding fifteen, after the entry of the vessel importing the same, as the Local Government from time to time appoints by notification in the official Gazette, or within such further period as the bill of lading of such vessel specifies, the Master of the vessel, or the Officers of Customs on his application, may then carry such goods to the Custom House.

Procedure in respect of goods not landed within time allowed.

The Officer in charge of the Custom House shall thereupon take charge of and grant receipts for such goods;

and, if notice in writing has been given that the goods are to remain subject to a lien for freight, primage, general average, or other charges of a stated amount, he shall hold such goods until he shall have received notice in writing that the said charges are paid.

52. If any period earlier than the number of working days so appointed is specified in the bill of lading of such vessel for the discharge of her cargo or any part thereof, and if the importer, owner or consignee of such cargo, or his agent does not land the same within such specified period, the Master of such vessel, or the Officers of Customs, on his application, may then carry such goods to the Custom House.

Effect of not discharging cargo in any earlier period specified in bill of lading.

The Officer in charge of the Custom House shall thereupon take charge of and grant receipts for such goods;

and, if notice in writing has been given that the goods are to remain subject to a lien for freight, primage, general average, or other charges of a stated amount, he shall hold such goods until the said charges are paid.

53. At any time after the arrival of any vessel, the Officer in charge of the Custom House may, with the consent of the Master of such vessel, cause any small package or parcel of goods to be carried to the Custom House, there to remain for entry in charge of the Officers of Customs during the remainder of the working days allowed under the provisions of this or any other Act relating to Customs, for the landing of such package or parcel.

Goods may be landed at any time after arrival, with consent.

If any package or parcel so carried to the Custom House remains unclaimed on the expiration of the number of working days so allowed for its landing, or at the time of the clearance outwards of the vessel from which it was landed, the Master may give such notice as is provided in section 51, and the Officer in charge of the Custom House shall thereupon hold such package or parcel as provided in the said section.

54. If the duties chargeable upon any goods carried to the Custom House under the provisions of any of the three sections last preceding, together with the freight, primage, charges of landing and removal, rent and other charges to which such goods are liable, are not paid within four months from the date of entry of the vessel;

Procedure in case of non-payment of duties within four months after entry of vessel.

or if such goods are not duly warehoused within such period;

such goods may, after due notice in the official Gazette, be sold by public auction, and the proceeds thereof shall then be applied; first, to the payment of freight, primage and general average; next to the payment of duties; and then to the payment of other charges.

The overplus, if any, shall be paid to the importer, owner or consignee of the goods, or to his agent, on his application for the same; provided that such application be made within one year from the sale of the goods, or that good reason be shown why such application was not so made.

If any such goods be of a perishable nature, the Officer in charge of the Custom House may at any time direct the sale thereof, and shall apply the proceeds in like manner.

Nothing in this section shall authorize the passing for home-consumption of any dutiable goods without payment of duties of Customs thereon: provided that such goods may be so passed where the importer, owner or consignee furnishes security, to the satisfaction of the officer in charge of the Custom House, for the payment of the duties to which such goods are liable.

55. If any goods be not cleared for home-consumption or for warehouse within two months from the date of landing of such goods, or within such further period as the Officer in charge of the Custom House directs, such goods may, after due notice in the official Gazette, be sold by public auction, and the proceeds thereof shall then be applied to the payment of duties and other charges.

Goods not cleared within two months from date of landing, to be sold.

The overplus, if any, shall be paid to the importer, owner or consignee of the goods, or to his agent, on his application for the same; provided that such application be made within one year from the sale of the goods, or that good reason be shown why such application was not so made:

Disposal of proceeds.

Provided also that where such goods are arms, ammunition or military stores, they may be sold or otherwise disposed of at such place (whether within or without British India) and in such manner as the Local Government may from time to time direct.

Proviso.

56. All goods removed from on board of any vessel for the purpose of being landed and passed for importation, shall be forthwith landed at the wharf or other place appointed for the landing of such goods.

Goods removed from ship to be forthwith landed.

57. No goods discharged from any vessel under the authority of an Officer of Customs shall be landed, except at the wharf or other place appointed for the landing of such goods.

Goods not to be landed elsewhere than at appointed wharf or place.

No goods discharged into any boat for the purpose of being landed shall, previously to their being landed, be transhipped into any other boat without the permisson of an Officer of Customs.

58. When any goods are sent from on board of any vessel for the purpose of being landed and passed for importation, there shall be sent, with each boat-load or other separate despatch, a boat-note specifying the number of packages so sent, and the marks and numbers or other description thereof.

Boat-note.

Each boat-note shall be signed by an officer of the vessel, and likewise by the Officer of Customs on board, if any such officer be on board.

59. The importer, owner, or consignee of any dutiable goods intended to be delivered for home-consumption on the landing thereof from the importing ship, or the agent of such importer, owner or consignee, shall make entry of such goods by delivering to the Officer in charge of the Custom House a bill of entry thereof in such form and containing such particulars as may from time to time be directed by the Chief Customs Authority.

Entry for home-consumption.

The particulars of such entry shall correspond with the particulars given of the same goods and packages in the manifest of the ship.

60. No claim for any abatement or refund of duty, on account of damage alleged to have been sustained before entry, shall be allowed in respect of any goods imported into any Customs Port, unless such claim be made in writing, and the damaged condition of such goods be ascertained and certified, on the first examination thereof, by a Custom House Appraiser, or by such other person as the Officer in charge of the Custom House appoints for the purpose.

Claims to abatement of duty on account of damage how to be treated.

61. Goods, the damaged condition of which is ascertained and certified to the satisfaction of the Officer in charge of the Custom House, may, after notice in the official Gazette, or some mercantile newspaper circulating in the place, be sold by public auction at such time (within thirty days from the date of entry), and at such place as the Officer in charge of the Custom House appoints.

Disposal of damaged goods and levy of duty thereon.

The duty on such goods shall be adjusted on the gross amount realized by their *bonâ fide* sale, as proved by the original account-sales, without any abatement or deduction, except of so much as represents the duties payable on the importation thereof.

On goods the value of which has been fixed by law for the purpose of levying duties thereon, no abatement of duties shall be allowed, unless they be deteriorated to the extent of one-fifth of their value.

No abatement of duty on account of damage shall be allowed on wines, spirits, or beer or on any other articles on which duties are levied on quantity and not on value.

62. All goods derelict, jetsam, flotsam, and wreck, brought or coming into any Customs Port shall at all times be subject to the same duties to which goods of the like kind are subject on importation at such Port, unless it be shown to the satisfaction of the Officer in charge of the Custom House, that such goods are the produce or manufacture of any country or place, by virtue whereof they are entitled to be admitted duty-free.

Goods derelict and wreck to be treated as Foreign goods.

63. Any portion of an import cargo intended for another Port, or any ship's stores intended for the home voyage, may be declared by the Master of any vessel as not to be landed, and may thereupon, with the special sanction of the Officer in charge of the Custom House, be retained on board, and such cargo or ship's stores so retained shall not be subject to the payment of duty:

No duty on portion of import cargo intended for another Port, ship's stores, &c.

Provided that all such cargo and ship's stores shall be entered in the export manifest of the vessel as cargo or ship's stores not landed, and on which no duty has been paid.

Nothing in this section shall prevent the Officer in charge of the Custom House from sealing up, or otherwise securing, if he see reason for so doing, any portion of such cargo or ship's stores during the vessel's stay in Port.

CHAPTER VII.

WAREHOUSING.

64. Any person who has imported any dutiable goods into any warehousing Port may deposit such goods, without payment of duty on the first entry thereof, in any public or private warehouse approved, appointed, or licensed under this Act.

Deposit of goods in warehouse without payment of duty.

65. Every public warehouse appointed under section 13 shall be under the lock and key of a warehouse-keeper appointed by the Chief Officer of Customs.

Warehouse-keeper.

The warehouse-keeper shall, to the extent provided in sections 70 and 82 and not otherwise, be responsible for the charge of all goods deposited in his warehouse, and for their due reception therein and delivery therefrom.

Responsibility of keeper.

66. The Chief Customs Authority, or such Officer of Customs as such Authority from time to time appoints in this behalf, may from time to time determine in what division of any public warehouse, and in what manner, and on what terms, including rates of rent, any goods and what sort of goods may be deposited without payment of duty on the first entry thereof.

Chief Customs Authority to decide what goods may be deposited in public warehouse, and on what terms.

A table of the rates of rent so fixed for every public warehouse shall be placed in a conspicuous part thereof.

Table of rates of rent.

67. At any warehousing Port or place, the Chief Officer of Customs may license private warehouses for the reception of dutiable goods under this Act without payment of duty on the first entry thereof.

Power to license private warehouses.

Every license for a private warehouse so granted shall, unless it be otherwise provided in the license, be liable to be revoked after one month's notice by the Chief Officer of Customs.

Revocation of license.

68. Every application for a license for a private warehouse shall be in writing, and shall be drawn up in the Form marked A hereto annexed, or in such other form as is from time to time prescribed by the Chief Customs Authority, and shall be signed by the applicant.

Form of application for license.

69. Every application for the admission of goods into any public or private warehouse shall be in writing, and shall be drawn up in the Form marked B hereto annexed, or in such other form as is from time to time prescribed by the Chief Customs Authority, and shall be signed by the applicant.

Form of application for admission of goods into warehouse.

70. No goods shall be warehoused unless they have been assessed for Customs duty in like manner as goods intended to be passed for home-consumption.

No goods to be warehoused without payment of duty, unless assessed for Customs duty.

The warehouse-keeper in respect of goods lodged in a public warehouse, and the person who obtained the license in respect of goods lodged in a private warehouse, shall be answerable for the weight or gauge reported by the Custom House Officer who has assessed such goods, allowance being made, if necessary, for ullage and wastage as provided in section 84.

Public warehouse-keeper or license-holder of private warehouse to be answerable for weight or gauge.

Nothing in this section shall interfere with the re-assessment for duty of warehoused goods on their clearance for home-consumption, should an alteration of any duty or of any valuation for duty render such re-assessment requisite with reference to the provisions of section 31.

Saving of re-assessment of warehoused goods on clearance for home-consumption.

71. When an application has been made for the warehousing of any goods under this Act, and when such goods have been assessed for duty as directed in section 70, the importer, owner, or consignee, or his agent shall execute a bond for the amount of such duty in the Form marked C hereto annexed, or in such other form as is from time to time prescribed by the Chief Customs Authority.

Bond under what circumstances to be taken. Form and conditions of bond.

Every such bond shall relate to the duties chargeable on the cargo or portion of the cargo of one vessel only.

72. Every bond shall be for twice the amount of duty assessed on the goods to which it relates, and shall stipulate for the payment, on demand, of any sum due on account of any such goods, together with interest on such sum from the date of demand, at such rate, not exceeding six per cent. per annum, as is fixed by the Chief Customs Authority.

Terms of bond to be executed.

Every person executing any such bond shall be bound thereby for the payment of all duties, interest, and charges claimable on account of the goods, and of penalties incurred for violation of the Customs law in respect to the same.

73. When any such bond has been executed, the goods to which such bond relates shall be allowed to remain in warehouse for a period not exceeding three years, without being liable to the demand of import duty.

Period for which goods may remain warehoused under bond.

74. When the provisions of sections 69, 70, 71 and 72 have been complied with in respect to any goods, such goods shall be forwarded in charge of an Officer of Customs to the warehouse in which they are to be deposited.

Procedure in respect of goods to be warehoused.

There shall be sent with the goods a pass in which the name of the importing vessel and of the bonder, the marks, numbers, and contents of each package, and the warehouse or place in the warehouse wherein they are to be deposited, shall be specified.

On receipt of the goods into the warehouse, the correctness of the pass, if it be correct, shall be duly certified by the proper officer, and the pass shall be returned to the Officer in charge of the Custom House, after which the warehousing of such goods shall be deemed to have been completed.

75. No package, butt, cask, or hogshead shall be admitted into any public or private warehouse, unless it bear the marks and numbers specified in the pass for its admission.

Packages, &c., to be marked and numbered before admission into warehouse.

76. All goods shall be warehoused in the packages, butts, casks, or hogsheads in which they have been imported, except as provided in section 81.

Goods how warehoused.

77. The Officer in charge of the Custom House may at any time issue his written order to cause any goods or packages lodged in any public or private warehouse to be opened, weighed, or otherwise examined as he directs; and after any goods have been so opened or examined, may cause the same to be sealed or marked in such manner as he thinks fit.

Power to cause packages lodged in warehouse to be opened and examined.

When any goods have been so sealed and marked after examination, they shall not be again opened without permission from the Officer in charge of the Custom House; and when any such goods are opened with the permission of such Officer, the packages shall, if it seems fit to such Officer, again be sealed or marked as before.

78. The Officer in charge of the Custom House, or any Officer deputed by him for the purpose, shall have access to any private warehouse licensed under this Act.

Access of customs officer to private warehouse.

79. Every bond executed for duty chargeable on goods deposited in any private warehouse shall become due and may be put in suit for the levy of such duties and other demands of Customs after seven days have passed from the date on which the Officer in charge of the Custom House has given notice that the license for such warehouse is withdrawn.

When bond for duty on goods in private warehouse may be sued on.

80. Any importer, owner, or consignee of goods lodged in a public or private warehouse under this Act, or the agent of any such importer, owner, or consignee shall, at any time within the hours of business, have access to his goods in presence of an Officer of Customs, and an Officer of Customs shall be deputed to accompany any such person upon application for the purpose being made in writing to the Officer in charge of the Custom House.

Access of owners to warehoused goods.

When an Officer of Customs is deputed as above, the person making the application shall, if required so to do, pay into the hands of the Officer in charge of the Custom House a sum sufficient to meet the expense of employing a special Officer for this purpose, whenever the Officer in charge of the Custom House finds it expedient to employ such special Officer.

81. With the sanction of the Officer in charge of the Custom House, and after such notice given, and under such rules and conditions as the Chief Customs Authority from time to time prescribes, it shall be lawful for any importer, owner, or consignee of goods, or his agent, either before or after warehousing,

Goods in warehouse may be sorted, repacked, &c., by owner, &c.

(*a*) to sort, separate, pack, and repack any goods, and to make such alterations therein as may be necessary for the preservation, sale, shipment, or disposal thereof (such goods to be repacked in the packages in which they were imported, or in such other packages as the Officer in charge of the Custom House permits);

(*b*) to fill up any casks of wine, spirits, or beer from any casks of the same secured in the same warehouse;

(*c*) to mix any wines of the same sort, erasing from the cask all import-brands, unless the whole of the wine so mixed be of the same brand;

(*d*) to take such samples of goods as may be allowed by the Officer in charge of the Custom House, with or without entry, and with or without payment of duty, except as the same may eventually become payable on a deficiency of the original quantity;

and after such goods have been so separated and repacked in proper or approved packages, the Officer in charge of the Custom House may, at the request of the importer, owner, or consignee of such goods, or his agent, cause or permit any refuse, damaged, or surplus goods remaining after such separation or repacking (or, at the like request, any goods which may not be worth the duty) to be destroyed, and may remit the duty payable thereon.

Compensation for loss or injury not admissible, except in case of proved wilful neglect, &c.

82. No importer, owner, or consignee of goods shall be entitled to claim from the Officer in charge of the Custom House, or from any keeper of a public warehouse, compensation for any loss or injury occurring to such goods while they are being passed into or out of such warehouse, or while they remain therein, unless it be proved that such loss or injury was occasioned by the wilful act or neglect of the warehouse-keeper or of an Officer of Customs.

Power to remit duties on warehoused goods lost or destroyed;

83. If any goods warehoused or entered to be warehoused, or entered to be delivered from a warehouse, are lost or destroyed by unavoidable accident or delay either on board of any vessel, or in landing, or during receipt into the warehouse, or in the warehouse, the Chief Customs Authority may remit the duties due thereon, or return them if paid:

Provided that, if any goods be so destroyed in a private warehouse, notice thereof be given to the Officer in charge of the Custom House within forty-eight hours after the discovery of such destruction.

and if goods are damaged, duty to be levied on actual value.

If goods lodged in a warehouse receive damage through unavoidable accident, they shall be reassessed for duty according to their actual value, and a new bond for the same shall be executed for the unexpired term of warehousing.

Import duty to be on quantity or value registered at time of importation.

84. The import duty on all goods shall be settled on the quantity or value thereof, as the case may be, registered at the time of importation, without any deduction whatever:

Proviso as to wines, spirits, beer or salt.

Provided that, if it appear, at the time of clearing any wines, spirits, beer or salt from any warehouse, that a deficiency exists, an allowance (on account of ullage and wastage) shall be made in adjusting the duties thereon, to an extent not exceeding the rates specified below, or in such table as may from time to time be prescribed in this behalf by the Local Government and notified in the official Gazette:

Rates of ullage or wastage in respect to Wines, Spirits, and Beer in cask.

For any time not exceeding	6 months	...	2½ per cent.
Exceeding 6 months and not exceeding	12 ,,	...	5 ,,
Exceeding 12 months and not exceeding	18 ,,	...	7½ ,,
Exceeding 18 months and not exceeding	2 years	...	10 ,,
Exceeding 2 years and not exceeding	3 ,,	...	12½ ,,

When Salt is warehoused in a Government Gola or Store-house under charge of a Government Officer, duty of Customs shall be chargeable only on the amount actually cleared.

The rate of wastage to be allowed in adjusting the duties on Salt warehoused in a private Gola or Store-house shall be prescribed from time to time by the Local Government and notified in the official Gazette.

Allowance for ullage or wastage in case of wines, &c., lodged in private warehouse.

85. When any Wines, Spirits, Beer or Salt lodged in a private warehouse are found to be deficient at the time of the delivery therefrom, and if such deficiency is proved to be due solely to ullage or wastage, the Chief Customs Authority may direct, in respect to any such article and for the purposes of this section, that allowance be made in any special case for a rate of ullage or wastage exceeding that contemplated in section 84.

Goods not to be removed from warehouse, except after application to Officer in charge of Custom House.

86. No goods shall be removed from any warehouse, except after application to the Officer in charge of the Custom House for permission to pass the goods for exportation by sea to some Foreign Port or place;

or for home-consumption, in like manner as is prescribed by section 59 for goods entered for home-consumption on the landing thereof;

or for removal to another warehouse, as provided in sections 93, 94, 95 and 96.

Form of application for removal of goods.

87. Application to remove goods from any warehouse shall be made in the Form marked D hereto annexed, or in such other form as the Chief Customs Authority from time to time prescribes.

Twenty-four hours' notice to be given.

Such application shall ordinarily be made to the Officer in charge of the Custom House twenty-four hours before it is intended so to remove such goods.

Immediate payment of duty on goods improperly taken out of warehouse.

88. If any goods are taken out of any warehouse otherwise than as is provided in this Act, the bonder shall forthwith pay the duties due upon such goods.

Expenses of carriage, packing, &c., to be borne by owners.

89. The expenses of carriage, packing, and stowage of goods on their reception into or removal from a warehouse shall, if paid by the Officer in charge of the Custom House or by the warehouse-keeper, be chargeable on the goods, and be defrayed by the importer, owner, or consignee, in like manner as the duties of Customs.

Payment of rent and warehouse dues.

90. If goods be lodged in a public warehouse, the importer, owner, or consignee shall further pay monthly, on receiving a bill or written demand for the same from the warehouse-keeper, the rent and warehouse dues.

In case of failure, goods may be sold, &c.

If any such bill for rent or warehouse dues be not discharged within ten days from the date of presentation, the Officer in charge of the Custom House may, in liquidation of such demand (any transfer or assignment of the goods notwithstanding), cause to be sold by public auction after due notice in the official Gazette such sufficient portion of the goods as he may select.

Disposal of proceeds.

Out of the proceeds of such sale the Officer in charge of the Custom House shall first satisfy the demand for the liquidation of which the sale was ordered, and shall then pay over the surplus, if any, to the importer, owner, or consignee:

Provided that application for the same be made within one year from the sale of the goods, or that good reason be shown why such application was not so made.

On goods being removed otherwise than for export, &c., full duty to be paid.

91. If any goods warehoused as provided in this Act are removed or taken from the warehouse otherwise than for removal to another warehouse, as provided in sections 93, 94, 95 and 96, or for exportation by sea to some Foreign Port or place;

or if any goods have not been cleared from the warehouse and so exported at the expiration of the time during which such goods are permitted by this Act to remain in warehouse,

the Officer in charge of the Custom House shall thereupon demand the full amount of import duty which is chargeable on account of such goods, together with all charges or penalties due on account of them.

But if any goods so warehoused are before the expiration of the time last mentioned removed or taken from the warehouse for removal to another warehouse as provided in sections 93 to 96 inclusive, or for exportation by sea to some Foreign Port or place, no duty shall be chargeable.

Procedure on failure to pay duty.

92. If any importer, owner, or consignee fails to pay any duty or penalty that falls due on account of goods warehoused under this Act, the Officer in charge of the Custom House may either proceed upon the bond executed by such importer, owner, or consignee, or may cause such portion as to him seems fit of the warehoused goods on account of which the duty or penalty is demanded, to be detained in satisfaction thereof;

and if the demand be not discharged within ten days from the date of such detention (due notice thereof being given to the importer, owner, or consignee), the goods so detained shall be liable to be sold by public auction in satisfaction of the demand, after due notice in the official Gazette.

The proceeds of any sale so made of goods so detained shall be written off upon the bond in discharge thereof to the amount received, less the charges of the sale; and if any surplus be obtained from such sale, beyond the amount of the demand, such surplus shall be paid over to the importer, owner, or consignee of the goods: Provided that application for the same be made within one year from the sale, or that good reason be shown why such application was not so made.

No transfer or assignment of goods shall prevent the Officer in charge of the Custom House from proceeding against such goods in the manner above provided, for any demand of Customs duties or penalty claimed thereon.

Power to remove goods from one warehouse to another.

93. Any importer, owner, or consignee of goods warehoused under this Act, or any agent of such importer, owner, or consignee may, with the permission of the Chief Officer of Customs, and on such conditions and after giving such security as the Chief Customs Authority directs, remove goods from one public or private warehouse to another warehouse in the same Port.

When any person desires so to remove any goods, he shall make application in the Form marked E hereto annexed, or in such other form as the Chief Customs Authority from time to time prescribes.

Bonded goods may be removed from one Port to another.

94. Goods warehoused under this Act at any warehousing Port may from time to time be removed by sea or by inland carriage, in order to be re-warehoused at any other warehousing Port.

Procedure.

When any person desires so to remove any goods, he shall apply to the Chief Officer of Customs, stating the particulars of the goods to be removed, and the name of the Port or place to which it is intended that they shall be removed, together with such other information, and in such manner and form, as the Chief Customs Authority from time to time prescribes.

Officers at Port of removal to transmit account of goods to Officers at Port of destination.

95. When permission is granted for the removal of any goods from one warehousing Port or place to another, under section 94, an account containing the particulars thereof shall be transmitted by the proper Officer of the Port or place of removal to the proper Officer of the Port or place of destination;

Owner to execute bond for due arrival, &c.

and the person requiring the removal shall enter into a bond, with one sufficient surety, in a sum equal at least to the duty chargeable on such goods, for the due arrival and warehousing thereof at the Port or place of destination within such time as the Chief Customs Authority directs.

Such bond may be taken by the proper Officer either of the Port or place of removal, or of the Port or place of destination, as best suits the residence or convenience of the persons interested in such removal.

If such bond is taken at the Port or place of destination, a certificate thereof, signed by the proper Officer of such Port or place shall, at the time of the entering of such goods, be produced to the proper Officer of the Port or place of removal, and such bond shall not be discharged unless such goods are produced to the proper Officer and duly re-warehoused at the Port or place of destination within the time allowed for such removal, or are otherwise accounted for to the satisfaction of such Officer; nor until the full duties due upon

any deficiency of such goods, not so accounted for, have been paid.

Remover may enter into a general bond.

96. The Chief Customs Authority may permit any person desirous of removing warehoused goods to enter into a general bond, with such sureties, in such amount, and under such conditions as the Chief Customs Authority approves, for the removal from time to time of any goods from one warehouse to another, either in the same or in a different Port or place, and for the due arrival and re-warehousing of such goods at the Port or place of destination within such time as the Chief Customs Authority directs.

Goods on arrival at Port of destination to be subject to same laws as goods on first importation.

97. Upon the arrival of warehoused goods at the Port or place of destination, they shall be entered and warehoused in like manner as goods are entered and warehoused on the first importation thereof, and under the laws and rules, in so far as such laws and rules can be made applicable, which regulate the entry and warehousing of such last mentioned goods.

Removal of goods to be noted on the bond, with particulars.

98. When any goods warehoused as provided in this Act are removed from any public or private warehouse, the Officer in charge of the Custom House shall cause such removal to be noted on the back of the bond.

Every note so made shall specify the quantity and description of goods removed, the purposes for which they have been removed, the date of removal, the name of the person removing them, the number and date of the export-pass under which they have been taken away, if removed for exportation by sea, or of the import-pass or order if removed for home-consumption, and the amount of duty (if any) paid.

A register of bonds to be kept.

99. A register shall be kept of all bonds entered into for Customs duties on goods warehoused as provided in this Act, and entry shall be made in such register of all particulars specified in section 98.

When bonds are to be cancelled and returned to obligee.

When the register shows that the entire quantity of the goods covered by any bond has been withdrawn from warehouse, either owing to the goods being passed for home-consumption on the payment of duties, or owing to their re-exportation by sea to some Foreign Port or place, and when all charges and penalties which have been incurred on account of such goods have been paid, the Officer in charge of the Custom House shall cancel such bond as discharged in full, and deliver it, so cancelled, to the person who has executed or who is authorized to receive it.

Duty on warehoused goods to be settled within three years.

100. In no case shall the settlement of duty on warehoused goods be delayed beyond three years from the date of the first warehousing of the goods in British India.

Warrant to be given every time goods are warehoused.

101. As often as any goods are lodged in a public warehouse or a licensed private warehouse, the warehouse-keeper, or, in the case of the Bengal Bonded Warehouse Association, the Secretary of the said Association, shall deliver a warrant signed by him as such to the person lodging the goods.

Form of warrant.

Such warrant shall be in the Form I hereto annexed, and shall be transferable by endorsement; and the endorsee shall be entitled to receive the goods specified in such warrant on the same terms as those on which the person who originally lodged the goods would have been entitled to receive the same.

Provisions relating to private warehouses applicable to Bengal Bonded Warehouse Association.

102. All the provisions of this Act, relating to private warehouses, shall be applicable to the warehouses wherein the Bengal Bonded Warehouse Association receives bonded goods.

CHAPTER VIII.

TRANSHIPMENT.

When goods brought into one Indian Port, but intended for another Indian or Foreign Port, may be transhipped without payment of duty.

103. When goods other than salt or opium are brought in any vessel to any Port in British India, and such goods have been specially and distinctly manifested or declared at the time of import as for transhipment to any other British Indian or Foreign Port, and application is made for leave to tranship such goods, such transhipment shall be allowed without the payment of duty at the Port of transhipment, subject to such rules as may from time to time be prescribed by the Local Government:

Provided that where the goods so transhipped are to be removed to some other Port in British India, the person requiring such transhipment shall enter into a bond, with such security as may be required of him, in a sum equal at least to the duty chargeable on such goods, for the due arrival and entry thereof at the Port of destination within such time as the Chief Officer of Customs of the Port of transhipment directs.

Such goods shall thereupon be treated in all respects as warehoused goods, removed under the provisions of sections 94 and 95.

An Officer of Customs shall, in every case, be deputed to superintend the removal of such goods from vessel to vessel.

Levy of transhipment fee.

104. A transhipment fee on each bale or package of goods transhipped under section 103 shall be levied at such rates and under such regulations as may from time to time be prescribed by the Local Government.

All such rates and regulations shall be published in the local official Gazette.

Entry and warehousing on arrival of goods transhipped under section 103.

105. All goods transhipped under section 103 for removal to a Port in British India shall on their arrival at such Port be entered and warehoused in like manner as goods are entered and warehoused on the first importation thereof and under the laws and rules,

in so far as such laws and rules can be made applicable which regulate the entry and warehousing of such last mentioned goods.

Transhipment of stores from one vessel to another of the same owner without payment of duty.

106. If two or more vessels belonging to the same owner be at any Port in British India at the same time, any articles of marine stores in use or ordinarily shipped for use on board may, at the discretion of the Officer in charge of the Custom House, be transhipped from one such vessel to any other such vessel without payment of import duty.

CHAPTER IX.

EXPORTATION.

Permission for entry outwards to be obtained before export cargo is shipped.

107. No vessel shall be entitled to entry outwards, or to take on board any part of her export cargo, until a written application has been duly made to the Officer in charge of the Custom House by the Master of such vessel, or by his authorized agent; nor until an order has been given thereon by such Officer for such entry or shipment of cargo.

Every application made under this section shall specify the name, tonnage, and nation of the vessel, the name of the Master, and the name of every place for which cargo is to be shipped.

Period allowed for shipment of export-cargo.

108. A period of fifteen working days after the expiration of the period allowed for discharging import-cargo under section fifty, or such further period as the Officer in charge of the Custom House directs, shall be allowed for the shipment of export-cargo on board of every vessel not exceeding six hundred tons.

One additional day shall in like manner be allowed for every fifty tons in excess of six hundred.

No charge shall be made for the services of a single Officer of Customs for such period of fifteen working days, or for the services of several such Officers for respective periods not exceeding in the aggregate fifteen working days.

Consequence of exceeding same.

If the period occupied in the shipment of export-cargo be in excess of that allowed, the vessel shall be charged with the expense of the Officer of Customs at a rate not exceeding five rupees per diem (Sundays and holidays excepted) for such excess period.

Allowance for period during which vessel is laid up.

Due allowance shall in such case be made for any period during which a vessel, after the completion of the discharge of import-cargo and before commencing the shipment of export-cargo, shall be laid up by the withdrawal of the Officer of Customs upon application from the Master.

Exporter to deliver shipping bill before shipping any goods.

109. No goods shall be shipped or water-borne to be shipped for exportation, until the exporter or his agent has filled in and delivered to the Officer in charge of the Custom House, or other proper Officer, a shipping bill of such goods in the Form marked F hereto annexed, or in such other form as may from time to time be prescribed by the Chief Customs Authority.

On entry outwards, bond to be given for shipping and landing.

110. Before any warehoused goods or goods subject to duties of Excise, or goods entitled to drawback of Customs on exportation, or goods exportable only under particular rules or restrictions, are permitted to be exported, the exporter or his agent shall, if required so to do, give security by bond in such sum, not exceeding twice the duty leviable on such goods, as the Officer in charge of the Custom House directs, with one sufficient surety that such goods shall be duly shipped, exported, and landed at the place for which they are entered outwards, or shall be otherwise accounted for to the satisfaction of such Officer.

Boat-note.

111. When any goods are sent for the purpose of being shipped for exportation on board of any vessel, there shall be sent, with each boat-load or other separate despatch, a boat-note specifying the number of packages so sent and the marks and numbers or other description thereof.

Each boat-note shall be signed by the proper Officer of Customs, and, if an Officer of Customs is on board of the vessel on which such goods are to be shipped, shall be delivered to such Officer.

If no such Officer be on board, every such boat-note shall be delivered to the Master of the vessel, or to an Officer of the vessel appointed by him to receive it.

No vessel to depart without a port-clearance.

112. No vessel, whether laden, partially laden, or in ballast, shall depart from any Port in British India until a port-clearance has been granted by the Officer in charge of the Custom House or other Officer duly authorized to grant the same.

Every application for port-clearance shall be made by the Master at least twenty-four hours before the intended departure of the vessel; and every Master of a vessel so applying for port-clearance shall answer to the proper Officer of Customs such questions touching her departure and destination as are demanded of him.

A certificate of departure without port-clearance purporting to be signed by the Chief Officer of Customs of the Port from which any vessel is stated to have so departed, shall be sufficient *primâ facie* proof of the fact so certified.

No Pilot to take charge of any vessel proceeding to sea without production of port-clearane

113. No Pilot shall take charge of any vessel proceeding to sea, unless the Master of such vessel produces a port-clearance.

Master on applying for port-clearance, to deliver manifest and certificates.

114. The Master of every vessel intending to leave any Port in British India shall, at the time of applying for port-clearance, deliver to the Officer in charge of the Custom House, or other duly authorized Officer, a manifest in duplicate according to such form as may from time to time be prescribed by the Chief Customs Authority, containing a full and true specification of all goods to be exported in the vessel and signed by the Master;

and shall also deliver to the Officer in charge of the Custom House, or other duly authorized Officer, such certificates as the Officer in charge of the Custom House, acting under the general instructions of such Chief Customs Authority, requires.

The Officer in charge of the Custom House, or other duly authorized Officer, when satisfied with the said certificates, and as to the correctness of the manifest, shall grant a port-clearance to the Master, and shall return at the same time to such Master one copy of the manifest duly countersigned by the proper Officer of Customs.

Nothing in this section shall prevent the Officer in charge of the Custom House from granting (subject to such rules as the Chief Customs Authority may from time to time prescribe) a port-clearance to the Master when the Ship's Agent furnishes sufficient security for duly delivering, within three days from the date of grant, the manifest and certificates aforesaid.

Port-clearance may be refused, unless all documents are delivered and charges paid.

115. The Officer in charge of the Custom House may refuse port-clearance to any vessel until the required manifest and certificates are produced, and until all Port-dues and other charges and penalties due by such vessel, or by the Master thereof, are duly paid, or their payment secured by such guarantee, or by a deposit at such rate, as the Officer in charge of the Custom House directs.

Additional charge on goods passed for shipment after port-clearance has been granted.

116. When goods are passed through the Custom House for shipment on an application presented after port-clearance has been granted, two per cent. upon the market-value of any such goods not liable to duty, or liable to specific duties according to weight or quantity only, or to duty according to value, and upon the tariff value of goods so passed which are liable to duties on fixed tariff valuations, shall in every case be levied, in addition to any duty to which such goods are ordinarily liable:

Nothing in this section shall apply to any shipment of Treasure or Opium.

Return of duty on goods not shipped or re-landed.

117. Upon an application being made to the Officer in charge of the Custom House, the duty levied upon goods not shipped, or upon goods shipped and afterwards re-landed, shall be returned to the person on whose behalf such duty was paid:

Proviso.

Provided that no such refund shall be allowed unless application therefor has been made before the expiration of three clear working days after the vessel on which such goods were intended to be shipped, or from which they were re-landed, has left the Port.

Goods re-landed from a vessel returning to Port, or putting into another Port.

118. If any vessel, after having cleared from any Customs Port shall, without having discharged her cargo, return to such Port, or put into any other Customs Port, any owner or shipper of cargo in such vessel, or the agent of any such owner or shipper, if he desires to land the same or any portion thereof for re-export, may make application to the Officer in charge of the Custom House.

Such Officer, if he grant the application, shall thereupon send an Officer of Customs to watch the vessel, and to take charge of the cargo during such re-landing or removal from on board.

Goods on board of such vessel shall not be allowed to be transhipped or re-exported free of duty by reason of the previous settlement of duty at the time of first export, unless such goods are lodged and remain under charge of an Officer of Customs, in a place appointed by the Officer in charge of the Custom House, until the time of re-export.

All charges attending such custody shall be borne by the exporter.

Vessel returning to Port may enter and land goods under Import-rules.

119. In either of the cases mentioned in section 118, the Master of the vessel, or any owner or shipper of cargo therein, may enter such vessel and land such cargo under the rules for the importation of goods.

In every such case the export duty shall be refunded to, and the amount paid in drawback shall be reclaimed from, such owner or shipper.

Provisions, stores, &c., for consumption on vessels proceeding to Foreign Ports may be exported duty free on certain conditions.

120. Provisions and other such ship's stores warehoused at the time of importation may be exported without payment of duty for use and consumption on board of any vessel proceeding directly to a Foreign port or place, whether such port or place be or be not the port or place of ultimate destination.

Articles of Indian produce or manufacture including rum, required for use on board of any vessel proceeding to any Foreign Port or place, may also be exported free of duty, whether of Customs or Excise, in such quantities as the Officer in charge of the Custom House determines with reference to the tonnage of the vessel, the numbers of the crew and passengers, and the length of the voyage on which the vessel is about to depart:

Provided that no such rum shall be shipped as stores free of duty on any vessel not going to a Foreign Port or place, or going on a voyage of less than thirty days' probable duration.

CHAPTER X.

DRAWBACK.

Amount of drawback allowable on re-export.

121. Upon the re-export by sea to any Foreign Port or place of any goods, except Salt or Opium, capable of being easily identified, imported by Sea into British India from any Foreign Port or place, and upon which duties of Customs have been paid on importation, three-fourths of such duty shall be repaid as drawback:

Conditions for grant of drawback.

Provided that, in every such case, the goods be identified to the satisfaction of the Officer in charge of the Custom House, and that the re-export be made within two years from the date of importation, as shown by the Custom House Register, or within such extended term as the Chief Customs Authority, on sufficient cause for such extension being shown, in any case determines.

The Governor General in Council may from time to time, by notification in the *Gazette of India*, declare what goods shall for the purpose of this section be deemed to be capable of being easily identified.

No repayment shall be made under this section on account of any article entered in the export manifest of the vessel as ship's stores.

Time to claim and demand payment of drawback.

122. No payment of drawback shall be made upon any goods re-exported from any port in British India, unless the claim to receive such drawback be made and established at the time of re-export, nor unless payment be demanded within one year from the date of entry for shipment.

No such payment of drawback shall be made until the vessel carrying the goods has put out to sea.

Drawback not allowed on goods of value less than amount claimed.

123. No drawback shall be allowed upon the exportation of any goods entered for drawback, which are of less value than the amount of the drawback claimed.

Drawback on exportation of spirit.

124. A drawback of the whole of the duties paid under Act No. XXIII of 1860 (*to amend Act XXI of* 1856, *to consolidate and amend the law relating to the Abkári Revenue in the Presidency of Fort William in Bengal*), section one, on spirit manufactured at distilleries worked according to the English method and exported by sea in manner prescribed by Act No. XXI of 1856 (*to consolidate and amend the law relating to the Abkári Revenue in the Presidency of Fort William in Bengal*) to any Foreign Port shall be allowed at the port of exportation:

Provided that the exportation be made within one year from the date of the payment of duty under the said Act No. XXIII of 1860, and that the spirit, when brought to the Custom House, be accompanied by the pass in which such payment is certified.

No drawback on goods not entered in Export manifest.

125. No drawback shall be allowed upon goods not included in the Export manifest.

No drawback allowed except on goods exported out of India.

126. No drawback shall be allowed upon goods exported from one Customs Port to another.

But drawback may be allowed upon goods which, after having been charged with dutyat one Customs Port and thence exported to another, are thence again re-exported by sea to a Foreign Port or place:

Proviso.

Provided that, in every such case, the goods be identified to the satisfaction of the Officer in charge of the Custom House at the Port of final exportation, and that such final exportation be made within three years from the date of first importation into British India.

Declaration to be made by parties claiming drawback.

127. Every person, or his duly authorized agent, claiming drawback on any goods duly exported, shall make and subscribe a declaration that such goods have been actually exported, and have not been re-landed and are not intended to be re-landed at any Customs Port; and that such person was at the time of entry and shipment, and continues to be, entitled to drawback thereon.

Drawback of duties on wine allowed for Officers of the Navy.

128. A drawback of the whole of the duties of Customs shall be allowed for wine intended for the consumption of any Officer of Her Majesty's Navy, on board of any of Her Majesty's ships in actual service, unless such wine has been warehoused without payment of duty on the first entry thereof.

The quantity of wine on which drawback may be so allowed in any one year for the use of any such Officer shall not exceed the proportions specified below; that is to say—

		Gals.
For every Admiral	...	1,260
Vice-Admiral ...	...	1,050
Rear-Admiral ...	...	840
Captain of 1st and 2nd rate	...	630
Captain of 3rd, 4th, and 5th rate.		420
Captain of an inferior rate	...	210
Lieutenant or other Commanding Officer, and for every Marine Officer, Master, Purser, or Surgeon	...	105

Persons entering such wine for drawback to declare name and rank of Officer claiming same.

129. Every person clearing and claiming drawback for wine, as provided in section 128, shall state in the entry the name of the Officer for whose use such wine is intended, and of the ship in which he serves, as well as the place and date of the last supply for which drawback was allowed.

All such wine shall be delivered into the charge of the proper Officers of Customs at the Port of shipment, to be shipped under their care; and when the Officer commanding the ship has certified the receipt of such wine into his charge, and the proper Officer of Customs has certified the shipment, the drawback shall be paid to the person entitled to receive the same.

Transfer of wine from one Naval Officer to another, &c.

130. The Officer in charge of the Custom House may permit the transfer of any such wine from one Naval Officer to another Naval Officer on board of the same, or of any other such ship, as part of his authorized proportion;

or may permit the transhipment of any such Wine from one ship to another for the use of the same Naval Officer;

or the re-landing and warehousing of any such Wine for future re-shipment.

The Officer in charge of the Custom House may also receive back the duties for any such wine, and allow the same to be cleared for home-consumption.

Provisions and stores for Her Majesty's Navy exempt from duty.

131. Provisions and stores for the use of Her Majesty's Navy shall, in like manner, be passed free of duty;

and where duties have been paid on such provisions and stores, drawback of such duties, whether of Customs or Excise, shall be allowed on receipt of application in writing from the Officer commanding the ship for which they are intended, or from some other Officer duly authorized to make such application.

CHAPTER XI.

COASTING TRADE.

Power to regulate carriage of goods coastwise.

132. The Governor General in Council, or the Local Government acting under the general instructions of the Governor General in Council, may from time to time determine, by rules to be published in the official Gazette, on what conditions goods may be carried in a coasting vessel, though shipped at a Foreign Port in India to be so carried; also in what cases goods may be shipped in a coasting vessel before all goods brought in such vessel from a Foreign Port or place have been unladen.

Rules respecting cargo-book to be kept by Masters of coasting vessels.

133. The Master of every coasting vessel, which is square-rigged or propelled by steam, shall keep, or cause to be kept, a cargo-book stating the name of the Master, the vessel, the Port to which she belongs, and the Port to which on each voyage she is bound.

At every Port of lading such Master shall enter, or cause to be entered, in such book the name of such Port, and an account of all goods there taken on board of such vessel, with a description of the packages, and the quantities and descriptions of the goods contained therein or stowed loose, and the names of the respective shippers and consignees, in so far as such particulars are known to him.

At every Port of discharge of any such goods, such Master shall enter, or cause to be entered, in such book the respective days on which such goods or any of them are delivered out of such vessel.

The respective times of departure from every Port of lading, and of arrival at every Port of discharge, shall in like manner be duly entered.

Every such Master shall, on demand, produce his cargo-book for the inspection of any Officer of Customs, and such Officer shall be at liberty to make any note or remark therein.

Power to prescribe rules for Masters of other coasting vessels.

134. The Governor General in Council or the Local Government may from time to time, by notification in the official Gazette, prescribe rules for the guidance of the Masters of all other coasting vessels, as to the matters mentioned in the last preceding section.

Coasting vessels to deliver account and obtain port-clearance before leaving Port of lading.

135. Before any coasting vessel departs from the Port of lading, an account, with a duplicate thereof, in the Form marked G hereto annexed, or in such other form as may from time to time be prescribed by the Chief Customs Authority, shall be filled in and signed by the Master and delivered to the Officer in charge of the Custom House.

Such Officer shall retain the duplicate and return the original account dated and signed by him; and such account shall be the clearance of the vessel for the voyage and the pass for the goods expressed therein.

Power to require bond before port-clearance is granted.

136. The Officer in charge of the Custom House may, for sufficient reason, refuse port-clearance to any vessel declared to be bound to any Port in British India, unless the owner, agent, Master gives a bond with sufficient security for the production to the Officer in charge of the Custom House of a certificate from an Officer of the Port to which such vessel is said to be bound, of her arrival at such Port within a reasonable time to be prescribed in each case by the Officer requiring the bond.

Grant and revocation of general pass.

137. The Chief Customs Authority may, on cause being shown, permit a general pass to be given, on any conditions which may be deemed expedient, for the lading and clearance, and for the entry and unlading, of any coasting steam-vessel at any Ports of despatch or destination, or at any intermediate Ports at which she touches for the purpose of receiving goods or passengers.

Any such general pass may be revoked by notice in writing under the hand of the proper Officer delivered to the Master or to the owner of such steam-vessel, or to any of the crew on board.

Time for delivery of pass.

138. Within twenty-four hours after the arrival of any coasting vessel at the Port of discharge, and before any goods are unladen therefrom, the pass, with the name of the place or wharf where the cargo is to be discharged noted thereon, shall be delivered to an Officer of the Port, who shall note thereon the date of delivery.

Goods on coasting vessel, if excisable, not to be unladen without permission.

139. If any of the goods on board of any coasting vessel be subject to any duty of Excise, they shall not be unladen without the permission of the proper Officer of Excise.

Power to board and examine any coasting vessel.

140. Any duly empowered Officer of Customs may go on board of any coasting vessel in any Port or place in British India, and may at any period of a voyage search any such vessel and examine all goods on board and all goods then lading or unlading, and may demand the production of any document which ought to be on board of any such vessel.

The Officer in charge of the Custom House may further require that any such document belonging to any coasting vessel then in Port shall be brought to him for inspection.

CHAPTER XII.

CARGO BOATS.

Power to prohibit plying of unlicensed cargo-boats.

141. The Local Government may declare with regard to any Port, by notification in the official Gazette, that after a stated date no boat not duly licensed and registered will be allowed to ply as a cargo-boat for the landing and shipping of merchandize within the limits of such Port.

Issue of licenses.

142. The Chief Officer of Customs of any Port with regard to which a notification has been issued under section 141 may issue licenses for and make registration of cargo-boats, under such rules and on payment of such fees as the Local Government from time to time prescribes.

Every table of fees prescribed under this section shall be published in the local official Gazette.

CHAPTER XIII.

SPIRITS.

Rules for removal of spirits from distillery without payment of duty, and for exportation thereof.

143. The Chief Customs Authority may from time to time prescribe the conditions on which and the rules under which spirits manufactured in British India after the English method may be removed from any licensed distillery for exportation without payment of duty of Excise.

The person so removing any such spirits shall execute to the Government a bond with one or more sureties, in the Form marked H hereto annexed, or in such other form as the said Chief Customs Authority from time to time prescribes, for the payment of duty on such portion of the said spirits as is not exported within four months from the date of the bond, and upon any portion which is exported to any other Port in British India not being a Customs Port, but proof of the landing whereof and of payment of duty of Customs whereon at the Port of destination is not furnished to the satisfaction of the proper Officer within six months from the date of the bond.

The Chief Officer of Customs of the Port of exportation may extend for a further term not exceeding four months, on sufficient cause shown, the period allowed for the exportation of any such spirits, or for the production of such proof that duty has been paid.

Spirits for export to be taken direct from distillery to Custom House under pass.

144. Spirits for exportation under bond for the duty of Excise shall be taken from the distillery direct to the Custom House, under passes to be granted for that purpose by the Officers of Excise.

Rules to be observed in exportation of spirits.

145. Spirits brought to the Custom House for exportation by sea shall, previous to shipment, be gauged and proved by an Officer of Customs.

Any drawback to be allowed for spirits on which duty has been paid shall be regulated by the strength and quantity of such spirits as ascertained by such proof and gauge; and the quantity of spirits for which credit is to be given in the settlement of any bond shall be determined in the same manner.

Duty to be recovered on any deficiency in spirits under bond.

146. Duty shall be recoverable upon any difference between the quantity of spirits passed from a distillery and the quantity ascertained by gauge and proof at the Custom House, less an allowance for ullage and wastage at such rates as are from time to time prescribed by the Local Government and notified in the official Gazette.

Drawback of Excise duty on spirits manufactured after English method.

147. A drawback of duty of Excise paid on spirits manufactured in British India after the English method, and exported to any Foreign Port or place under the provisions of section 110, shall be allowed by the Officer in charge of the Custom House at the Port of exportation:

Provided that the exportation be made within one year from the date of payment of such duty of Excise, and that the spirits, when brought to the Custom House, be accompanied by the pass in which such payment is certified.

No drawback allowed on spirits exported to Indian Ports not being Customs Ports, but such spirits may be exported under bond.

148. No drawback shall be allowed on spirits exported from any Customs Port in British India to any other Customs Port.

But it shall be lawful, on the conditions and under the rules from time to time prescribed under section 143, to export from any such Port to any other such Port, under bond for the duty of excise, spirits manufactured in British India after the English method.

Every such bond shall be cancelled on the production, by the exporter or his agent, of a certificate from the Officer in charge of the Custom House at the Port of importation, testifying to the due entry at such Port of the full quantity of such spirits so exported, less an allowance for ullage and wastage at the rates from time to time prescribed by the Local Government and notified in the official Gazette.

Duty on spirits exported from one Indian Port to another, how to be adjusted.

149. Spirits manufactured in British India after the English method and exported under bond for the duty of Excise from any Port in British India to any other Port in British India not being a Customs Port, shall be chargeable at the Port of destination with duties of Customs at the ordinary rate fixed for duties on spirits of the like kind and strength imported into such Port.

Rum-shrub, &c., how to be charged with duty.

150. Rum-shrub, cordial, and other such liquor prepared in a licensed distillery under supervision of the Surveyor or Officer in charge of the distillery shall be charged with duty according to the quantity of spirit used in its preparation as ascertained by such Surveyor or Officer.

May be exported under same rules as spirits.

The provisions of this Act respecting spirits manufactured after the English method, except such as relate to gauge and proof, shall apply to such liquor.

When any such liquor is removed for exportation without payment of duty of Excise, the bond to be executed by the person removing it shall be in the Form marked H hereto annexed, or in such other form as may from time to time be prescribed by the Chief Customs Authority of the Presidency or place.

Spirits intended for exportation may be removed for local consumption.

151. Spirits brought to the Custom House for exportation under bond for the duty of Excise may, on payment of such duty, be removed for local consumption under passes to be granted for that purpose by the Officers of Excise.

Credit for every such payment shall be given on settlement of the bond to which it relates.

Conditions of drawback and remission of duty on spirits.

152. No drawback shall be allowed for any spirits on which duty has been paid, nor shall the duty due on any spirits under bond be remitted, unless the spirits are shipped from the Custom House, and in a vessel whereon an Officer of Customs has been appointed to superintend the receipt of export-cargo.

Re-land of spirits shipped.

Spirits shipped for exportation shall not be re-landed without a special pass from an Officer of Excise, in addition to the usual order of the Officer in charge of the Custom House.

153. The Local Government may from time to time prescribe rules for ascertaining and determining what spirit imported into British India shall be deemed to have been effectually and permanently rendered unfit for human consumption, so as to be subject only to an *ad valorem* duty of ten per cent. or other duty for the time being in force, and for causing such spirit, to be so rendered, if necessary, by their own officers, before the duty of customs leviable thereon is levied, and at the expense of the person importing it.

Power to make rules for ascertaining that imported spirit has been rendered unfit for human consumption.

Such rules, on being published in the local official Gazette, shall have the force of law.

154. In the absence of any such rules, or if any dispute arises as to their applicability, the Executive Officer of highest rank in the Department of Customs in the Port shall decide what spirit is subject only to the said *ad valorem* duty, and such decision shall be final.

Decision where no rules or their applicability disputed.

CHAPTER XIV.

CUSTOM-HOUSE AGENTS.

155. No person shall act in any Custom House as an agent for the transaction of any business relating to the entrance or clearance of any vessel, goods, or baggage, unless authorized so to do by the Officer in charge of the Custom House.

Agents must be duly authorized.

Such Officer may require any person so authorized, to give a bond with sufficient securities, in any sum not exceeding five thousand rupees, for his faithful behaviour as regards the Custom House regulations and Officers.

Such Officer may, in case of misbehaviour, suspend or withdraw such authorization, but an appeal against every such suspension or withdrawal shall lie to the Chief Controlling Revenue Authority, whose decision thereon shall be final.

156. When any person makes application to any officer of Customs to transact any business on behalf of any other person, such officer may require the applicant to produce a written authority from the person on whose behalf such business is to be transacted, and in default of the production of such authority may refuse to transact such business.

Agent to produce authority if required.

The clerk or servant or known agent of any person or of any mercantile firm may transact business at the Custom House, on account of such person or firm, if such person or a member of such firm identifies to the Officer in charge of the Custom House the person so empowered to transact his or their business, and deposits with such officer a written authority duly signed, empowering such officer to pay to such person all drawbacks, refunds and other monies for which he produces receipts.

CHAPTER XV.

DUPLICATE BILLS OF ENTRY.

157. Upon the entry or clearance of any goods for importation or exportation, the importer, exporter, owner, or consignee, or the agent of such importer, exporter, owner, or consignee, shall, if the Officer in charge of the Custom House so requires, deliver to such officer a duplicate of the bill of entry or shipping bill thereof.

Importer or exporter to deliver a duplicate of bill of entry or shipping bill if required.

In such duplicate all sums and numbers may be expressed in figures.

CHAPTER XVI.

TAKING OF SAMPLES.

158. Any Officer in charge of a Custom House may, on the entry or clearance of any goods, or at any time while such goods are being passed through the Custom House, take samples of such goods for examination, or for ascertaining the value thereof on which duties are payable, or for any other necessary purpose.

Officer in charge of Custom House may take samples of goods.

Every such sample shall, if the owner so desire, and if it be possible, be restored to the owner; otherwise it shall be disposed of and accounted for to him as the Officer in charge of the Custom House directs.

CHAPTER XVII.

MISCELLANEOUS PROVISIONS.

159. The Governor General in Council may from time to time, by notification in the *Gazette of India*, fix for the purpose of levying duties, the value of any goods exported or imported by sea on which duties of Customs are thereby imposed.

Power to fix values of dutiable goods.

160. When duty or other Customs-dues or charges have been short-levied through inadvertence, error, or misconstruction on the part of the Officers of Customs,

Payment of duties short-levied or erroneously refunded.

or when duty, after having been levied, has been erroneously refunded,

the person chargeable with the duty or charge so short-levied, or to whom such refund has erroneously been made, shall pay the deficiency or repay the amount paid to him in excess, on demand being made within six months from the date of the first assessment or making of the refund;

and the Officers of Customs may refuse to pass any goods belonging to such person until the said deficiency or excess be paid or repaid.

161. No duty or other Customs-dues or charges which have been charged and paid, and of which, or of a portion of which, repayment is claimed in consequence of the same having been charged or paid under an erroneous construction of law or from other error, shall be returned, unless such claim is made within six months from the date of such payment.

No refund of charges erroneously levied or paid, unless application be made within six months.

162. The unshipping, carrying, shipping and landing of all goods,

and the bringing of them to the proper place for examination or weighing, and the putting of them into and out of the scales, and the opening, unpacking, bulking, sorting, lotting,

Importer and exportor to pay expense incidental to compliance with Custom House rules.

marking and numbering of goods, where such operations are necessary or permitted.

and the removing of goods to, and the placing of them in, the proper place or deposit,

shall be performed by or at the expense of the importer, exporter, owner, or consignee of such goods.

163. No importer, exporter, owner, or consignee of goods shall be entitled to claim from any Officer of Customs compensation for any loss or injury occurring to such goods at any time while they remain or are lawfully detained in any Custom House, or on any Custom House wharf, or under charge any Officer of Customs, unless it be proved that such loss or injury was occasioned by the wilful act or neglect of an Officer of Customs.

No compensation for loss or injury except on proof of wilful neglect.

164. The Chief Customs Authority may from time to time fix the rate to be charged on goods left on any Custom House wharf or other authorized landing place, or part of the Custom House premises, for a period exceeding that prescribed by such Chief Customs Authority.

Rates of wharfage fees.

165. A duplicate of any certificate, manifest, bill, or other Custom House document may, on payment of a fee of not less than one rupee and not more than ten rupees, be furnished, at the discretion of the Officer in charge of the Custom House, if he is satisfied that no fraud has been committed or is intended.

Such Officer may also authorize any amendment to be made in any document, after it has been entered and recorded in the Custom House, upon payment of a like fee for every document so amended.

Duplicates may be granted and amendments made on payment of fee.

166. No Commissioner or Collector of Customs, or Officer of Customs whom a Commissioner or Collector of Customs deems it necessary to exempt on grounds of public duty, shall be compelled to serve on any jury or inquest.

Customs Officers may be exempted from service on any jury or inquest.

CHAPTER XVIII.

OFFENCES AND PENALTIES.

167. If any goods, the importation or exportation of which is for the time being prohibited or restricted, be imported into or exported from British India contrary to such prohibition or restriction;

Goods imported or exported contrary to prohibition liable to confiscation, and persons concerned to penalty.

or if any attempt be made so to import or export any such goods by the Port or otherwise;

or if any such goods be found in any package produced to any Officer of Customs as containing no such goods;

or if any such goods or any goods subject to a duty or restriction in respect of importation or exportation, be found either before or after landing or shipment to have been concealed in any manner on board of any vessel within the limits of any Port in British India;

or if any goods, the exportation of which is or shall be prohibited or restricted, be brought to any wharf in order to be put on board of any vessel for exportation contrary to such prohibition or restriction;

such goods, together with any goods which shall be found packed with or used in concealing them, shall be liable to confiscation; and any person concerned in any such offence shall be liable to a penalty not exceeding three times the value of the goods, or not exceeding one thousand rupees.

168. If it be found, when any goods are entered at or brought to be passed through a Custom House either for importation or exportation, that the packages in which they are contained differ widely from the description given in the entry or application for passing them;

Goods brought to be passed through Custom House liable to confiscation in case of discrepancy, misdescription, &c.

or that the contents thereof have been wrongly described in such entry or application as regards the denominations, characters, or circumstances according to which such goods are chargeable with duty, or are being imported or exported;

or that the contents of such packages have been wilfully mis-stated in regard to sort, quality, quantity or value;

or that goods not stated in the entry or application have been fraudulently concealed in, or mixed with, the articles specified therein, or have been packed to deceive the Officers of Customs;

such packages, together with the whole of the goods contained therein, shall be liable to confiscation.

168*a*. Any person infringing any rule or order made under section 38 by the Chief Customs Authority, or by the Chief Officer of Customs, shall be liable to a penalty not exceeding five hundred rupees.

For infringing rules under section 38.

169. If, in any River or Port wherein a place has been fixed under section 43 by the Local Government, the Master of any vessel arriving from a Foreign Port or place wilfully omits, before passing beyond such place, to deliver to the Pilot, Officer of Customs, or other person duly authorised to receive the same, a manifest, signed by the Master, and in the form and containing the particulars indicated in the same section, in so far as they are applicable to his ship, cargo and voyage;

For proceeding inward beyond fixed place before delivery of manifest.

or if any manifest so delivered does not contain a true specification of all goods imported in such vesel;

such Master shall, in every such case, be liable to a penalty not exceeding one thousand rupees.

170. Any Master remaining outside or below any such fixed place, and wilfully omitting, for the space of twenty-four hours after anchoring, to deliver this manifest, shall, in every such case, be liable to a penalty not exceeding one thousand rupees.

For omitting to deliver manifest when vessel anchors below reporting station.

If, after any vessel arriving from any Foreign Port or place has entered any Customs Port, and in which a place has not been fixed under section 44, the Master of such vessel wilfully omits, for the

For like omission when reporting station has not been fixed.

space of twenty-four hours after anchoring, to deliver as required by that section his manifest to the Pilot, Officer of Customs or other person authorized to receive the same, such Master shall, in every such case, be liable to a penalty not exceeding one thousand rupees.

171. Every Pilot, Officer of Customs or other person authorized to receive a manifest from any Master of a vessel, and refusing so to do, or failing to countersign the same or to enter the particulars referred to in section 43, shall, in every such case, be liable to a penalty not exceeding five hundred rupees.

For Pilot, &c., not receiving manifest.

172. If any vessel arriving from any Foreign Port or place at any Customs Port shall, after having come to its proper place of mooring or unlading, remove from such place, except with the authority of the Master Attendant or Harbour Master, obtained in accordance with the provisions of the Indian Ports Act, 1875, directly to some other place of mooring or unlading, the Master of such vessel shall, in every such case, be liable to a penalty not exceeding one thousand rupees, and the vessel shall not be allowed to enter until the penalty is paid.

For vessel removing from place of mooring, or unlading, without due authority.

173. The Master of any vessel arriving at any Port in British India from any Foreign Port or place who, when so required under section 38, fails to bring-to at any such station as has been appointed by the Chief Customs Authority for the boarding of vessels by an Officer of Customs, shall, in every such case, be liable to a penalty not exceeding one thousand rupees.

For not bringing to at boarding station.

174. Every Master of a vessel refusing to receive on board an Officer of Customs deputed as provided in section 39, shall be liable to a penalty not exceeding five hundred rupees for each day during which such officer is not received on board; and the vessel shall not be allowed to enter until the penalty is paid.

For refusing to receive Officer of Customs on board.

175. Any Master wilfully disobeying any direction contained in section 40 shall, in every such case, be liable to a penalty not exceeding five hundred rupees.

For disobeying section 40.

176. Any Master of a vessel discharging or suffering to be discharged any goods not duly entered in the manifest of such vessel, shall be liable to a penalty not exceeding one thousand rupees.

For discharging goods not duly entered in manifest.

176*a*. Any goods found concealed in any place, box, or closed receptacle in any vessel, and not duly accounted for to the satisfaction of the Officer in charge of the Custom House, shall be liable to confiscation.

Goods found concealed liable to confiscation.

177. If any Master of a vessel refuses to allow such vessel, or any box, place, or closed receptacle in such vessel, to be searched when so required by an Officer of Customs bearing a written order to search;

For Masters resisting search, &c.

or if an Officer of Customs places any lock, mark, or seal upon any goods, and such lock, mark, or seal is wilfully opened, altered, or broken, before due delivery of such goods;

or if any such goods are secretly conveyed away;

or if any hatchway or entrance to the hold, after having been fastened down by an Officer of Customs, is opened without his permission—

in every such case the Master of such vessel shall be liable, upon conviction before a Magistrate, to a penalty not exceeding one thousand rupees.

178. If any bill of lading or copy required under section 47 is false;

or has been altered with fraudulent intent;

For false entry, fraudulent alteration, &c.

or if the goods mentioned in any such bill of lading, or in any bill of lading of which a copy is so produced, have not been *bonâ fide* shipped on board of such vessel;

or if any such bill of lading delivered under the same section, or any bill of lading of which a copy is so delivered, by any such Master, has not been made previously to the departure of the vessel from the place where the goods expressed in such bill of lading were shipped;

or if any part of the cargo has been staved, destroyed, or thrown overboard;

or if any package be opened, and such part of the cargo or such package be not accounted for to the satisfaction of the Officer in charge of the Custom House;

in every such case the Master shall be liable to a penalty not exceeding one thousand rupees.

179. If any goods be found on board in excess of those entered in the manifest, or not corresponding with the specification therein contained, the fact shall be reported by the Officer of Customs on board, and all such goods shall be liable to confiscation, or to be charged with such increased rates of duty as the Chief Officer of Customs directs.

Goods not agreeing in description and quantity with entry in manifest liable to confiscation or extra duty.

180. If any goods entered in the manifest of a vessel are not found on board of the vessel;

or if the quantity so found is short, and if such deficiency is not accounted for to the satisfaction of the Officer in charge of the Custom House,

the Master of such vessel shall be liable, in addition to full duty, to a penalty not exceeding twice the amount of duty chargeable on the missing or deficient goods, if they be capable of being assessed therewith; or if they be not, to a penalty not exceeding five hundred rupees for every missing or deficient package of unknown value.

For not being able to account for missing or deficient package, &c.

181. Any Master of a vessel causing or suffering any goods to be removed contrary to any of the provisions of section 42 shall in every such case be liable to a penalty not exceeding one thousand rupees; and all goods so removed shall be liable to confiscation.

For removing goods contrary to section 42.

182. If any goods removed from on board any vessel for the purpose of being landed and passed for importation, are not landed as provided in section 56,

or if the boat containing such goods be found out of the proper track between the vessel and such wharf or other proper place of landing, and such deviation be not accounted for to the satisfaction of the Officer in charge of the Custom House,

such goods, together with any vessel or boat employed in removing them, shall be liable to confiscation,

and the person by whose authority the goods are being landed, and the person in charge of the boat, shall be liable to a penalty not exceeding twice the amount of the duty leviable on the said goods.

For not landing goods in accordance with section 56.

183. Any goods landed or transhipped contrary to the provisions of section 57 shall be liable to confiscation.

For landing, &c., goods contrary to section 57.

184. If any goods sent to be landed be found without the boat-note required by section 58 in any boat proceeding to land, such goods shall be liable to confiscation; and the person by whose authority the goods are being landed, or the person in charge of the boat, shall be liable to a penalty not exceeding twice the amount of duty leviable on the said goods.

For sending goods without boat-note.

185. If, without entry duly made, any goods are taken or passed out of any Custom House or wharf, the person so taking or passing such goods shall in every such case be liable to a penalty not exceeding five hundred rupees.

For taking or passing goods without entry.

Any prohibited or dutiable goods found, either before or after landing, concealed in any passenger's baggage, together with the other contents of the package in which they are found, shall be liable to confiscation.

186. If, after any goods have been landed and before they have been passed through the Custom House, the importer, owner or consignee, or his agent or any one acting on his behalf, removes or attempts to remove them, with the intention of defrauding the revenue, such goods shall be liable to confiscation;

or, if the goods cannot be recovered, the owner shall be liable, in addition to full duty, to a penalty not exceeding twice the amount of such duty, if the goods be capable of being assessed therewith; or, if they be not, to a penalty not exceeding one thousand rupees for every missing or deficient package of unknown value.

For removing goods after landing and before due entry.

187. If any goods entered to be warehoused under this Act are carried into the warehouse, unless with the authority or under the care of the proper Officers of Customs, and in such manner, by such persons, within such time, and by such roads or ways, as such Officers direct, such goods shall be liable to confiscation, and the person so carrying them shall be liable to a penalty not exceeding one thousand rupees.

For improper carrying into warehouse.

188. If any goods entered to be warehoused under this Act are withheld, or removed from any proper place of examination, before they have been examined and certified by the proper officer, such goods shall be deemed not to have been duly warehoused, and shall be liable to confiscation.

For withholding or removing before examination goods entered to be warehoused.

189. When goods are passed by tale or by package, the importer, owner, or consignee of such goods, or his agent, shall, for every omission or misdescription thereof tending to injure the revenue, be liable to a penalty not exceeding ten times the amount of duty which might have been lost to Government by such omission or misdescription, unless it be proved to the satisfaction of the Officer in charge of the Custom House that the variance was accidental.

For misdescription of goods.

If the quantity or value of any goods has been over-stated on importation, the error may be rectified at any time before the warehousing of the goods is completed.

190. If any warehoused goods be not warehoused in accordance with section 75,

or if any alteration be made in goods so warehoused, or in the packing thereof, except as provided in section 81;

or if any such goods be removed from the warehouse in which they were originally deposited, except in presence or with the sanction of the proper officer, or under the proper authority for their delivery,

such goods shall be liable to confiscation.

For warehousing goods improperly.

For altering warehoused goods.

For removing them improperly.

191. If the keeper of any public warehouse, or the person who has obtained a license for any private warehouse, neglects to stow the goods warehoused therein, so that easy access may be had to every package and parcel thereof, he shall for every such neglect be liable to a penalty not exceeding fifty rupees.

For neglecting to stow goods properly in warehouse.

192. If the keeper of any public warehouse, or the person who has obtained a license for any private warehouse, fails, on the requisition of any officer of Customs, to produce any goods which have been deposited in such warehouse, and which have not been duly cleared and delivered therefrom, he shall, for every such neglect, be liable, not only to pay the duties due on such goods, but also to a penalty not exceeding fifty rupees in respect of every package or parcel so missing or deficient.

Or for neglecting to produce goods when required.

193. If any goods entered to be warehoused are not duly warehoused in pursuance of such entry, or, after being duly warehoused, are fraudulently concealed in or removed from the warehouse, or abstracted from any package, or transferred from one package to another, or otherwise, for the purpose of illegal removal or concealment, such goods shall be liable to confiscation.

Goods entered to be warehoused, if not duly warehoused or if concealed or removed, liable to be confiscated.

194. If the person who has obtained a license for any private warehouse licensed under this Act does not open the same when required so to do by any Officer entitled under this Act or under any other law to have access thereto, or, upon demand made by any such Officer at any time within the hours of business at the Port, refuses access to any such Officer, such person shall be liable to a penalty not exceeding one thousand rupees, and shall further be liable to have his license forthwith cancelled and withdrawn.

For refusing to open private warehouse when duly required.

195. If the importer, owner, or consignee of any warehoused goods, or the agent or any person in the employ of such importer, owner, or consignee, clandestinely opens any warehouse, or, except in presence of the proper officer of Customs, gains access to his goods, such importer, owner, consignee, or agent shall, in every such case, be liable to a penalty not exceeding one thousand rupees.

For importer or owner of warehoused goods clandestinely gaining access.

196. If any goods lodged in a private warehouse are found to be deficient at the time of delivery therefrom, the person who obtained the license for such warehouse shall, unless the deficiency be accounted for to the satisfaction of the Officer in charge of the Custom House, be liable to a penalty equal to five times the duty chargeable on the goods so deficient.

For deficiencies in a private warehouse, if beyond ullage and wastage allowed.

197. If any goods lodged in a private warehouse are found to exceed the registered quantity, such excess, unless accounted for to the satisfaction of the Officer in charge of the Custom House, shall be charged with five times the ordinary duty thereon.

For excess, in private warehouse, over registered quantity.

When any penalty is incurred under this section or section 196, the goods in respect of which such penalty is incurred shall not be removed until the penalty is paid.

198. Whoever takes any goods out of any warehouse without payment of duty, or who aids, assists, or is concerned therein, shall, in every such case, be liable to a penalty not exceeding one thousand rupees.

For taking goods out of warehouse without paying duty.

If the person so offending be an Officer of Customs not acting in execution of his duty, and be prosecuted to conviction by the importer, owner, or consignee of such goods, no duty shall be payable in respect of such goods. For any damage so occasioned by such Officer, the Officer in charge of the Custom House shall, with the sanction of the Chief Customs Authority, make due compensation to such importer, owner, or consignee.

199. Whoever violates any rule prescribed under section 103 shall be liable to a penalty not exceeding one thousand rupees.

For infringing rules under section 103.

200. If any goods be taken on board of any vessel at any Port in British India before she has been entered outwards at such Port, in accordance with section 107, the Master of such vessel shall be liable to a penalty not exceeding one thousand rupees.

For shipping goods before entry outwards.

201. If the Master of any vessel laid up under section 108 by the withdrawal of the Officer of Customs shall, before application is made by him or his agent for an Officer of Customs to superintend the receipt of cargo, cause or suffer to be put on board of such vessel any goods whatever, such Master shall be liable to a penalty not exceeding one thousand rupees, and the goods, if protected by a pass, shall be liable to be re-landed for examination at the expense of the vessel, and, if not protected by a pass, shall be liable to confiscation.

For lading in absence of Customs Officer.

202. Whoever causes or suffers any goods to be shipped or water-borne to be shipped contrary to any of the provisions of section 109 shall, in every such case, be liable to a penalty not exceeding one thousand rupees; and any goods so shipped or water-borne for shipment, together with any vessel in which they are being so waterborne, shall be liable to confiscation.

For causing goods to be shipped contrary to section 109.

203. Any Master or Officer refusing to receive any boat-note in accordance with section 111, or receiving the same and failing to deliver it when required so to do by any Officer of Customs authorized to make such requisition, shall be liable to a penalty not exceeding five hundred rupees.

For non-receipt or non-delivery of boat-note.

204. Any Master of a vessel who attempts to depart without a port-clearance, shall be liable to a penalty not exceeding five hundred rupees.

For departing without port-clearance.

If any vessel actually departs without a port-clearance, the Master shall be liable to a penalty not exceeding one thousand rupees;

and such penalty may be levied by the Chief Officer of Customs of any Customs Port to which such vessel proceeds, or in which she is, and in Aden by such Officer as the Governor of Bombay in Council appoints in this behalf.

205. Every Pilot convicted before a Magistrate of an infraction of the rule prescribed by section 118, shall be liable to a penalty not exceeding one thousand rupees.

On Pilot taking charge of vessel without port-clearance.

206. If any goods liable to duty on importation, or taken from a warehouse to be exported, or entitled to drawback on exportation, which are enumerated in the manifest of any vessel, are not duly shipped before the departure of such vessel, or are not duly certified by the proper officer as short-shipped, such goods shall be liable to confiscation.

Certain goods if entered in manifest and not shipped, liable to confiscation.

If any goods not enumerated in such manifest are taken on board of any such vessel, the Master shall be liable to a penalty not exceeding fifty rupees in respect of every package of such goods.

For shipping goods not in manifest, &c.

If any goods duly shipped on board of any such vessel be landed at any place other than that for which they have been cleared, the Master of such vessel shall, unless the circumstance be accounted for to the satisfaction of the Officer in charge of the Custom House, be liable to a penalty not exceeding three times the value of such goods so landed.

For landing at place other than that for which goods have been cleared.

207. If any vessel actually departs, after failing to bring-to when required at any station appointed under section 38, the penalty leviable under section 204 from the Master of such vessel may be levied by the Chief Officer of Customs of any Port in British India to which such vessel proceeds, or in which she is, or in case of Aden by such officer as the Governor of Bombay in Council appoints in this behalf.

Levy of penalty for failure to bring-to when required under section 38.

A certificate of such failure to bring-to when required, purporting to be signed by the Chief Officer of Customs of the Port from which the vessel is stated to have so departed, shall be sufficient *primâ facie* proof of the fact so certified.

208. If any goods on account of which drawback has been paid be not found on board of any vessel referred to in section 119, the Master shall be liable to penalty not exceeding the entire value thereof, unless the fact be accounted for to the satisfaction of the Officer in charge of the Custom House.

For deficiency in goods on which drawback has been paid on board vessel returning to port or putting into another port.

209. All goods entered for drawback, which are of less value than the amount of the drawback claimed, shall be liable to confiscation.

Confiscation of goods entered for drawback, which are less in value than the amount.

210. If any goods on the entry of which for re-export drawback has been paid, are not duly exported to a Foreign Port or place, or are unshipped or re-landed at any Customs Port (not having been duly re-landed or discharged as short-shipped under the care of an Officer of Customs, or under section 118 or section 119) such goods, together with any vessel used in so unshipping or relanding them, shall be liable to confiscation;

Drawback goods, if not exported, or if re-landed, liable to confiscation, and parties concerned to penalty.

and the Master of the vessel from which such goods are so unshipped or re-landed, and any person by whom or by whose orders or means such goods are so unshipped or re-landed, or who aids or is concerned in such unshipping or re-landing, shall be liable to a penalty not exceeding three times the value of such goods, or not exceeding one thousand rupees.

211. Any wine referred to in section 129 not laden on board of the ship for which it was intended, or unladen from such ship without the permission of the proper Officer of Customs, shall be liable to confiscation.

Wine not laden, or unladen without permission, liable to confiscation.

212. If, in contravention of any rules made under section 132, any goods are taken into or put out of any coasting vessel;

For contravention of rules as to coasting trade.

or any coasting vessel touches at any Foreign Port or place, or deviates from her voyage, unless forced by unavoidable circumstances;

or if the Master of any coasting vessel which has touched at a Foreign Port or place fails to declare the same in writing to the Officer in charge of the Custom House at the Port in British India at which such vessel afterwards first arrives,

the Master of such vessel shall be liable to a penalty not exceeding one thousand rupees, and shall further be liable to pay double duty upon all goods landed or shipped at such Foreign Port or place, in addition to the ordinary duty which shall in every case be levied on such goods.

213. If upon examination, any package entered in the cargo-book required by section 133, as containing Foreign goods is found not to contain such goods, such package, with its contents, shall be liable to confiscation; or if any package is found to contain Foreign goods not entered, or not entered as such, in such book, such goods shall be liable to confiscation.

For breach of rules as to cargo-book.

If the Master of any vessel mentioned in section 133 fails correctly to keep, or to cause to be kept, a cargo-book, or to produce the same on demand;

or if at any time there be found on board of any such vessel any goods not entered in such book as laden, or any goods noted as delivered;

or if any goods entered as laden and not noted as delivered, be not on board,

the Master shall be liable to a penalty not exceeding five hundred rupees.

214. Any Master violating any rule made under section 134 shall be liable to a penalty not exceeding one hundred rupees.

For breach of rules under section 134.

215. If any account required by section 135 be false, the Master filling in or signing the same shall be liable to a penalty not exceeding five hundred rupees.

For signing false account.

216. On failure to produce the certificate mentioned in section 136, or to show sufficient reason for its non-production, the parties to the bond therein mentioned shall be bound to pay a penal sum equal to double the amount of Customs duties which would have been chargeable on the export-cargo of the vessel had she been declared to be bound to a Foreign Port.

For failure to produce certificate.

217. Any Master of a coasting vessel arriving at the port of discharge who fails, within twenty-four hours after arrival, to deliver a pass as required by section 138, shall be liable to a penalty not exceeding two hundred rupees.

For failure of Master of coasting vessel to deliver pass.

218. If, contrary to the provisions of this or any other Act relating to the Customs, any goods are laden on board of any vessel in any Port or place in British India and carried coastwise,

For breach in respect of lading, carrying coastwise, and unlading.

or any goods which have been brought coastwise are unladen in any such Port or place,

or any goods are found on board of any coasting vessel without being entered in the clearance thereof,

such goods shall be liable to confiscation, and the Master of such vessel shall, in every such case, be liable to a penalty not exceeding five hundred rupees.

219. The Master of any coasting vessel refusing to bring any document to the Officer in charge of the Custom House, when so required under section 140, shall be liable to a penalty not exceeding two hundred rupees.

For refusal to produce documents.

220. After the issue of a notification under section 141 with regard to any Port, any goods found within the limits of such Port on board of any boat not duly licensed and registered shall, unless such goods be covered by a special permit from the Officer in charge of the Custom House, be liable to confiscation, and the owner or the person in charge of the boat shall be liable to a penalty not exceeding one hundred rupees.

Goods found in unlicensed cargo-boats may be confiscated.

221. Whoever wilfully contravenes any rule made under section 153 shall be liable to fine not exceeding five hundred rupees.

For contravening rules under section 153.

222. Whoever, not being authorized under section 155, acts as an agent for the transaction of business as therein mentioned, shall for every such offence be liable to a penalty not exceeding five hundred rupees.

For acting as agent without authority.

223. Whoever, without a special pass from an Officer of Excise at the place of exportation, re-lands or attempts to re-land any spirituous liquor shipped for exportation, shall for every such offence be liable to a penalty not exceeding five hundred rupees;

For irregularly re-landing spirituous liquors.

and all such liquor, together with every cask or other article containing the same, and every boat, cart, or animal employed in conveying it, shall be liable to confiscation.

224. Every importer, exporter, owner, or consignee, and every agent of any such importer, exporter owner, or consignee, wilfully failing to comply with the provisions of section 157, shall be liable to a penalty not exceeding two hundred rupees.

For non-compliance with section 157.

225. Any goods put, without the authority of the Officers of Customs, on board of any tug-steamer or pilot-vessel from any sea-going vessel inward bound,

For Masters of tug-steamers or pilot-vessels receiving or discharging any goods without due authority.

and any goods put, without such authority, out of any tug-steamer or pilot-vessel for the purpose of being put on board of any outward bound vessel,

and any goods on which drawback has been granted put, without such authority, on board of any tug-steamer or pilot-vessel for the purpose of being re-landed,

shall be liable to confiscation, and the Master of such tug-steamer or pilot-vessel or sea-going vessel shall, in every such case, be liable to a penalty not exceeding one thousand rupees.

226. If any goods be landed or shipped,

For landing or shipping goods at unauthorized Port, &c.

or if an attempt be made to land or ship any goods,

or if any goods be brought into any bay, river, creek or arm of the sea, for the purpose of being landed or shipped

at any Port or place, which, at the date of such landing, shipment, attempt or bringing, has not been declared to be or does not exist as a Port for the landing and shipment of goods,

such goods shall be liable to confiscation, together with any ship, boat, carriage or other means of conveyance engaged in such landing or shipment, or attempt to land or ship, or bringing for the purpose of landing or shipment.

227. Any person shipping or landing goods or aiding in the shipment or landing of goods, or knowingly keeping or concealing, or knowingly permitting or procuring to be kept or concealed, any goods shipped or landed or intended to be shipped or landed, contrary to the provisions of this Act;

For shipping, landing, concealing, &c., contrary to Act.

and any person found to have been on board of any vessel liable to confiscation under section 226 while such vessel is within any bay, river, creek, or arm of the sea which has not been declared to be, and is not existing as, a Port for the landing or shipment of goods,

shall be liable to a penalty not exceeding one thousand rupees.

228. All goods found on board any boat in excess of the boat-note or Custom-house pass, whether such goods are intended to be landed or to be shipped on board any vessel, shall be liable to confiscation.

Goods found in boat in excess of boat-note or pass liable to confiscation.

229. If any vessel which has been within the limits of any Port in British India with cargo on board, be afterwards found in any Port, bay, river, creek, or arm of the sea in British India, light or in ballast, and if the Master be unable to give a due account of the Port or place in British India where such vessel lawfully discharged her cargo, such vessel shall be liable to confiscation.

Vessels in Port with a cargo, and afterwards found in ballast and cargo unaccounted for, liable to confiscation.

230. The confiscation of any vessel shall be deemed to include her tackle, apparel, and furniture.

Tackle, &c., included in confiscation of vessels.

The confiscation of any goods shall be deemed to include any package in which they are found, and all the contents thereof.

Packages and contents included in confiscation of goods.

Every boat, cart, or other means of conveyance, and every horse or other animal used in the removal of any goods liable to confiscation, shall in like manner be liable to confiscation.

Also conveyances and animals used in removal.

231. If any person in charge of or owning a vessel has become liable to any fine or penalty on account of any act or omission relating to the Customs, the Officer in charge of the Custom House may refuse port-clearance to such vessel until the fine or penalty be discharged.

Goods may be detained and port-clearance refused, pending payment of fines incurred.

If any person passing goods through the Custom House has become liable to any fine or penalty, the Officer in charge of the Custom House may detain such goods until the fine or penalty be discharged.

232. Any person against whom a reasonable suspicion exists that he has been guilty of an offence under this or any other Act relating to the Customs, may be detained by any Officer of Customs or other person duly employed for the prevention of smuggling.

Persons reasonably suspected may be detained.

233. Any vessel or goods liable to confiscation may be seized, and any person liable to be detained under this or any other Act relating to the Customs may be detained, in any place, either upon land or water, by any Officer of Customs or other person duly employed for the prevention of smuggling.

Vessels, goods, and persons may be seized or detained.

234. Every vessel and all goods seized on the ground that they are liable to confiscation shall, as soon as conveniently may be, be delivered into the care of the officer appointed to receive the same.

Vessels and goods seized how to be dealt with.

If there be no such officer at hand, all goods so seized shall be carried to and deposited at the Custom House nearest to the place of seizure.

If there be no Custom House within a convenient distance, such goods shall be deposited at the nearest office appointed by the Chief Customs Authority for the deposit of goods so seized.

235. Every person detained on the ground that he has been guilty of an offence under this or any other Act relating to the Customs, shall forthwith be taken before a Magistrate or Officer in charge of a Custom House.

Persons detained to be taken to nearest Magistrate or Officer of Custom House.

236. When any person detained on the ground that he has been guilty of an offence against this or any other Act relating to the Customs, is taken before a Magistrate, such Magistrate may, if he see reasonable cause, order him to be detained in gaol or in the custody of the Police for such time as is necessary to enable such Magistrate to communicate with the Officers of Customs:

Persons taken before a Magistrate for offence under Customs Acts may be detained or admitted to bail.

Provided that any person so detained shall be liberated on giving recognizance or security to the satisfaction of the Magistrate to appear at such time and place as such Magistrate appoints for his appearance.

237. If any person liable to be detained under this or any other Act relating to the Customs, is not detained at the time of committing the offence for which he so liable, or after detention, makes his escape, he shall at any time afterwards be liable to be detained and taken before a Magistrate, to be dealt with as if he had been detained at the time of committing such offence.

Any person escaping may be afterwards detained.

238. When any person employed on the crew of any of Her Majesty's ships is detained under this or any other Act relating to the Customs, the detaining officer shall forthwith give notice thereof to the Commanding Officer of the ship, who shall thereupon place such person in security on board of such ship, until the detaining officer has obtained a warrant from a Magistrate for bringing up such person to be dealt with according to law.

Persons in Her Majesty's Navy, when detained, to be secured on board until warrant procured.

The Magistrate shall duly grant a warrant upon complaint made to him by the detaining officer, stating the offence for which the person is detained.

239. When any vessel or goods is or are seized or any person is detained under this or any other Act relating to the Customs, the Officer or other person making such seizure or detention, shall, on demand of the person in charge of the vessel or goods so seized or of the person so detained, give to such person a statement in writing of the reason for such seizure or detention.

When seizure is made, seizing officer to give reason in writing.

240. When any goods liable to confiscation under this or any other Act relating to the Customs are seized by any Police Officer on suspicion that they have been stolen, such Officer may carry such goods to any Police station or Court at which a complaint or information connected with the stealing or receiving of such goods has been made, or an enquiry connected with such stealing or receiving is in progress, and there detain such goods until the dismissal of such complaint or information, or the conclusion of such enquiry or of any trial thence resulting.

Procedure in respect of goods seized on suspicion.

In every such case the Police Officer seizing the goods shall send written notice of their seizure and detention to the nearest Custom House; and immediately after the dismissal of the complaint or information, or the conclusion of the enquiry or trial, the said Police Officer shall cause such goods to be conveyed to and deposited at the nearest Custom House, to be there proceeded against according to law.

If any Police Officer whose duty it is under this section to send a written notice or cause goods to be conveyed to a Custom House, neglects so to do, he shall be liable to a penalty not exceeding one hundred rupees.

For neglect of Police Officer to give notice.

241. Any duly empowered Officer of Customs or other person duly employed for the prevention of smuggling, may search any cart, or other means of conveyance, for smuggled goods; provided that he has reasonable ground to suppose that smuggled goods are contained therein.

Officers of Customs may stop carts, &c., and search for goods on reasonable suspicion.

242. The Magistrate of a District or Division of a District may, on application by an Officer in charge of a Custom House, stating his belief that dutiable or prohibited goods are secreted in any place in such District or Division, issue a warrant to search for such goods.

Magistrate of District may issue search-warrant on application.

Such warrant shall be executed in the same way, and shall have the same effect, as a search-warrant issued under the Code of Criminal Procedure.

243. Any Officer of Customs duly employed in the prevention of smuggling may search any person on board of any vessel or boat in

Persons may be searched on reasonable suspicion.

any Port in British India, or any person who has landed from any vessel or boat:

Provided that such officer has reasonable ground to suppose that such person has dutiable or prohibited goods secreted about his person.

For possession of smuggled goods.

If any person on board of any such vessel or boat, or who has landed from any such vessel or boat, upon being asked by any such officer whether he has dutiable or prohibited goods about his person or in his possession, affirms that he has not, and if any such goods are, after such denial, discovered to be or to have been upon the person or in the possession of such person, such goods shall be liable to confiscation, and such person shall be liable to a penalty not exceeding three times the value of such goods.

Persons before search may require to be taken before a Magistrate, &c.

244. When any Officer of Customs is about to search any person under the provisions of section 243 such person may require the said officer to take him, previous to search, before the nearest Magistrate or Officer in charge of a Custom House.

If such requisition be made, the Officer of Customs may detain the person making it until he can bring him before the nearest Magistrate or officer in charge of a Custom House.

The Magistrate or officer in charge of a Custom House before whom any person is so brought shall, if he see no reasonable ground for search, forthwith discharge such person; but if otherwise, shall direct that the search be made.

A female shall not be searched by any but a female.

For searching persons on insufficient grounds.

245. If any Officer of Customs requires any person to be searched for dutiable or prohibited goods, without having reasonable ground to believe that he has such goods about his person, such Officer shall be liable to a penalty not exceeding one hundred rupees.

Customs Officers, if guilty of breach of duty, how punishable.

246. If any Officer of Customs, or other person duly employed for the prevention of smuggling, is guilty of a wilful breach of the provisions of this or any other Act relating to the Customs, he shall, on conviction before a Magistrate, be liable to simple imprisonment for any term not exceeding two years, or to fine, or to both.

Customs Officers committing or conniving at frauds, how punishable.

247. If any Officer of Customs, or other person duly employed for the prevention of smuggling, practises or attempts to practise any fraud for the purpose of injuring the Customs Revenue, or abets or connives at any such fraud or any attempt to practise any such fraud, he shall, on conviction before a Magistrate, be liable to imprisonment for any term not exceeding two years, or to fine, or to both.

No suit or proceeding to be commenced without notice.

248. No suit or other proceeding shall be commenced against any person for anything done in pursuance of this Act, without giving him a month's previous notice in writing of the intended suit or other proceeding and of the cause thereof.

Punishment for obstruction to Customs Officers.

249. Whoever intentionally obstructs any Officer of Customs or other person duly employed for the prevention of smuggling, in the exercise of any powers given under this Act to such officer or person, shall, on conviction before a Magistrate, be liable to imprisonment of either description for any term not exceeding six months, or to a fine not exceeding one thousand rupees, or to both.

For making false declaration, refusing to answer questions, &c.

250. Whoever knowingly makes or signs or uses any declaration or document used in the transaction of any business relating to the Customs, such declaration or document being false in any particular;

and whoever, counterfeits, falsifies, or fraudulently alters or destroys any such document, or any seal, signature, initials, or other mark made or impressed by any Officer of Customs in the transaction of any business relating to the Customs;

and whoever being required under this or any other Act relating to the Customs to produce any document, refuses or neglects to produce such document;

and whoever, being required under this or any other Act relating to the Customs to answer any question put to him by an Officer of Customs, does not truly answer such question,

shall, on conviction of any such offence before a Magistrate, be liable to a penalty not exceeding one thousand rupees.

For unauthorized declaration as to value of goods.

251. Whoever subscribes or attests any declaration of the value of any goods upon an application to pass such goods through the Custom House, shall, if he be not the importer, owner, or consignee of such goods, or have not proper and sufficient authority from the importer, owner, or consignee, be liable in every such case to a penalty not exceeding one thousand rupees.

Officer in charge of Custom House may adjudge confiscations and penalties.

252. In every case in which, under this Act, any vessel, cart, or other means of conveyance, or any horse or other animal, is liable to confiscation;

or any goods are liable to confiscation or to increased rates of duty;

or any person in charge of or owning a vessel, or landing or shipping goods, or passing them through the Custom House, is liable to a penalty,

an officer in charge of a Custom House, or if there be no such officer at the place where the confiscation or penalty or increased rates is or are incurred, or such other officer as the Local Government from time to time appoints in this behalf, may, unless it be otherwise provided in this or any other Act relating to the Customs, adjudge such confiscation, penalty, or increased rates of duty.

Local Government may confer like powers on other officers of Customs.

253. In respect to cases cognizable under section 252 by an Officer in charge of a Custom House, the Local Government may empower any Officer of Customs in like manner to adjudge any confiscation, penalty, or increased rates of duty.

Proviso.

Provided that the power to adjudge confiscation shall not extend, as regards a Deputy Collector, to goods of a greater value than one thousand rupees, nor, as regards an Assistant Collector or other subordinate officer, to goods of a greater value than one hundred rupees; and that the power to adjudge a penalty shall not extend, as regards a Deputy Collector, to a sum exceeding fifty rupees, nor, as regards an Assistant Collector or other subordinate officer, to a sum exceeding ten rupees.

On confiscation of vessel or goods, property to vest in Her Majesty.

254. When the confiscation of any vessel, cart, or other means of conveyance, horse or other animal, or any goods, is adjudged under section 252 or section 253, the property in such vessel, means of conveyance, animal, or goods shall thereupon vest in Her Majesty.

The Officer adjudging confiscation shall take and hold possession of the same, and every officer of Police, on the requisition of such Officer, shall assist him in taking and holding such possession.

Appeal from subordinate to Chief Customs Authority.

255. In any case adjudicated by an Officer of Customs any party aggrieved by the award may, within three months from the date of the award, appeal to the Chief Customs Authority or in such cases as the Local Government directs to any other superior officer of Customs empowered in that behalf by the Local Government.

Such authority or superior officer may thereupon make such further enquiry and pass such order as he thinks proper, confirming, alterig, or annulling the original award:

Provided that no such order in appeal shall have the effect of subjecting any person to any greater confiscation, penalty, or rates of duty than has been adjudged against him in the original award.

Penalty under this Act not to interfere with punishment which may be inflicted under any other law.

256. The award of any confiscation, penalty, or increased rates of duty under this Act by an Officer of Customs shall not interfere with any punishment to which the person affected thereby is liable under any other law.

Offences not specially provided for how to be adjudicated.

257. All offences against this Act, other than those cognizable under section 252 by an Officer in charge of a Custom House, may be adjudicated in a summary manner by a Magistrate.

Penalty adjudged by Magistrate, &c., may be remitted or commuted by Chief Customs Authority.

258. If, upon consideration of the circumstances under which any penalty or confiscation has been adjudged under this Act by an Officer of Customs or by a Magistrate, the Chief Customs Authority is of opinion that such penalty or confiscation ought to be remitted in whole or in part, or commuted, such authority may remit the same or any portion thereof, or may commute any order of confiscation to a penalty not exceeding the value of the goods ordered to be confiscated.

How payment of penalty to be enforced.

259. When a penalty is adjudged against any person under this Act by any Officer of Customs, such Officer, if the penalty be not paid, may levy the same by sale of any goods of the said person which may be in his charge, or in the charge of any other Officer of Customs.

When an Officer of Customs who has adjudged a penalty against any person under this Act fails to realize the unpaid amount of such penalty from the goods of such person, such officer may notify in writing to any Magistrate within whose jurisdiction such person or any goods belonging to him may be, the name and residence of the said person and the amount of penalty unrecovered; and such Magistrate shall thereupon proceed to enforce payment of the said amount in like manner as if the penalty had been adjudged by himself.

Periods of imprisonment, in default of payment of penalty or fine, to be fixed within certain limits.

260. When a penalty or fine is adjudged against any person under this Act by a Magistrate, such Magistrate shall, at the same time, fix, within the following limits, a period of imprisonment in default of payment of such penalty or fine:—

If the penalty or fine do not exceed fifty rupees, the term of imprisonment to be fixed in default of payment shall not exceed one month.

If the penalty or fine do not exceed one hundred rupees, the term of imprisonment to be fixed in default of payment shall not exceed two months.

If the penalty or fine do not exceed five hundred rupees, the term of imprisonment to be fixed in default of payment shall not exceed four months.

When the penalty or fine exceeds five hundred rupees, the term of imprisonment to be fixed in default of payment may extend to six months.

The Magistrate may at any time enforce payment of any penalty or fine or of any portion thereof by distress and sale of the defaulter's goods.

Imprisonment to terminate upon recovery of fine.

261. The imprisonment imposed in default of payment of fine or penalty under this or any other Act relating to the Customs shall terminate whenever that fine or penalty is either paid or levied by process of law.

Or upon recovery of proportional part of fine.

262. If, before the expiration of the term of imprisonment fixed in default of payment, such a proportion of the fine or penalty is paid or levied that the term of imprisonment suffered in default of payment is not less than proportional to the part of the fine or penalty still unpaid, the imprisonment shall terminate.

Option to pay fine in lieu of confiscation.

263. Whenever confiscation is authorized by this Act, the officer adjudging it may give the owner of the goods an option to pay in lieu of confiscation such fine as the officer thinks fit.

Appropriation of penalties, &c., and grant of rewards.

264. The proceeds of all confiscations and penalties imposed under this Act shall, after deducting therefrom all Government demands, be paid into a general Fund, out of which the Chief Customs Authority may grant a reward to any person by whose information, assistance, or instrumentality, any seizure has been made or any offence punished.

SCHEDULE.

PART I.

ACTS OF THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Number and year.	Title.	Extent of repeal.
V of 1838 ...	Bengal Bonded Warehouse Association Act ...	Section twenty-eight.
XXI of 1856 ...	An Act to consolidate and amend the law relating to the Abkaree Revenue in the Presidency of Fort William in Bengal.	Section eight. Sections ten to sixteen, both inclusive.
VI of 1863 ...	An Act to consolidate and amend the laws relating to the administration of the Department of Sea Customs in India.	The whole.
XX of 1867 ...	An Act to authorize the transhipment, without payment of Duty, of goods imported into Calcutta, Madras and Bombay by steamers.	The whole.
X of 1868 ...	An Act to amend the Consolidated Customs Act ...	The whole.
XVII of 1869 ...	An Act to shorten the time for landing cargo ...	The whole.
XVII of 1870 ...	An Act to amend the law relating to Customs Duties.	Sections two, four and five, and the proviso in section three.
XVIII of 1870 ...	An Act to enable the Government of India to exempt goods from Customs Duties.	The whole.
XIV of 1871 ...	An Act for the further amendment of the Consolidated Customs Act.	The whole.
VI of 1873 ...	An Act to amend the law relating to the Transhipment of Goods imported by Steamer, and for other purposes.	The whole.
XVI of 1875 ...	An Act to amend the law relating to Customs Duties, and for other purposes.	Sections six, seven and twelve.

SCHEDULE.—(*continued*).

PART II.

FORMS.

A

FORM OF APPLICATION FOR A LICENSE FOR PRIVATE WAREHOUSE.

(*See section* 68).

To

THE OFFICER IN CHARGE OF THE CUSTOM HOUSE AT

SIR,

PLEASE to comply with my request to be furnished with a license under The Consolidated Customs Act, 1877, for a warehouse situated at and about the distance of from the Custom House.

The dimensions and other particulars of the godown are stated below. It is intended for the reception of all goods, as a general store-house (*or as the case may be*). The period of license not to exceed (*mention the time for which required*).

Particulars of godown.

	Feet.	Inches.	
Length			Dry, airy, well flued and pakka-built; can contain with perfect safety and convenience tons of goods (*as the case may be.*)
Breadth			
Height			

This godown is my own property (*or the property of , from whom I have engaged the same on a lease of*)

(*Signed*) ( )

Name of Applicant.

Place
Date

B

FORM OF APPLICATION TO WAREHOUSE GOODS.

(*See section* 69).

To

THE OFFICER IN CHARGE OF THE CUSTOM HOUSE AT

SIR,

PLEASE to order the reception into the public warehouse (*or the private warehouse*) of Mr. *A. B.*, situate at and licensed by No. dated , of the undermentioned goods arrived from (*Port or place to be mentioned*) on the (*British or other*) ship whereof is Master.

The Duty upon these goods has been adjusted in the manner specified below:—

Marks and numbers of packages.	Description of packages and goods.	Details of goods.	Rate of value of goods.	Amount of value of the goods as ascertained and entered on the landing of the same.	Rate of Customs Duty.	Date and No. of importation.	Specification of the particulars of bonds if the Duty upon goods has been bonded.
1	2	3	4	5	6	7	8

(*Signed*) ( )

Name of owner, agent, or consignee of goods.

Place

Date

C

FORM OF BOND FOR IMPORT DUTY.

(*See sections* 71 *and* 72).

BOND.

No. 18

We, *A. B.*,

now of

; and *C. D.*,

of the same place, are jointly and severally bound to Her Majesty's Secretary of State for India in the sum of Government Rupees to be paid to the said Secretary of State,

for which payment we jointly and severally bind ourselves, our heirs, and representatives; and we agree that, in case of dispute touching the matter of this obligation or the condition thereof, the same may be heard and determined in the High Court of Judicature at

Sealed with our seals (*date*)

(*Signed*)

The above bounden having applied to the Officer in charge of the Custom House at for and obtained permission to lodge in the warehouse for a period of the following good, that is to say— imported by Sea from on board of the ship and entered in the Custom House Books as No. of the Register of Goods imported by Sea;

The condition of this Bond is, that;

If the their heirs, or representatives, shall observe all the rules prescribed in The Consolidated Customs Act, 1877, to be observed by owners, importers, or consignees of goods warehoused, and by persons obtaining permission to warehouse goods under the provisions thereof;

And if the said their heirs, or representatives, shall pay to the Officer in charge of the Custom House at the Port of all dues, whether of Customs, warehouse dues, or lawful charges which shall be demandable on the said goods, or on account of penalties incurred in respect to them, within

from the date of this Bond, or within such further time as the Chief Customs Authority of shall allow in that behalf, together with interest on every such sum at the rate of six per cent. per annum from the date of demand thereof being made in writing by the said Officer in charge of the Custom House;

And if, within the term so fixed or enlarged, the said goods or any portion thereof having been removed from the said warehouse for home-consumption or re-exportation by sea, the full amount of all Customs duties, warehouse dues, lawful charges and penalties demandable as aforesaid shall have been first paid on the whole of the said goods;

This obligation shall be void.

Otherwise, and on breach or failure in the performance of any part of this condition, the same shall be in full force.

Sealed with our seals (*date*)

(*Signed*) ( )

D

FORM OF APPLICATION TO REMOVE GOODS FROM WAREHOUSE.

(*See section* 87).

To

THE OFFICER IN CHARGE OF THE CUSTOM HOUSE AT

PLEASE to order to be passed from the public warehouse (*or private warehouse*) of Messrs. *A & Co.*, situate at and licensed under The Consolidated Customs Act, 1877, by No. dated , the undermentioned goods intended for exportation by Sea on the ship whereof is

5 *k*

Master and which is bound to (*or for internal consumption*), the same having been entered in the books of your office for the said warehouse, under No. dated by me (*or by Messrs. B. & Co.—in the latter case add*—whose certificate of the transfer of the goods is herewith annexed).

Marks and No. of cases, *B. & Co.*, (*Name of the goods*). Nos. 1 to 4. □ × ✓ Sealed. Warehoused for exportation.	Four cases of (*name of goods*) 1 case (*box, bale, or parcel*) containing (*here insert the quantity in each case*). 1 Ditto. 1 Ditto. 1 Ditto. Four cases (*boxes, bales or parcels*) containing (*total contents to be here stated*).

The Custom House value of the above is Government rupees

(*Signed*) ( )

Name of owner, agent, or consignee of goods.

Place

Date

E

FORM OF APPLICATION TO REMOVE GOODS FROM ONE WAREHOUSE TO ANOTHER.

(*See section* 93).

To

THE OFFICER IN CHARGE OF THE CUSTOM HOUSE AT

SIR,

PLEASE to permit the removal of the undermentioned goods from the public (*or private*) warehouse (*describe the warehouse*) to (*the warehouse into which the removal is intended to be made must here be distinctly described*) for the unexpired period of warehousing remaining in respect to the goods, the same having been originally entered by virtue of The Consolidated Customs Act, 1877, in the books of the Warehousing Department, No. , dated for fifteen months (*or such other period as may have been allowed*) under the obligations and conditions at present attached to the goods.

Marks and numbers of packages.	Description of packages and of goods.	Contents of packages.	Rate of value of goods.	Amount of value of goods as entered in Custom House Books.	Rate of Duty chargeable or paid upon the goods.	Name of the persons by whom goods first passed into warehouse.
1	2	3	4	5	6	7

NOTE.—*If the goods to be removed shall have been sold or transferred by the original proprietor or agent, a certificate of such sale or transfer shall accompany the application.*

(*Signed*) (

Name of owner, agent, or consignee of goods.

Place

Date

FORM OF SHIPPING BILL.—(*See section* 109).

Shipping Bill ...
1. Warehouse or drawback goods.
2. Foreign goods not for drawback.
3. Goods exported under special rule of restriction.
4. Country goods subject to duty.
5. Country goods not subject to duty.

(*State, as described, the class to which the goods to be exported belong*).

Ship's name.	Whether British or Foreign; if Foreign, the country.	Master's name.	Port or place of destination.	Marks.	Numbers.	Description of packages.	Quantity, quality, and description of goods.	Rate of value for Duty.	Total value for Duty.	Declared real value under section 28.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12

Here state particulars according to the above headings.

I claim drawback on { *Here state quantity and description in words, at length, of any goods in respect of which drawback is claimed, and number in Register of Custom House.*

I declare the value of the goods above described to be ( )

Name of Exporter or Agent.

Dated day of

( )

Name of Officer in charge of Custom House.

G

FORM OF COASTING PASS—(*see section* 135.)

Port of

Ship's name.	Tonnage.	Port of Registry.	Master's name.	Whither bound.	Foreign goods, duty paid.	Warehoused goods, removed in bond.	Country goods.	Restricted goods and goods liable to duty of Excise.
1	2	3	4	5	6	7	8	9

(*Signed*) (*Name of Master.*

Here state the particulars according to the above headings.

Cleared the day of 18

(*Signed*) ( )

Officer in charge of Custom House.

H

FORM OF BOND FOR THE REMOVAL OF SPIRITS FROM LICENSED DISTILLERY.

(*See section* 143).

We,

are jointly and severally bound to Her Majesty's Secretary of State for India, in the sum of Government rupees to be paid to the said Secretary of State, for which payment we jointly and severally bind ourselves, our heirs, and representatives; and we agree that, in case of dispute touching the matter of this obligation, or the condition thereof, the same may be heard and determined in the High Court of Judicature at

Sealed with our seals, dated this day of 18

(*Signed*)

( )

The above bounden being indebted to Her Majesty's Secretary of State for India in the sum of Government rupees being the amount of duty payable at the rate of rupees per imperial gallon London proof, for gallons of (*or for gallons of proof spirit used in the preparation of dozens of bottles or gallons of cordials and liquors as specified in the annexed schedule*) manufactured at which the said have been allowed to remove thence for exportation by Sea, subject to the provisions of The Consolidated Customs' Act, 1877, without having paid such duty.

The condition of this obligation is, that, if the above bounden their heirs, or representatives, shall, at the expiration of four calendar months from the date of this obligation, pay or cause to be paid to the said Secretary of State duty at the rate of rupee per imperial gallon of proof spirits for all or any portion of the above-mentioned which shall not have been then exported by Sea, subject to the aforesaid provisions (of which exportation, if any, due proof shall be given) or passed for local consumption on payment of duty, then this bond shall be void; otherwise the same shall remain in full force.

Sealed and delivered in the presence of

Place

Date

If the bond be for cordials and other liquors under section 150, *add*—

Schedule.

Description of cordials and liquors.	Quantity in bottles or gallons.	Quantity of proof spirit.
1	2	3

I

FORM OF BONDED WAREHOUSE WARRANT.

(*See section* 101).

I do hereby certify that have deposited in the Warehouse of the undermentioned goods which goods, the engage on demand, after payment of rent and incidental charges and Government dues or customs chargeable thereon, to deliver to the said or their assigns, or to the holder of this warrant to whom it may be transferred by endorsement.

STATEMENT OF OBJECTS AND REASONS.

As long ago as 1870 the necessity of a thorough amendment of the Consolidated Customs Act (VI of 1863) was recognized, owing both to the additional legislation which had already taken place, and the numerous improvements which the various local authorities had represented to be necessary, chiefly in consequence of the altered conditions of trade.

Leave to introduce a Bill to consolidate and amend the law relating to Sea Customs was given by the Council of the Governor General for making Laws and Regulations to Sir Richard Temple on the 16th August 1870, but the measure was not proceeded with owing to difficulties connected with the application to India of 32 & 33 Vic., cap. II (for amending the law relating to the Coasting Trade and Merchant Shipping in British Possessions).

These difficulties appear, from further communication with Her Majesty's Secretary of State for India, to have been removed, and the Bill of 1870 is again brought forward, with the addition of the consolidation in it of the Acts specified in the margin, and of certain changes which have been recommended by the local authorities.

Act XIV of 1871.
Act VI of 1873.
Act XVI of 1875, in part.

Of those changes the chief are as follows:—

Provision is made (section 6) for the settlement of disputes as to the proper rate of duty payable in respect of any goods without detention of the goods during settlement.

Where a contract has been entered into for the sale of dutiable goods at a fixed price including the duty leviable at the date of the contract, and before the contract is fully performed the duty is raised or lowered, and levied accordingly, the Bill (section 33) declares that the price shall be increased or diminished (as the case may be) by the amount by which the duty is so raised or lowered. Where during transit by sea to British India the duty on any goods is raised, the duty payable on arrival will be only the duty in force when the transit commenced, and where such duty is lowered, the duty leviable will be only such reduced duty.

In the case of steamers the Bill provides (section 44) that the master may enter in the manifest the name of the ship's agent as that of the consignee of any cargo, and that the Chief Customs Authority may treat him as such consignee, provided he gives security against claims for damage or short delivery.

Power is given (section 46) to permit (subject to rules) bulk to be broken prior to receipt of the original manifest and the entry of the vessel at the Custom House.

For the purpose of landing import cargo and shipping export cargo no charge will be made (sections 50 and 108) for the services of several Customs Officers for respective periods, the aggregate of which does not exceed fifteen working days.

Power has been given (section 114) to grant port-clearance before delivery of the manifest when the ship's agent furnishes sufficient security for duly delivering it within three days from the date of the grant.

Whenever goods are confiscated the owner will have an option (section 263) to pay a fine in lieu of losing his goods.

It is expected that the Bill will be considerably improved in Committee in respect of numerous matters known to require attention, owing to the opening of the Suez Canal and the alterations effected by the telegraph in the conditions of modern trade, by suggestions of the various Maritime authorities, and by the co-operation of the mercantile community.

SIMLA;
The 26th October 1876.

T. C. HOPE.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 25, 1876. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 22nd November 1876:—

Telegram from Secretary of State, dated 6th December 1875.
From Officiating Secretary to Chief Commissioner, Central Provinces, No. 624—16, dated 22nd February 1876, and enclosure.
„ Officiating Secretary to Chief Commissioner, Oudh, No. 1226G, dated 15th March 1876, and enclosure.
„ Government of Bengal, No. 1166J, dated 27th March 1876, and enclosure.
„ „ of Bombay, No. 3652, dated 20th June 1876, and enclosures.
„ „ of Panjáb, No. 174C, dated 19th July 1876, and enclosures.
„ J. G. W. Sykes, Esq., dated 21st July 1876.
„ Chief Commissioner, British Burma, No. 1152—38, dated 27th July 1876, and enclosures.
Note by J. Pitt Kennedy, Esq., dated September 1876.

We, the undersigned Members of the Select Committee to which the Bill to define and amend the law relating to certain kinds of Specific Relief was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Preliminary.

2. In the interpretation-clause, we have omitted the definition of 'discretion,' the object of the definition being, we think, sufficiently attained by the first clause of section 21. We have amended the definition of 'obligation' so as to preclude the idea that only duties enforceable by the Criminal Courts were intended, and we have struck out the definition of 'agreement,' which does not harmonize with that contained in the Contract Act. To the illustrations of the definition of 'trustee,' we have added one showing that an employé receiving, without his employer's assent, commission on articles purchased for his employer, is a trustee of the commission so received. We have, lastly, declared that all words (such as 'contract') occurring in the Bill, which are defined in the Contract Act, shall have the meanings given them by that Act; and throughout the Bill we have used 'contract' for 'agreement' whenever a valid agreement is intended.

3. In section 4, we have struck out the clause rendering English law inapplicable to the kinds of relief dealt with by the Bill. For some time, at all events, the rules of the Bill

will have to be elucidated by reference to the decisions of the English Courts. To the same section we have added a clause saving the Registration Act, which might have been held to have been affected by some of the subsequent provisions of the Bill.

4. To the four kinds of specific relief enumerated in section 5, we have added a fifth—the appointing of a receiver; and, in a subsequent part of the Bill, we have dealt with this matter by reference to the revised Code of Civil Procedure.

Recovering possession of Property.

5. To the three cases mentioned in section 11, in which a person in possession, not as owner, of moveable property may be compelled to deliver it, we have added a fourth, namely, when the possession of the thing claimed has been wrongfully transferred from the claimant. For illustration (*b*), we have substituted the following:—"Z has got possession of an idol belonging to A's family, and of which A is the proper custodian. Z may be compelled to deliver it to A."

Specific Performance.

6. In section 12, we have struck out the clause relating to an express agreement between the parties to the contract that specific performance thereof may be required by either. It would, we fear, have been always inserted in agreements between money-lenders and land-holders, and might have been treated by the Courts as limiting the discretion which we intend to confer upon them. We have also struck out illustration (*e*), which goes further than we think desirable in enabling the Courts to compel persons to become partners.

7. Section 13 of the Bill as introduced provides (in strict accordance with English law) that when either party to an agreement is entitled to specific performance, the other party is also entitled to it. The Standing Counsel, Mr. Pitt Kennedy (to whom we are indebted for a valuable Note on the Bill), suggests that this would introduce a principle which found its place in Courts of Equity rather from a desire for symmetry than from its inherent utility. We feel the force of this objection, and we have therefore struck out the section.

8. We have inserted a clause (section 13 of Bill No. II) providing that, notwithstanding anything contained in section 56 of the Indian Contract Act, a contract is not wholly impossible of performance because a portion of its subject-matter existing at its date has ceased to exist at the time of the performance. The illustrations appended to this new clause will sufficiently show its propriety.

9. Section 16 of the Bill as introduced forbids the specific performance of part of a contract except in cases coming under section 14 or section 15. We have also excepted cases where a part of the contract, which, taken by itself, can and ought to be specifically enforced, stands on a separate and independent footing from another part which cannot or ought not to be so enforced: see sections 16 and 17 of Bill No. II.

10. We think the case put first in section 21 of the Bill as introduced (agreements the terms of which the Court cannot find with reasonable certainty) comes more suitably among the cases specified in the previous section (now numbered 21), of agreements not specifically enforceable. We have, accordingly, transposed it. We have extended clause (*b*) of the latter section to agreements so dependent on the personal qualifications or volition of the parties that the Court cannot enforce specific performance of the material terms, and we have illustrated this by the case of an agreement to marry. Clause (*g*) of the same section in the Bill as introduced declares that a contract, the performance of which involves the performance of continuous duties over a longer period than five years from its date, shall not be specifically enforced. We have reduced this period to three years. We have forbidden specific performance of a contract of which a material part of the subject-matter, supposed by both parties to exist, has, before it has been entered into, ceased to exist. The rule of the Bill as introduced which precludes specific performance of contracts to refer to arbitration has been considered with reference to the English law and the decision of Phear, J., in *Koegler* v. *The Coringa Oil Company*, I. L. R. 1 Calc. 42 (which has been affirmed on appeal) on the one hand, and to the second paragraph of the first Exception to section 28 of the Contract Act and a recent decision of the Madras High Court (8 Mad. 56) on the other. We have come to the conclusion that the rule ought to be maintained; and we have expressly repealed the paragraph in question, embodying, however, in the Bill the provision that if any person who has entered into a contract to refer to arbitration and refuses to perform it, sues in respect of any subject which he has contracted to refer, the existence of the contract shall bar the suit, and saving such remedies as are provided in the Civil Procedure Code.

11. We have extended section 23, clause (*c*), to cases of compromise of doubtful rights between members of the same family.

12. In section 24, we have altered illustration (*b*), which the recent decision in *Dawson* v. *Oliver-Massey*, 2 Ch. Div. 753, has rendered doubtful, and added an illustration turning on uncertainty of fact.

13. To section 25, we have added an illustration showing that a person entering into a contract in the character of an agent cannot enforce specific performance when he is in reality acting on his own account.

14. Section 26 deals with cases in which the plaintiff seeks specific performance of a contract in writing, to which the defendant sets up a variation. We have added the case in which the object of the parties is to produce a certain legal result which the contract as framed is not calculated to produce.

15. We have inserted a section (30) declaring that the provisions of the Bill as to specific performance of contracts shall apply, *mutatis mutandis*, to awards and to testamentary directions to execute settlements.

16. Where a decree for specific performance of a contract of sale has been made, we have empowered (section 35) the Court, by order in the suit in which such decree has been passed and not complied with, to rescind the contract, either so far as regards the party in default or altogether, as the justice of the case may require. We have added an illustration of clause (*a*) of the same section.

Cancellation of Instruments.

17. To the section (39) relating to the cancellation of instruments, we have added a clause empowering the Court, if the instrument has been registered, to cause the fact of the cancellation to be noted in the Registry Office.

Declaratory Decrees.

18. We think that the Courts should be barred from making declaratory decrees only in cases where the plaintiff, being able to seek further relief than a mere declaration of right, omits to do so. We see no sound reason for compelling a man, when others advance a claim to property which he believes to be his own, to wait till his evidence may be lost, to keep his arrangements for his family uncertain, or to suffer from a possibly serious diminution in the value of that property. We have therefore altered accordingly section 42 and illustration (*e*).

Enforcement of Public Duties.

19. We have, by section 45, confined the exercise of the power to make orders in the nature of a *mandamus* to the local limits of the ordinary original civil jurisdiction of the Presidency High Courts. We have restricted the power to apply for such orders to cases in which the applicant's property, franchise or personal right would be injured by the act complained of, and in which that act is clearly required by some law for the time being in force. And we have declared that the High Courts shall not make any order expressly excluded by some existing law.

Perpetual Injunctions.

20. We have struck out from section 54 the clause (analogous to that struck out of section 12) which permits the grant of a perpetual injunction where the parties have agreed in writing that, in case of invasion of the plaintiff's property, such injunction shall be granted. We have explained that, for the purpose of section 54, a trademark is property—a matter on which a recent case (*Singer Manufacturing Company* v. *Wilson*, 2 Ch. Div. 449) has thrown some doubt.

21. From section 56 we have struck out the clause forbidding the Courts to grant injunctions to prevent libels. Notwithstanding the present Lord Chancellor's decision in *Prudential Assurance Company* v. *Knott*, 44 L. J. Ch. 192, we do not see why breach of the obligation not to injure a man's reputation should not be restrained like the breach of any other obligation, and the provision in section 7 will prevent any clashing with the criminal law.

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22. We have, lastly, cancelled some of the illustrations and transposed or amended others. We think that the Bill has been so altered as to require republication, and we recommend that it be republished accordingly in the *Gazette of India* and the local Gazettes.

SIMLA;
The 27th October 1876.

A. HOBHOUSE.
T. C. HOPE.
F. R. COCKERELL.

No. II.

THE SPECIFIC RELIEF BILL, 1877.

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SCHEDULE.—Enactments repealed.

A Bill to define and amend the Law relating to certain kinds of Specific Relief.

WHEREAS it is expedient to define and amend the law relating to certain kinds of specific relief obtainable in civil suits; It is hereby enacted as follows:— Preamble.

PART I.
PRELIMINARY.

1. This Act may be called "The Specific Relief Act, 1877:" Short title.

It extends to the whole of British India, except the Scheduled Districts as defined in Act No. XIV of 1874; Local extent.

And it shall come into force at once. Commencement.

2. The Acts specified in the schedule hereto annexed are repealed to the extent mentioned in its third column. Repeal of enactments.

3. In this Act, unless there be something repugnant in the subject or context,— Interpretation-clause.

'obligation' includes every duty enforceable by law: 'obligation.'

'trust' includes every species of express, implied, or constructive fiduciary ownership: 'trust.'

'trustee' includes every person holding, expressly, by implication, or constructively, a fiduciary character: 'trustee.'

Illustrations.

(*a*). Z bequeaths land to A, 'not doubting that he will pay thereout an annuity of Rs. 1,000 to B for his life.' A is a trustee within the meaning of this Act for B to the extent of the annuity.

(*b*). A is the legal, medical, or spiritual adviser of B. By availing himself of his situation as such adviser, A gains some pecuniary advantage which might otherwise have accrued to B. A is a trustee for B within the meaning of this Act of such advantage.

(*c*). A, being B's banker, discloses for his own purposes the state of B's account. A is a trustee within the meaning of this Act of the benefit gained by him by means of such disclosure.

(*d*). A, the mortgagee of certain leaseholds, renews the lease in his own name. A is a trustee within the meaning of this Act of the renewed lease.

(*e*). A, one of several partners, is employed to purchase goods for the firm. A, unknown to his co-partners, supplies them, at the market-price, with goods previously bought by himself when the price was lower, and thus makes a considerable profit. A is a trustee within the meaning of this Act of the profit so made.

(*f*). A, the manager of B's indigo factory, becomes agent for C, a vendor of indigo-seed, and receives, without B's assent, commission on the seed purchased from C for the factory. A is a trustee, within the meaning of this Act, for B, of the commission so received.

(*g*). A buys certain land with notice that B has already contracted to buy it. A is a trustee, within the meaning of this Act, of the land so bought.

(*h*). A buys land from B, having notice that C is in occupation of the land. A omits to make any inquiry as to the nature of C's interest therein. A is a trustee, within the meaning of this Act, to the extent of that interest.

'settlement' means any instrument (other than a will or codicil as defined by the Indian Succession Act) whereby the destination or devolution of moveable or immoveable property is settled or agreed to be settled: 'settlement.'

and all words occurring in this Act, which are defined in the Indian Contract Act, 1872, shall be deemed to have the meanings respectively assigned to them by that Act. Words defined in Contract Act.

4. Except where it is herein otherwise expressly enacted, nothing in this Act shall be deemed— Savings.

(*a*) to give any right to relief in respect of any agreement which is not a contract;

(*b*) to deprive any person of any right to relief, other than specific performance, which he may have under any contract; or

(*c*) to affect the operation of the Indian Registration Act on documents.

5. Specific relief is given— Specific relief how given.

(*a*) by taking possession of certain property and delivering it to a claimant;

(*b*) by ordering a party to do the very act which he is under an obligation to do;

(*c*) by preventing a party from doing that which he is under an obligation not to do;

(*d*) by declaring and determining the rights of parties otherwise than by an award of compensation; or

(*e*) by appointing a Receiver.

6. Specific relief granted under clause (*c*) of section 5 is called preventive relief.

Preventive relief.

7. Specific relief cannot be granted for the mere purpose of enforcing a penal law.

Purposes for which relief cannot be given.

PART II.

OF SPECIFIC RELIEF.

CHAPTER I.

OF RECOVERING POSSESSION OF PROPERTY.

(a).—Possession of Immoveable Property.

8. A person entitled to the possession of specific immoveable property may recover it in the manner prescribed by the Code of Civil Procedure.

Recovery of specific immoveable property.

9. If any person is dispossessed without his consent of immoveable property otherwise than in due course of law, he or any person claiming through him may, by suit instituted within six months from the date of the dispossession, recover possession thereof, notwithstanding any other title that may be set up in such suit.

Suit by person dispossessed of immoveable property.

Nothing in this section shall bar any person from suing to establish his title to such property and to recover possession thereof.

No suit under this section shall be brought against the Government.

(b).—Possession of Moveable Property.

10. A person entitled to the possession of specific moveable property may recover the same in the manner prescribed by the Code of Civil Procedure.

Recovery of specific moveable property.

EXPLANATION 1.—A trustee may sue under this section for the possession of property to the beneficial interest in which another is entitled.

EXPLANATION 2.—A special or temporary right to the present possession of property is sufficient to support a suit under this section.

Illustrations.

(*a*). A bequeaths land to B for his life, with remainder to C. A dies. B enters on the land, but C, without B's consent, obtains possession of the title-deeds. B may recover them from C.

(*b*). A pledges certain jewels to B to secure a loan. B disposes of them before he is entitled to do so. A, without having paid or tendered the amount of the loan, sues B for possession of the jewels. The suit should be dismissed, as A is not entitled to their possession, whatever right he may have to secure their safe custody.

(*c*). A receives a letter addressed to him by B. B gets back the letter without A's consent. A has such a property therein as entitles him to recover it from B.

(*d*). A deposits books and papers for safe custody with B. B loses them and C finds them, but refuses to deliver them to B when demanded. B may recover them from C, subject to C's right, if any, under section 168 of the Indian Contract Act, 1872.

(*e*). A, a warehouse-keeper, is charged with the delivery of certain goods to Z, which B takes out of A's possession. A may sue B for the goods.

11. Any person having the possession or control of a particular article of moveable property, of which he is not the owner, may be compelled specifically to deliver it to the person entitled to its immediate possession, in any of the following cases:—

Liability of person in possession, not as owner, to deliver to person entitled to immediate possession.

(*a*) when the thing claimed is held by the defendant as the agent or trustee of the claimant;

(*b*) when compensation in money would not afford the claimant adequate relief for the loss of the thing claimed;

(*c*) when it would be extremely difficult to ascertain the actual damage caused by its loss;

(*d*) when the possession of the thing claimed has been wrongfully transferred from the claimant.

Illustrations

of clause (*a*).—A, proceeding to Europe, leaves his furniture in charge of B as his agent during his absence. B, without A's authority, pledges the furniture to C, and C, knowing that B had no right to pledge the furniture, advertises it for sale. C may be compelled to deliver the furniture to A, for he holds it as A's trustee.

of clause (*b*).—Z has got possession of an idol belonging to A's family, and of which A is the proper custodian. Z may be compelled to deliver it to A.

of clause (*c*).—A is entitled to a picture by a dead painter and a pair of rare China vases. B has possession of them. The articles are of too special a character to bear an ascertainable market-value. B may be compelled to deliver them to A.

CHAPTER II.

OF THE SPECIFIC PERFORMANCE OF CONTRACTS.

(a). Contracts which may be specifically enforced.

12. Except as otherwise provided in this chapter, the specific performance of any contract may in the discretion of the Court be enforced—

Cases in which specific performance enforceable.

(*a*) when the act agreed to be done is in the performance, wholly or partly, of a trust;

(*b*) when there exists no standard for ascertaining the actual damage caused by the non-performance of the act agreed to be done;

(*c*) when the act agreed to be done is such that pecuniary compensation for its non-performance would not afford adequate relief; or

(*d*) when it is probable that pecuniary compensation cannot be got for the non-performance of the act agreed to be done.

EXPLANATION.—Unless and until the contrary is shewn, it is to be presumed that the breach of a contract to transfer immoveable property cannot be adequately relieved by compensation in money, and that the breach of a contract to transfer moveable property can be thus relieved.

Illustrations

of clause (*a*).—A holds certain stock in trust for B. A wrongfully disposes of the stock. The law creates an obligation on A to restore the same quantity of stock to B, and B may enforce specific performance of this obligation.

A sells 500 tons of iron stacked on his wharf to B, in consideration of a bill accepted by C, and undertakes in writing to deliver the iron to bearer, he (A) 'having been paid for the same.' B mortgages the iron to D. The bill is dishonoured. A refuses to deliver the iron. A holds the iron as a trustee for D, and D may compel him specifically to perform his contract.

A advances Rs. 10,000 to B, and B contracts to execute a mortgage of certain houses 'with an immediate power of sale' to secure the repayment of the advance. A requires B either to pay off the advance at once or to execute the mortgage. B refuses. A is entitled to have the contract specifically performed.

of clause (*b*).—A agrees to buy, and B agrees to sell, a picture by a dead painter and two rare China vases. The articles are of too special a character to bear an ascertainable market-value. A may compel B specifically to perform this contract, for it would be extremely difficult to ascertain the actual damage caused by its non-performance.

of clause (*c*).—A contracts with B to sell him a house for Rs. 1,000. B is entitled to a decree directing A to convey the house to him, he paying the purchase-money.

In consideration of being released from certain obligations imposed on it by its Act of incorporation, a railway company contract with Z to make an archway through their railway to connect lands of Z severed by the railway, to construct a road between certain specified points, to pay a certain annual sum towards the maintenance of this road, and also to construct a siding and a wharf as specified in the contract. Z is entitled to have this contract specifically enforced, for his interest in its performance cannot be adequately compensated for by money; and the Court may appoint a proper person to superintend the construction of the archway, road, siding and wharf.

A contracts to sell, and B contracts to buy, a certain number of railway-shares of a particular description. A refuses to complete the sale. B may compel A specifically to perform this agreement, for the shares are limited in number and not always to be had in the market, and their possession carries with it the status of a shareholder, which cannot otherwise be procured.

A contracts with B to paint a picture for B, who agrees to pay therefor Rs. 1,000. The picture is painted. B is entitled to have it delivered to him on payment or tender of the Rs. 1,000.

of clause (*d*).—A transfers without endorsement, but for valuable consideration, a promissory note to B. A becomes insolvent, and C is appointed his assignee. B may compel C to endorse the note, for C has succeeded to A's liabilities, and a decree for pecuniary compensation for not endorsing the note would be fruitless.

13. Notwithstanding anything contained in section 56 of the Indian Contract Act, a contract is not wholly impossible of performance, because a portion of its subject-matter existing at its date has ceased to exist at the time of the performance.

Contracts of which the subject has partially ceased to exist.

Illustrations.

(*a*). A contracts to sell a house to B for a lákh of rupees. The day after the contract is executed, the house is destroyed by a cyclone. B may be compelled to perform his contract by paying the purchase-money.

(*b*). In consideration of a sum of money payable by B, A contracts to grant an annuity to B for B's life. The day after the contract has been entered into, B is thrown from his horse and killed. B's representative may be compelled to pay the purchase-money.

14. Where a party to a contract is unable to perform the whole of it, but the part which must be left unperformed bears only a small proportion to the whole in value, and admits of compensation in money, the Court may, at the suit of either party, direct the specific performance of so much of the contract as can be performed, and award compensation in money for the deficiency.

Specific performance of part of a contract where the part unperformed is small.

Illustrations.

(*a*). A contracts to sell B a piece of land consisting of 100 bighás. It turns out that 98 bighás of the land belong to A, and the two remaining bighás to a stranger, who refuses to part with them. The two bighás are not necessary for the use or enjoyment of the 98 bighás, nor so important for such use or enjoyment that the loss of them may not be made good in money. A may be directed at the suit of B to convey to B the 98 bighás and to make compensation to him for not conveying the two remaining bighás; or B may be directed, at the suit of A, to pay to A on receiving the conveyance and possession of the land, the stipulated purchase-money, less a sum awarded as compensation for the deficiency.

(*b*). In a contract for the sale and purchase of a house and lands for two lákhs of rupees, it is agreed that part of the furniture should be taken at a valuation. The Court may direct specific performance of the contract notwithstanding the parties are unable to agree as to the valuation of the furniture, and may either have the furniture valued in the suit and include it in the decree for specific performance, or may confine its decree to the house.

15. Where a party to a contract is unable to perform the whole of it, and the part which must be left unperformed forms a considerable portion of the whole, or does not admit of compensation in money, the party in default is not entitled to obtain a decree for specific performance. But the Court may, at the suit of the other party, direct the party in default to perform specifically so much of the contract as he can perform, provided that the party seeking specific performance relinquishes all claim to further performance, and all right to compensation, either for the deficiency, or for the loss or damage sustained by him through the default of the other party.

Specific performance of part of a contract where the part unperformed is large.

Illustrations.

(*a*). A contracts to sell to B a piece of land consisting of 100 bighás. It turns out that 50 bighás of the land belong to A, and the other 50 bighás to a stranger, who refuses to part with them. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the 50 bighás which belong to A, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree directing A to convey those 50 bighás to him on payment of the purchase-money.

(*b*). A contracts to sell to B an estate with a house and garden for a lákh of rupees. The garden is important for the enjoyment of the house. It turns out that A is unable to convey the garden. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the estate and house without the garden, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree, directing A to convey the house to him on payment of the purchase-money.

16. When a part of a contract which, taken by itself, can and ought to be specifically performed, stands on a separate and independent footing from another part of the same contract which cannot or ought not to be specifically performed, the Court may direct specific performance of the former part.

Specific performance of independent part of a contract.

17. The Court shall not direct the specific performance of a part of a contract except in cases coming under one or other of the three last preceding sections.

Bar in other cases of specific performance of part of contract.

18. Where a person contracts to sell or let certain property, having only an imperfect title thereto, the purchaser or lessee (ex-

Purchaser's rights against vendor with imperfect title.

cept as otherwise provided by this chapter) has the following rights:—

(*a*) if the vendor or lessor has subsequently acquired any interest in the property, the purchaser or lessee may compel him to make good the contract out of such interest;

(*b*) where the concurrence of other persons is necessary to validate the title, and they are bound to convey at the vendor's or lessor's request, the purchaser or lessee may compel him to procure such concurrence;

(*c*) where the vendor professes to sell unincumbered property, but the property is mortgaged for an amount not exceeding the purchase-money, and the vendor has in fact only a right to redeem it, the purchaser may compel him to redeem the mortgage and obtain a conveyance from the mortgagee;

(*d*) where the vendor or lessor sues for specific performance of the contract, and the suit is dismissed on the ground of his imperfect title, the defendant has a right to a return of his deposit (if any) with interest thereon, to the costs of the suit, and to a lien for such deposit, interest and costs on the interest of the vendor or lessor in the property agreed to be sold or let.

Power to award compensation in certain cases.

19. Any person suing for the specific performance of a contract, may also ask for compensation for its breach, either in addition to, or in substitution for, such performance.

If in any such suit the Court decides that specific performance ought not to be granted, but that there is a contract between the parties which has been broken by the defendant and that the plaintiff is entitled to compensation for that breach, it shall award him compensation accordingly.

If in any such suit the Court decides that specific performance ought to be granted, but that it is not sufficient to satisfy the justice of the case, and that some compensation for breach of the contract should also be made to the plaintiff, it shall award him such compensation accordingly.

Compensation awarded under this section may be assessed in such manner as the Court may direct.

EXPLANATION.—The circumstance that the contract has become incapable of specific performance, does not preclude the Court from exercising the jurisdiction conferred by this section.

Illustrations

of the second paragraph:—A contracts to sell a hundred maunds of rice to B. B brings a suit to compel A to perform the contract or to pay compensation. The Court is of opinion that A has made a valid contract and has broken it without excuse to the injury of B, but that specific performance is not the proper remedy. It shall award to B such compensation as it deems just.

of the third paragraph:—A agrees with B to sell him a house for Rs. 1,000, the price to be paid and the possession given on the 1st January 1877. A fails to perform his part of the contract, and B brings his suit for specific performance and compensation, which is decided in his favour on the 1st January 1878. The decree may, besides ordering specific performance, award to B compensation for any loss or damage which he has sustained by A's refusal.

of the Explanation:—A, a purchaser, sues B, his vendor, for specific performance of a contract for the sale of a patent. Before the hearing of the suit, the patent expires. The Court may award A compensation for the non-performance of the contract and may, if necessary, amend the plaint for that purpose.

A sues for the specific performance of a resolution passed by the directors of a public company, under which he was entitled to have a certain number of shares allotted to him, and for compensation. All the shares had been allotted before the institution of the suit. The Court may, under this section, award A compensation for the non-performance.

Liquidation of damages not a bar to specific performance.

20. A contract, otherwise proper to be specifically enforced, may be thus enforced, though a sum be named in it as the amount to be paid in case of its breach, and the party in default is willing to pay the same.

Illustration.

A contracts to grant B an underlease of property held by A under C, and that if C refuses to grant a license necessary for that purpose, A will pay B Rs. 10,000. A refuses to apply for the license and offers to pay B the Rs. 10,000. B is nevertheless entitled to have the contract specifically enforced.

(*b*). *Contracts which cannot be specifically enforced.*

Contracts not specifically enforceable.

21. The following contracts cannot be specifically enforced:—

(*a*) a contract for the non-performance of which compensation in money is an adequate relief;

(*b*) a contract which runs into such minute or numerous details, or which is so dependent on the personal qualifications or volition of the parties, or otherwise from its nature is such, that the Court cannot enforce specific performance of its material terms;

(*c*) a contract the terms of which the Court cannot find with reasonable certainty;

(*d*) a contract which is in its nature revocable;

(*e*) a contract entered into by trustees either in excess of their powers or in breach of their trust;

(*f*) a contract entered into by or on behalf of a corporation or public company created for special purposes, or by the promoters of such company, which is in excess of its powers;

(*g*) a contract the performance of which involves the performance of a continuous duty extending over a longer period than three years from its date;

(*h*) a contract of which a material part of the subject-matter, supposed by both parties, to exist has, before it has been entered into, ceased to exist.

And save as provided by Chapter XXXVII of the Code of Civil Procedure, no contract to refer a controversy to arbitration shall be specifically enforced; but if any person who has entered into such a contract and has refused to perform it, sues in respect of any subject which he has contracted to refer, the existence of such contract shall bar the suit.

Illustrations

to (*a*).—A contracts to sell, and B contracts to buy, a lákh of rupees in the four per cent. loan of the Government of India.

A contracts to sell, and B contracts to buy, 40 chests of indigo at Rs. 1,000 per chest.

In consideration of certain property having been transferred by A to B, B contracts to open a credit in A's favour to the extent of Rs. 10,000, and to honour A's drafts to that amount.

The above contracts cannot be specifically enforced, for, in the first and the second both A and B, and in the third A, would be reimbursed by compensation in money.

to (*b*).—A contracts to render personal service to B:

A contracts to employ B on personal service:

A, an author, contracts with B, a publisher, to complete a literary work.

B cannot enforce performance of these contracts.

A contracts to buy B's business at the amount of a valuation to be made by two valuers, one to be named by A and the other by B. A and B each name a valuer, but before the valuation is made, A instructs his valuer not to proceed.

By a charter party entered into in Calcutta between A, the owner of a ship, and B, the charterer, it is agreed that the ship shall proceed to Rangoon, and there load a cargo of rice, and thence proceed to London, freight to be paid, one-third on arrival at Rangoon, and two-thirds on delivery of the cargo in London.

A lets land to B and B contracts to cultivate it in a particular manner for three years next after the date of the lease.

A and B contract that, in consideration of annual advances to be made by A, B will for three years next after the date of the contract grow particular crops on the land in his possession and deliver them to A when cut and ready for delivery.

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A contracts with B to execute certain works which the Court cannot superintend.

A contracts to supply B with all the goods of a certain class which B may require.

A contracts with B to take from B a lease of a certain house for a specified term, at a specified rent, "if the drawing-room is handsomely decorated" even if it is held to have so much certainty that compensation can be recovered for its breach.

A contracts to marry B.

The above agreements cannot be specifically enforced.

to (*c*).—A, the owner of a refreshment-room, contracts with B to give him accommodation there for the sale of his goods and to furnish him with the necessary appliances. A refuses to perform his contract. The case is one for compensation and not for specific performance, the amount and nature of the accommodation and appliances being undefined.

to (*d*).—A and B contract to become partners in a certain business, the contract not specifying the duration of the proposed partnership. This contract cannot be specifically enforced, for, if it were so performed, either A or B might at once dissolve the partnership.

to (*e*).—A is a trustee of land with power to lease it for seven years. He enters into a contract with B to grant a lease of the land for seven years, with a covenant to renew the lease at the expiry of the term. This contract cannot be specifically enforced.

The directors of a company have power to sell the concern with the sanction of a general meeting of the shareholders. They contract to sell it without any such sanction. This contract cannot be specifically enforced.

Two trustees, A and B, empowered to sell trust-property worth a lákh of rupees, contract to sell it to C for Rs. 80,000. This contract is so disadvantageous as to be a breach of trust. C cannot enforce its specific performance.

The promoters of a company for working mines contract that the company, when formed, shall purchase certain mineral property. They take no proper precautions to ascertain the value of such property and in fact agree to pay an extravagant price therefor. They also stipulate that the vendors shall give them a bonus out of the purchase-money. This contract cannot be specifically enforced.

to (*f*).—A company existing for the sole purpose of making and working a railway, contracts for the purchase of a piece of land for the purpose of erecting a cotton-mill thereon. This contract cannot be specifically enforced.

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to (*h*).—A contracts to pay an annuity to B for the lives of C and D. It turns out that, at the date of the contract, C, though supposed by A and B to be alive, was dead. The contract cannot be specifically performed.

(*b*). *Of the Discretion of the Court.*

Discretion as to decreeing specific performance.

22. The jurisdiction to decree specific performance is discretionary, and the Court is not bound to grant such relief merely because it is lawful to do so; but the discretion of the Court is not arbitrary but sound and reasonable, guided by judicial principles and capable of correction by a Court of appeal.

The following are cases in which the Court may properly exercise a discretion not to decree specific performance:—

I. Where the circumstances under which the contract is made are such as to give the plaintiff an unfair advantage over the defendant, though there may be no fraud or misrepresentation on the plaintiff's part.

Illustrations.

(*a*). A, a tenant for life of certain property, assigns his interest therein to B. C contracts to buy, and B contracts to sell, that interest. Before the contract is completed, A receives a mortal injury from the effects of which he dies the day after the contract is executed. If B and C were equally ignorant or equally aware of the fact, B is entitled to specific performance. If B knew the fact, and C did not, specific performance should be refused to B.

(*b*). A contracts to sell to B the interest of C in certain stock-in-trade. It is stipulated that the sale shall stand good, even though it should turn out that C's interest is worth nothing. In fact the value of C's interest depends on the result of certain partnership-accounts, on which he is heavily in debt to his partners. This indebtedness is known to A, but not to B. Specific performance of the contract should be refused to A.

(*c*). A contracts to sell, and B contracts to buy, certain land. To protect the land from floods, it is necessary for its owner to maintain an expensive embankment. B does not know of this circumstance, and A conceals it from him. Specific performance should be refused to A.

(*d*). A's property is put up to auction. B requests C, A's attorney, to bid for him. C does this inadvertently and in good faith. The persons present seeing the vendor's attorney bidding, think that he is a mere puffer and cease to compete. The lot is knocked down to B at a low price. Specific performance should be refused to B.

II. Where the performance of the agreement would involve some hardship on the defendant which he did not foresee, whereas no such hardship would fall on the plaintiff if the agreement was not performed.

Illustrations.

(*e*). A is entitled to some land under his father's will on condition that, if he sells it within twenty-five years, half the purchase-money shall go to B. A, forgetting the condition, contracts, before the expiration of the twenty-five years, to sell the land to C. Here, the enforcement of the contract would operate so harshly on A, that the Court will not compel its specific performance in favour of C.

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(*b*). *Of the Discretion of the Court.*

Discretion as to decreeing specific performance.

22. The jurisdiction to decree specific performance is discretionary, and the Court is not bound to grant such relief merely because it is lawful to do so; but the discretion of the Court is not arbitrary but sound and reasonable, guided by judicial principles and capable of correction by a Court of appeal.

The following are cases in which the Court may properly exercise a discretion not to decree specific performance :—

I. Where the circumstances under which the contract is made are such as to give the plaintiff an unfair advantage over the defendant, though there may be no fraud or misrepresentation on the plaintiff's part.

Illustrations.

(*a*). A, a tenant for life of certain property, assigns his interest therein to B. C contracts to buy, and B contracts to sell, that interest. Before the contract is completed, A receives a mortal injury from the effects of which he dies the day after the contract is executed. If B and C were equally ignorant or equally aware of the fact, B is entitled to specific performance. If B knew the fact, and C did not, specific performance should be refused to B.

(*b*). A contracts to sell to B the interest of C in certain stock-in-trade. It is stipulated that the sale shall stand good, even though it should turn out that C's interest is worth nothing. In fact the value of C's interest depends on the result of certain partnership-accounts, on which he is heavily in debt to his partners. This indebtedness is known to A, but not to B; specific performance of the contract should be refused to A.

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(*d*). A's property is put up to auction. B requests C, A's attorney, to bid for him. C does this inadvertently and in good faith. The persons present seeing the vendor's attorney bidding, think that he is a mere puffer and cease to compete. The lot is knocked down to B at a low price. Specific performance should be refused to B.

II. Where the performance of the agreement would involve some hardship on the defendant which he did not foresee, whereas no such hardship would fall on the plaintiff if the agreement was not performed.

Illustrations.

(*e*). A is entitled to some land under his father's will on condition that, if he sells it within twenty-five years, half the purchase-money shall go to B. A, forgetting the condition, contracts, before the expiration of the twenty-five years, to sell the land to C. Here, the enforcement of the contract would operate so harshly on A, that the Court will not compel its specific performance in favour of C.

(*f*). A and B, trustees, join their beneficiary, C, in a contract to sell the trust-estate to D, and personally agree to exonerate the estate from heavy incumbrances to which it is subject. The purchase-money is not nearly enough to discharge those incumbrances, though, at the date of the contract, the vendors believed it to be sufficient. Specific performance of the contract should be refused to D.

(*g*). A, the owner of an estate, contracts to sell it to B, and stipulates that he, A, shall not be obliged to define its boundary. The estate really comprises a valuable property not known to either to be part of it. Specific performance of the contract should be refused to B, unless he waives his claim to the unknown property.

(*h*). A contracts with B to sell him certain land, and to make a road to it from a certain railway-station. It is found afterwards that A cannot make the road without exposing himself to litigation. Specific performance of the part of the contract relating to the road should be refused to B, even though it may be held that he is entitled to specific performance of the rest with compensation for loss of the road.

(*i*). A, a lessee of mines, contracts with B, his lessor, that at any time during the continuance of the lease B may give notice of his desire to take the machinery and plant used in and about the mines, and that he shall have the articles specified in his notice delivered to him at a valuation on the expiry of the lease. Such a contract might be most injurious to the lessee's business, and specific performance should be refused to B.

(*j*). A contracts to buy certain land from B. The contract is silent as to access to the land. No right of way to it can be shown to exist. Specific performance of the contract should be refused to B.

(*k*). A contracts with B to buy from B's manufactory and not elsewhere all the goods of a certain class used by A in his trade. The Court cannot compel B to supply the goods, but if he does not supply them, A may be ruined, unless he is allowed to buy them elsewhere. Specific performance of the agreement should be refused to B.

III. The circumstance that the plaintiff has done substantial acts or suffered losses in consequence of a contract susceptible of specific performance is one which the Court may reasonably consider in exercising its discretion to grant specific performance of such contract.

Illustration.

A sells land to a railway company who contract to execute certain works for his convenience. The company take the land and use it for their railway. Specific performance of the contract to execute the works should be awarded in favour of A.

(*d*). *For whom Contracts may be specifically enforced.*

Who may obtain specific performance.

23. Except as otherwise provided by this chapter, the specific performance of a contract may be obtained by—

(*a*) any party thereto;

(*b*) the representative in interest, or the principal, of any party thereto: provided that, where the learning, skill, solvency or any personal quality of such party is a material ingredient in the contract, or where the contract provides that his interest shall not be assigned, his representative in interest or his principal shall not be entitled to specific performance of the contract;

(*c*) where the contract is a settlement on marriage, or a compromise of doubtful rights between members of the same family, any person beneficially entitled thereunder;

(*d*) where the contract has been entered into by a tenant for life in due exercise of a power, the remainderman;

(*e*) a reversioner in possession, where the agreement is a covenant entered into with his predecessor in title and the reversioner is entitled to the benefit of such covenant;

(*f*) a reversioner in remainder, where the agreement is such a covenant, and the reversioner is entitled to the benefit thereof and will sustain material injury by reason of its breach;

(*g*) when a public company has entered into a contract and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*h*) when the promoters of a public company have, before its incorporation, entered into a contract for the purposes of the company, and such contract is warranted by the terms of the incorporation, the company.

(*e*). *For whom Contracts cannot be specifically enforced.*

Contracts to sell property by one who has no title, or who is a voluntary settler.

24. A contract for the sale or letting of property, whether moveable or immoveable, cannot be specifically enforced in favour of a vendor or lessor—

(*a*) who, knowing himself not to have any title to the property, has contracted to sell or let the same;

(*b*) who, though he entered into the contract believing that he had a good title to the property, cannot at the time fixed by the parties or by the Court for the completion of the sale or letting, give the purchaser or lessee a title free from reasonable doubt;

(*c*) who, previous to entering into the contract, has made a settlement of its subject-matter not founded on a valuable consideration.

EXPLANATION.—Marriage is a valuable consideration within the meaning of this section.

Illustrations.

(*a*). A, without C's authority, contracts to sell to B an estate which A knows to belong to C. A cannot enforce specific performance of this contract, even though C is willing to confirm it.

(*b*). A bequeaths his land to trustees, declaring that they may sell it with the consent in writing of B. B gives a general prospective assent in writing to any sale which the trustees may make. The trustees then enter into a contract with C to sell him the land. C refuses to carry out the contract. The trustees cannot specifically enforce this contract, as, in the absence of B's consent to the particular sale to C, the title which they can give C is, as the law stands, not free from reasonable doubt.

(*c*). A, being in possession of certain land, contracts to sell it to Z. On enquiry it turns out that A claims the land as heir of B, who left the country several years before, and is generally believed to be dead, but of whose death there is no sufficient proof. A cannot compel Z specifically to perform the contract.

(*d*). A, out of natural love and affection, makes a settlement of certain property on his brothers and their issue, and afterwards enters into a contract to sell the property to a stranger. A cannot enforce specific performance of this contract so as to override the settlement, and thus prejudice the interests of the persons claiming under it.

Personal bars to the relief.

25. Specific performance of a contract cannot be enforced in favour of a person—

(*a*) who could not recover compensation for its breach;

(*b*) who has become incapable of performing, or violates, any essential term of the contract that on his part remains to be performed; or

(*c*) who has already chosen his remedy and obtained satisfaction for the alleged breach of contract;

(*d*) who, previously to entering into the agreement, had notice that a settlement of the subject-matter thereof, not founded on marriage or other valuable consideration, had been made and was then in force.

Illustrations

to clause (*a*).—A, in the character of agent for B, enters into an agreement with C to buy C's house. A is in reality acting, not as agent for B, but on his own account. A cannot enforce specific performance of this contract.

to clause (*b*).—A contracts to sell B a house and to become tenant thereof for a term of fourteen years from the date of the sale at a specified yearly rent. A becomes insolvent. Neither he nor his assignee can enforce specific performance of the contract.

A contracts to sell B a house and garden in which there are ornamental trees, a material element in the value of the property as a residence. A, without B's consent, fells the trees. A cannot enforce specific performance of the contract.

A, holding land under a contract with B for a lease, commits waste, or treats the land in an unhusbandlike manner. A cannot enforce specific performance of the contract.

A contracts to let, and B contracts to take, an unfinished house, B contracting to finish the house and the lease to contain covenants on the part of A to keep the house in repair. B finishes the house in a very defective manner: he cannot enforce the contract specifically, though A and B may sue each other for compensation for breach of it.

to clause (*c*).—A contracts to let, and B contracts to take, a house for a specified term at a specified rent. B refuses to perform the contract. A thereupon sues for, and obtains, compensation for the breach of contract. A cannot obtain specific performance.

(*f*). *For whom Contracts cannot be specifically enforced except with a variation.*

Non-enforcement except with variation.

26. Where a plaintiff seeks specific performance of a contract in writing, to which the defendant sets up a variation, the plaintiff cannot obtain the performance sought, except with the variation so set up, in the following cases (namely):—

(*a*) where by fraud or mistake of fact the contract of which performance is sought is in terms different from that which the defendant supposed it to be when he entered into it;

(*b*) where by fraud, mistake of fact, or surprise the defendant entered into the contract under a reasonable misapprehension as to its effect as between himself and the plaintiff;

(*c*) where the defendant, knowing the terms of the contract and understanding its effect, has entered into it relying upon some misrepresentation by the plaintiff, or upon some stipulation on the plaintiff's part, which adds to the contract, but which he refuses to fulfil;

(*d*) where the object of the parties was to produce a certain legal result, which the contract as framed is not calculated to produce;

(*e*) where the parties have, subsequently to the execution of the contract, contracted to vary it.

Illustrations.

(*a*). A, B and C sign a writing by which they purport to contract each to enter into a bond to D for Rs. 1,000. In a suit by D, to make A, B and C separately liable each to the extent of Rs. 1,000, they prove that the word 'each' was inserted by mistake; that the intention was that they should give a joint bond for Rs. 1,000. A can obtain the performance sought only with the variation thus set up.

(*b*). A sues B to compel specific performance of a contract in writing to buy a dwelling-house. B proves that he assumed that the contract included an adjoining yard, and the contract was so framed as to leave it doubtful whether the yard was so included or not. The Court will refuse to enforce the contract, except with the variation set up by B.

(*c*). A contracts in writing to let to B a wharf, together with a strip of A's land delineated in a map. Before signing the contract, B proposed orally that he should be at liberty to substitute for the strip mentioned in the contract another strip of A's land of the same dimensions, and to this A expressly assented. B then signed the written contract. A cannot obtain specific performance of the written contract, except with the variation set up by B.

(*d*). A and B enter into negotiations for the purpose of securing land to B for his life, with remainder to his issue. They execute a contract the terms of which are found to confer an absolute ownership on B. The contract so framed cannot be specifically enforced.

(*e*). A contracts in writing to let a house to B, for a certain term, at the rent of Rs. 100 per month, putting it first into tenantable repair. The house turns out to be not worth repairing, so, with B's consent, A pulls it down and erects a new house in its place: B contracting orally to pay rent at Rs. 120 per mensem. B then sues to compel specific performance of the contract in writing. He cannot enforce it except with the variations made by the subsequent oral contract.

(*g*). *Against whom Contracts may be specifically enforced.*

Relief against parties and persons claiming under them by subsequent title.

27. Except as otherwise provided by this chapter, specific performance of a contract may be enforced against—

(*a*) either party thereto;

(*b*) any other person claiming under him by a title arising subsequently to the contract, except a transferee for value, who has paid his money in good faith and without notice of the original contract;

(*c*) any person claiming under a title which, though prior to the contract, and known to the plaintiff, might have been displaced by the defendant;

(*d*) when a public company has entered into a contract, and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*e*) when the promoters of a public company have, before its incorporation, entered into a contract, the company: provided that the company has ratified and adopted the contract and the contract is warranted by the terms of the incorporation.

Illustrations

to clause (*b*).—A contracts to convey certain land to B by a particular day. A dies intestate before that day without having conveyed the land. B may compel A's heir or other representative in interest to perform the contract specifically.

A contracts to sell certain land to B for Rs. 5,000. A afterwards conveys the land for Rs. 6,000 to C, who has notice of the original contract. B may enforce specific performance of the contract as against C.

A contracts to sell land to B for Rs. 5,000. B takes possession of the land. Afterwards A sells it to C for Rs. 6,000. C makes no enquiry of B relating to his interest in the land. B's possession is sufficient to affect C with notice of his interest, and he may enforce the contract against C.

A contracts in consideration of Rs. 1,000, to bequeath certain of his lands to B. Immediately after the contract A dies intestate, and C takes out administration to his estate. B may enforce the contract against C.

A contracts to sell certain land to B. Before the completion of the contract, A becomes a lunatic and C is appointed his committee. B may specifically enforce the contract against C.

to clause (*c*).—A, the tenant for life of an estate, with remainder to B, in due exercise of a power conferred by the settlement under which he is tenant for life, contracts to sell the estate to C, who has notice of the settlement. Before the sale is completed, A dies. C may enforce specific performance of the contract against B.

A and B are joint tenants of land, his undivided moiety of which either may alien in his lifetime, but which, subject to that right, devolves on the survivor. A contracts to sell his moiety to C and dies. C may enforce specific performance of the contract against B.

(*h*). *Against whom Contracts cannot be specifically enforced.*

28. Specific performance of a contract cannot be enforced against a party thereto in any of the following cases :—

What parties cannot be compelled to perform.

(*a*) if the consideration to be received by him is so grossly inadequate, with reference to the state of things existing at the date of the contract, as to be either by itself or coupled with other circumstances evidence of fraud or of undue advantage taken by the plaintiff ;

(*b*) if his assent was obtained by the misrepresentation (whether wilful or innocent), concealment, circumvention, or unfair practices, of any party to whom performance would become due under the contract, or by any promise of such party which has not been substantially fulfilled ;

(*c*) if his assent was given under the influence of mistake of fact, misapprehension or surprise : Provided that, when the contract provides for compensation in case of mistake, compensation may be made for a mistake within the scope of such provision, and the contract may be specifically enforced in other respects if proper to be so enforced.

Illustrations

to clause (*c*).—A, one of two executors, in the erroneous belief that he had the authority of his co-executor, enters into an agreement for the sale to B of his testator's property. B cannot insist on the sale being completed.

A directs an auctioneer to sell certain land. A afterwards revokes the auctioneer's authority as to 20 bighás of this land, but the auctioneer inadvertently sells the whole to B, who has not notice of the revocation. B cannot enforce specific performance of the agreement.

(*i*). *The Effect of dismissing a Suit for Specific Performance.*

29. The dismissal of a suit for specific performance of a contract shall bar the plaintiff's right to sue for the breach of such contract.

Bar of suit for breach after dismissal.

(*j*). *Awards and Directions to execute Settlements.*

30. The provisions of this chapter as to contracts shall, *mutatis mutandis*, apply to awards and to directions in a will or codicil to execute a particular settlement.

Application of preceding sections to awards and testamentary directions to execute settlements.

CHAPTER III.

OF THE RECTIFICATION OF INSTRUMENTS.

31. When, through fraud or a mutual mistake of the parties, a contract or other instrument in writing does not truly express their intention, either party, or his representative in interest, may institute a suit to have the instrument rectified; and if the Court find it clearly proved that there has been fraud or mistake in framing the instrument, and ascertain the real intention of the parties in executing the same, the Court may in its discretion rectify the instrument, so as to express that intention, so far as this can be done without prejudice to rights acquired by third persons, in good faith and for value.

When instrument may be rectified.

Illustrations.

(*a*). A, intending to sell to B his house and one of three godowns adjacent to it, executes a conveyance prepared by B, in which, through B's fraud, all three godowns are included.

Of the two godowns which were fraudulently included, B gives one to C and lets the other to D for a rent, neither C nor D having any knowledge of the fraud.

The conveyance may, as against B and C, be rectified so as to exclude from it the godown given to C; but it cannot be rectified so as to affect D's lease.

(*b*). By a marriage-settlement, A, the father of B, the intended wife, covenants with C, the intended husband, to pay to C, his executors, administrators and assigns, during A's life, an annuity of Rs. 5,000. C dies insolvent and the official assignee claims the annuity from A. The Court, on finding it clearly proved that the parties always intended that this annuity should be paid as a provision for B and her children, may rectify the settlement, and decree that the assignee has no right to any part of the annuity.

32. For the purpose of rectifying a contract in writing, the Court must be satisfied that all the parties thereto intended to make an equitable and conscientious agreement.

Presumption as to intent of parties.

33. In rectifying a written instrument, the Court may inquire what the instrument was intended to mean, and what were intended to be its legal consequences, and is not confined to the inquiry what the language of the instrument was intended to be.

Principles of rectification.

34. A contract in writing may be first rectified and then, if the plaintiff has so prayed in his plaint and the Court thinks fit, specifically enforced.

Specific enforcement of rectified contract.

Illustration.

A contracts in writing to pay his attorney, B, a fixed sum in lieu of costs.

The contract contains mistakes as to the name and rights of the client, which, if construed strictly, would exclude B from all rights under it. B is entitled, if the Court thinks fit, to have it rectified, and to an order for payment of the sum, as if at the time of its execution it had expressed the intention of the parties.

CHAPTER IV.

OF THE RESCISSION OF CONTRACTS.

35. Any person interested in a contract in writing may sue to have it rescinded, and such rescission may be adjudged by the Court, in any of the following cases, namely :—

When rescission may be adjudged.

(*a*) where the contract is voidable or terminable by the plaintiff ;

(*b*) where the contract is unlawful for causes not apparent on its face, and the defendant is more to blame than the plaintiff ;

(*c*) where a decree for specific performance of a contract of sale, or of a contract to take a lease, has been made, and the purchaser or lessee makes default in payment of the purchase-money or other sums which the Court has ordered him to pay.

When the purchaser or lessee is in possession of the subject-matter, and the Court finds that such possession is wrongful, the Court may also order him to pay to the vendor or lessor the rents and profits, if any, received by him.

In the same case, the Court may by order in the suit in which the decree has been made, if not complied with, rescind the contract either so

far as regards the party in default, or altogether, as the justice of the case may require.

Illustrations

to (*a*).—A sells an estate to B. There is a right of way over the estate of which A has direct personal knowledge, but which he conceals from B. B is entitled to have the contract rescinded.

to (*b*).—A, an attorney, induces B, his client, to transfer property to him for the purpose of defrauding B's creditors. Here the parties are not equally in fault, and B is entitled to have the instrument of transfer rescinded.

36. Rescission of a contract in writing cannot be adjudged for mere mistake, unless the party against whom it is adjudged can be restored to substantially the same position as if the contract had not been made.

Rescission for mistake.

37. A plaintiff instituting a suit for the specific performance of a contract in writing may pray in the alternative that, if the contract cannot be specifically enforced, it may be rescinded and delivered up to be cancelled ; and the Court, if it refuses to enforce the contract specifically, may direct it to be rescinded and delivered up accordingly.

Alternative prayer for rescission in suit for specific performance.

38. On adjudging the rescission of a contract, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

Court may require party rescinding to do equity.

CHAPTER V.

OF THE CANCELLATION OF INSTRUMENTS.

39. Any person against whom a written instrument is void or voidable, who has reasonable apprehension that such instrument, if left outstanding, may cause him serious injury, may sue to have it adjudged void or voidable, and the Court may, in its discretion, so adjudge it and order it to be delivered up and cancelled.

When cancellation may be ordered.

If the instrument has been registered, under the Indian Registration Act, the Court shall also send a copy of its decree to the officer in whose office the instrument has been so registered, and such officer shall note on the copy of the instrument contained in his books the fact of its cancellation.

Illustrations.

(*a*). A, the owner of a ship, by fraudulently representing her to be seaworthy, induces B, an underwriter, to insure her. B may obtain the cancellation of the policy.

(*b*). A conveys land to B, who bequeaths it to C and dies. Thereupon, D gets possession of the land, and produces a forged instrument stating that the conveyance was made to B in trust for him. C may obtain the cancellation of the forged instrument.

(*c*). A, representing that the tenants on his land were all at will, sells it to B, and conveys it to him by an instrument dated the 1st January 1875. Soon after that day, A fraudulently grants to C a lease of part of the lands dated the 1st October 1874, and procures the lease to be registered under the Indian Registration Act. B may obtain the cancellation of this lease.

(*d*). A agrees to sell and deliver a ship to B, to be paid for by B's acceptances of four bills of exchange, for sums amounting to Rs. 30,000, to be drawn by A on B. The bills are drawn and accepted, but the ship is not delivered according to the agreement. A sues B on one of the bills. B may obtain the cancellation of all the bills.

40. Where an instrument is evidence of different rights or different obligations, the Court may, in a proper case, cancel it in part and allow it to stand for the residue.

What instruments may be partially cancelled.

Illustration.

A draws a bill on B, who endorses it to C, by whom it appears to be endorsed to D, who endorses it to E. C's endorsement is forged. C is entitled to have such endorsement cancelled, leaving the bill to stand in other respects.

41. On adjudging the cancellation of an instrument, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

Power to require party for whom instrument is cancelled to make compensation.

CHAPTER VI.

OF DECLARATORY DECREES.

42. Any person entitled to any legal character, or to any right as to any property, may institute a suit against any person denying, or interested to deny, his title to such character or right, and the Court may in its discretion make therein a declaration that he is so entitled, and the plaintiff need not in such suit ask for any further relief.

Discretion of Court as to declarations of status or right.

Provided that no Court shall make any such declaration where the plaintiff, being able to seek further relief than a mere declaration of right, omits to do so.

Bar to such declaration.

EXPLANATION.—A trustee of property is a person interested to deny a title adverse to the title of some one who is not in existence, and for whom, if in existence, he would be a trustee.

Illustrations.

(*a*). A is lawfully in possession of certain land. The inhabitants of a neighbouring village claim a right of way across the land. A may sue for a declaration that they are not entitled to the right so claimed.

(*b*). A bequeaths his property to B, C and D, 'to be equally divided amongst all and each of them, if living at the time of my death, then amongst their surviving children.' No such children are in existence. In a suit against A's executor, the Court may declare whether B, C and D took the property absolutely, or only for their lives, and it may also declare the interests of the children before their rights are vested.

(*c*). A covenants that if he should at any time be entitled to property exceeding one lákh of rupees, he will settle it upon certain trusts. Before any such property accrues, or any persons entitled under the trusts are ascertained, he institutes a suit to obtain a declaration that the covenant is void for uncertainty. The Court may make the declaration.

(*d*). A alienates to B property in which A has merely a life-interest. The alienation is invalid as against C, who is entitled as reversioner. The Court may in a suit by C against A and B declare that C is so entitled.

(*e*). The widow of a sonless Hindú alienates part of the property of which she is in possession as such. The person presumptively entitled to possess the property if he survive her, may, in a suit against the alienee, obtain a declaration that the alienation was made without legal necessity and was therefore void beyond the widow's lifetime.

(*f*). A Hindú widow in possession of property adopts a son to her deceased husband. The person presumptively entitled to possession of the property on her death without a son may, in a suit against the adopted son, obtain a declaration that the adoption was invalid.

(*g*). A is in possession of certain property. B, alleging that he is the owner of the property, requires A to deliver it to him. A may obtain a declaration of his right to hold the property.

(*h*). A bequeaths property to B for his life, with remainder to B's wife and her children, if any, by B, but if B die without any wife or children, to C. B has a putative wife, D, and children, but C denies that B and D were ever lawfully married. D and her children may, in B's lifetime, institute a suit against C and obtain therein a declaration that they are truly the wife and children of B.

43. A declaration made under this chapter is binding only on the parties to the suit, persons claiming through them respectively, and, where any of the parties are trustees, on the persons for whom, if in existence at the date of the declaration, such parties would be trustees.

Effect of declaration.

Illustration.

A, a Hindú, in a suit to which B, his alleged wife, and her mother are defendants, seeks a declaration that his marriage was duly solemnized and an order for the restitution of his conjugal rights. The Court makes the declaration and order. C, claiming that B is his wife, then sues A for the recovery of B. The declaration made in the former suit is not binding upon C.

CHAPTER VII.

OF THE APPOINTMENT OF RECEIVERS.

44. The appointment of a Receiver pending a suit is a matter resting in the discretion of the Court.

Appointment of receivers discretionary.

The mode and effect of his appointment, and his rights, powers, duties and liabilities, are regulated by the Code of Civil Procedure.

Reference to Code of Civil Procedure.

CHAPTER VIII.

OF THE ENFORCEMENT OF PUBLIC DUTIES.

45. Any of the High Courts of Judicature at Fort William, Madras and Bombay may make an order requiring any specific act to be done or forborne, within the local limits of its ordinary original civil jurisdiction, by any person holding a public office, whether of a permanent or a temporary nature, or by any corporation or inferior Court of Judicature: provided—

Power to order public servants and others to do certain specific acts.

(*a*) that an application for such order be made by some person whose property, franchise, or personal right, would be injured by the forbearing or doing (as the case may be) of the said specific act;

(*b*) that such doing or forbearing is, under any law for the time being in force, clearly incumbent on such person or Court in his or its public character, or on such corporation in its corporate character;

(*c*) that, in the opinion of the High Court, such doing or forbearing is consonant to right and justice;

(*d*) that the applicant has no other specific and adequate legal remedy; and

(*e*) that the remedy given by the order applied for will be complete.

Nothing in this section shall be deemed to authorize any High Court—

Exemptions from such power.

(*f*) to make any order binding on the Secretary of State for India in Council, on the Governor General in Council, on the Governor of Madras in Council, on the Governor of Bombay in Council, or on the Lieutenant-Governor of Bengal;

(*g*) to make any order on any other servant of the Crown, as such, merely to enforce the satisfaction of a claim upon the Crown; or

(*h*) to make any order which is otherwise expressly excluded by any law for the time being in force.

46. Every application under section 45 must be founded on an affidavit of the person injured, stating his right in the matter in question, his demand of justice and the denial thereof; and the High Court may, in its discretion, either make the order applied for absolute in the first instance, or refuse it and grant a rule to show cause why the order applied for should not be made.

Application how made.

Procedure thereon.

If, in the latter case, the person, Court or corporation complained of shows no sufficient cause, the High Court may first make an order in the alternative, either to do or forbear the act mentioned in the order, or to signify some reason to the contrary and make an answer thereto by such day as the High Court fixes in this behalf.

Order in alternative.

47. If the person, Court or corporation to whom or to which such order is directed makes no answer, or makes an insufficient or a false answer, the High Court may then issue a peremptory order to do or forbear the act absolutely.

Peremptory order.

48. Every order under this chapter shall be executed, and may be appealed from, as if it were a decree made in the exercise of the ordinary original civil jurisdiction of the High Court.

Execution of, and appeal from, orders.

49. The costs of all applications and orders under this chapter shall be in the discretion of the High Court.

Costs.

50. Neither the High Court nor any Judge thereof shall hereafter issue any writ of *mandamus*.

Bar to issue of *mandamus*.

51. Each of the said High Courts shall, as soon as conveniently may be, frame rules to regulate the procedure under this chapter; and until such rules are framed, the practice of such Court as to applications for and grants of writs of *mandamus* shall apply, so far as may be practicable, to applications and orders under this chapter.

Power to frame rules.

PART III.

OF PREVENTIVE RELIEF.

CHAPTER IX.

OF INJUNCTIONS GENERALLY.

52. Preventive relief is granted at the discretion of the Court by injunction, temporary or perpetual.

Preventive relief how granted.

53. Temporary injunctions are such as are to continue until a specified time. They may be granted at any period of a suit, and are regulated by the Code of Civil Procedure.

Temporary injunctions.

A perpetual injunction can only be granted by the decree made at the hearing and upon the merits of the suit: the defendant is thereby perpetually enjoined from the assertion of a right, or from the commission of an act, which would be contrary to the rights of the plaintiff.

Perpetual injunctions.

CHAPTER X.

OF PERPETUAL INJUNCTIONS.

54. Subject to the other provisions contained in, or referred to by, this chapter, a perpetual injunction may be granted to prevent the breach of an obligation existing in favour of the applicant, whether expressly or by implication.

Perpetual injunctions when granted.

When such obligation arises from contract, the Court shall be guided by the rules and provisions contained in Chapter II of this Act.

When such obligation arises from an actual or threatened invasion by the defendant of the plaintiff's right to, or enjoyment of, property, the Court may grant a perpetual injunction in the following cases (namely)—

(*a*) where the obligation arises from a trust;

(*b*) where there exists no standard for ascertaining the actual damage caused, or likely to be caused, by the invasion;

(*c*) where the invasion is such that pecuniary compensation would not afford adequate relief;

(*d*) where it is probable that pecuniary compensation cannot be got for the invasion;

(*e*) where the injunction is necessary to prevent a multiplicity of judicial proceedings.

EXPLANATION.—For the purpose of this section a trademark is property.

Illustrations.

(*a*). A lets certain land to B, and B contracts not to dig sand or gravel thereout. A may sue for an injunction to restrain B from digging in violation of his contract.

(*b*). A trustee threatens a breach of trust. His co-trustees, if any, should, and the beneficial owners may, obtain an injunction to prevent the breach.

(*c*). The directors of a public company are about to pay a dividend out of capital or borrowed money. Any of the shareholders may obtain an injunction to restrain them.

(*d*). The directors of a fire and life-insurance company are about to engage in marine insurances. Any of the shareholders may obtain an injunction to restrain them.

(*e*). A, an executor, through misconduct or insolvency, is bringing the property of the deceased into danger. The Court may grant an injunction to restrain him from getting in the assets.

(*f*). A, a trustee for B, is about to make an imprudent sale of a small part of the trust-property. B may sue for an injunction to restrain the sale, even though compensation in money would have afforded him adequate relief.

(*g*). A makes a settlement (not founded on marriage or other valuable consideration) of an estate on B and his children. A then contracts to sell the estate to C. B or any of his children may sue for an injunction to restrain the sale.

(*h*). In the course of A's employment as a vakíl, certain papers belonging to his client, B, come into his possession. A threatens to make these papers public, or to communicate their contents to a stranger. B may sue for an injunction to restrain A from so doing.

(*i*). A is B's medical adviser. He demands money of B which B declines to pay. A then threatens to make known the effect of B's communications to him as a patient. This is contrary to A's duty, and B may sue for an injunction to restrain him from so doing.

(*j*). A, the owner of two adjoining houses, lets one to B and afterwards lets the other to C. A and C begin to make such alterations in the house let to C as will prevent the comfortable enjoyment of the house let to B. B may sue for an injunction to restrain them from doing so.

(*k*). A lets certain arable lands to B for purposes of husbandry, but without any express contract as to the mode of cultivation. Contrary to the mode of cultivation customary in the district, B threatens to sow the lands with seed injurious thereto and requiring many years to eradicate. A may sue for an injunction to restrain B from sowing the lands in contravention of his implied contract to use them in a husbandlike manner.

(*l*). A, B and C are partners, the partnership being determinable at will. A threatens to do an act tending to the destruction of the partnership-property. B and C may, without seeking a dissolution of the partnership, sue for an injunction to restrain A from doing the act.

(*m*). A, a Hindú widow in possession of her deceased husband's property, commits destruction of the property without any cause sufficient to justify her in so doing. The heir-expectant may sue for an injunction to restrain her.

(*n*). A, B and C are members of an undivided Hindú family. A cuts timber growing on the family-property, and threatens to destroy part of the family-house and to sell some of the family-utensils. B and C may sue for an injunction to restrain him.

(*o*). A, the owner of certain houses in Calcutta, becomes insolvent. B buys them from the official assignee and enters into possession. A persists in trespassing on and damaging the houses, and B is thereby compelled, at considerable expense, to employ men to protect the possession. B may sue for an injunction to restrain further acts of trespass.

(*p*). The inhabitants of a village claim a right of way over A's land. In a suit against several of them, A obtains a declaratory decree that his land is subject to no such right. Afterwards each of the other villagers sues A for obstructing his alleged right of way over the land. A may sue for an injunction to restrain them.

(*q*). A, in an administration-suit to which a creditor, B, is not a party, obtains a decree for the administration of C's assets. B proceeds against C's estate for his debt. A may sue for an injunction to restrain B.

(*r*). A and B are in possession of contiguous lands and of the mines underneath them. A works his mine so as to extend under B's mine and threatens to remove certain pillars which help to support B's mine. B may sue for an injunction to restrain him from so doing.

(*s*). A rings bells or makes some other unnecessary noise so near a house as to interfere materially and unreasonably with the physical comfort of the occupier, B. B may sue for an injunction restraining A from making the noise.

(*t*). A pollutes the air with smoke so as to interfere materially with the physical comfort of B and C, who carry on business in a neighbouring house. B and C may sue for an injunction to restrain the pollution.

(*u*). A infringes B's patent. If the Court is satisfied that the patent is valid and has been infringed, B may obtain an injunction to restrain the infringement.

(*v*). A pirates B's copyright. B may obtain an injunction to restrain the piracy, unless the work of which copyright is claimed is libellous or obscene.

(*w*). A improperly uses the trademark of B. B may obtain an injunction to restrain the user, provided that B's use of the trademark is honest.

(*x*). A, a tradesman, holds out B as his partner against the wish and without the authority of B. B may sue for an injunction to restrain A from so doing.

(*y*). A, a very eminent man, writes letters on family-topics to B. After the death of A and B, C, who is B's residuary legatee, proposes to make money by publishing A's letters. D, who is A's executor, has a property in the letters, and may sue for an injunction to restrain C from publishing them.

(*z*). A carries on a manufactory and B is his assistant. In the course of his business, A imparts to B a secret process of value. B afterwards demands money of A, threatening, in case of refusal, to disclose the process to C, a rival-manufacturer. A may sue for an injunction to restrain B from disclosing the process as being a thing contrary to his duty.

55. When, to prevent the breach of an obligation, it is necessary to compel the performance of certain acts which the Court is capable of enforc-

Mandatory injunctions.

ing, the Court may in its discretion grant an injunction to prevent the breach complained of, and also to compel performance of the requisite acts.

Illustrations.

(*a*). A, by new buildings, obstructs lights to the access and use of which B has acquired a right under the Indian Limitation Act, Part IV. B may obtain an injunction, not only to restrain A from going on with the buildings, but also to pull down so much of them as obstructs B's lights.

(*b*). A builds a house with eaves projecting over B's land. B may sue for an injunction to pull down so much of the eaves as so project.

(*c*). In the case put as illustration (*i*) to section 54, the Court may also order all written communications made by B, as patient, to A, as physician, to be destroyed.

(*d*). In the case put as illustration (*y*) to section 54, the Court may also order A's letters to be destroyed.

(*e*). A threatens to publish statements concerning B which would be punishable under Chapter XXI of the Indian Penal Code. The Court may grant an injunction to restrain the publication, even though it may be shown not to be injurious to B's property.

(*f*). A, being B's medical adviser, threatens to publish B's communications with him, showing that B has led an immoral life. B may obtain an injunction to restrain the publication.

(*g*). In the cases put as illustrations (*v*) and (*w*) to section 54, and as illustrations (*e*) and (*f*) to this section, the Court may also order the copies produced by piracy, and the trademarks, statements and communications therein respectively mentioned, to be given up or destroyed.

Injunction when refused.

56. An injunction cannot be granted—

(*a*) to stay a judicial proceeding pending at the institution of the suit in which the injunction is sought, unless such restraint is necessary to prevent a multiplicity of proceedings;

(*b*) to stay proceedings in a Court not subordinate to that from which the injunction is sought;

(*c*) to restrain persons from applying to any legislative body;

(*d*) to interfere with the public duties of any department of the Government of India or the Local Government, or with the sovereign acts of a Foreign Government;

(*e*) to stay proceedings in any criminal matter;

(*f*) to prevent the breach of an agreement the performance of which would not be specifically enforced;

(*g*) to prevent, on the ground of nuisance, an act of which it is not reasonably clear that it will be a nuisance;

(*h*) to prevent a continuing breach in which the applicant has acquiesced;

(*i*) when equally efficacious relief can certainly be obtained by any other usual mode of proceeding, except in case of breach of trust;

(*j*) when the conduct of the applicant or his agents has been such as to disentitle him to the assistance of the Court;

(*k*) where the applicant has no personal interest in the matter.

Illustrations.

(*a*). A seeks an injunction to restrain his partner, B, from receiving the partnership-debts and effects. It appears that A had improperly possessed himself of the books of the firm and refused B access to them. The Court will refuse the injunction.

(*b*). A manufactures and sells crucibles, designating them as "patent plumbago crucibles," though, in fact, they have never been patented. B pirates the designation. A cannot obtain an injunction to restrain the piracy.

(*c*). A sells an article called "Mexican Balm," stating that it is compounded of divers rare essences, and has sovereign medicinal qualities. B commences to sell a similar article to which he gives a name and description such as to lead people into the belief that they are buying A's Mexican Balm. A sues B for an injunction to restrain the sale. B shows that A's Mexican Balm consists of nothing but scented hog's lard. A's use of his description is not an honest one and he cannot obtain an injunction.

Injunctions to perform negative agreement.

57. Notwithstanding section 56, clause (*f*), where a contract comprises an affirmative agreement to do a certain act, coupled with a negative agreement, express or implied, not to do a certain act, the circumstance that the Court is unable to compel specific performance of the affirmative agreement, shall not preclude it from granting an injunction to perform the negative agreement; provided that the applicant has not failed to perform the contract so far as it is binding on him.

Illustrations.

(*a*). A contracts to sell to B for Rs. 1,000 the good-will of a certain business unconnected with business-premises, and further agrees not to carry on that business in Calcutta. B pays A the Rs. 1,000, but A carries on the business in Calcutta. The Court cannot compel A to send his customers to B, but B may obtain an injunction restraining A from carrying on the business in Calcutta.

(*b*). A contracts to sell to B the good-will of a business. A then sets up a similar business close by B's shop, and solicits his old customers to deal with him. This is contrary to his implied contract, and B may obtain an injunction to restrain A from soliciting the customers, and from doing any act whereby their good-will may be withdrawn from B.

(*c*). A contracts with B to sing for twelve months at B's theatre and not to sing in public elsewhere. B cannot obtain specific performance of the contract to sing, but he is entitled to an injunction restraining A from singing at any other place of entertainment.

(*d*). B contracts with A that he will serve him faithfully for twelve months as a clerk. A is not entitled to a decree for specific performance of this contract. But he is entitled to an injunction restraining B from serving a rival-house as clerk.

(*e*). A contracts with B that, in consideration of Rs. 1,000 to be paid to him by B on a day fixed, he will not set up a certain business within a specified distance. B fails to pay the money. A cannot be restrained from carrying on the business within the specified distance.

SCHEDULE.

(*See section* 2.)

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
VIII of 1859	Civil Procedure	Sections 15 and 192.
XIV of 1859	Limitation	Section 15.
IX of 1872	Contract	In section 26, the second clause of Exception 1.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th November, 1876, and was referred to a Select Committee with instructions to make their report thereon in two months:—

No. 13 OF 1876.

A Bill to amend the law relating to Treasure-trove.

Preamble.

WHEREAS it is expedient to amend the law relating to treasure-trove; It is hereby enacted as follows:—

Preliminary.

Short title.

1. This Act may be called "The Indian Treasure-trove Act, 1877:"

Extent.

It extends to the whole of British India;

Commencement.

And it shall come into force at once.

Repeal of enactments.

2. The enactments specified in the schedule hereto annexed shall be repealed to the extent mentioned in the third column of the same schedule.

Interpretation-clause.

3. In this Act—

"Treasure."

"treasure" includes gold-coin, silver-coin, bullion, gold and silver in a manufactured state, precious stones and other valuable property;

"Collector."

"Collector" means (1) the Collector of a District, (2) a Deputy Commissioner, and (3) any officer appointed by the Local Government to perform the functions of a Collector under this Act.

Procedure on finding Treasure.

Notice by finder of treasure.

4. Whenever any treasure exceeding in amount or value twenty-five rupees is found buried in the earth or otherwise concealed, the finder shall, as soon as practicable, give to the Collector notice in writing—

(*a*) of the nature, amount or approximate value of the treasure so found;

(*b*) of the place in which it was found;

(*c*) of the date of the finding;

and shall either deposit the treasure in the Government Treasury, or give the Collector such security as he thinks fit to produce the treasure at such time and place as he may from time to time require.

Collector's procedure on receipt of notice.

5. On receiving a notice under section four, the Collector shall take the following steps (namely):—

(*a*) he shall publish a notification in such manner as the Local Government from time to time prescribes in this behalf, to the effect that, on a certain date (*mentioning it*), certain treasure (*mentioning its nature, amount and approximate value*) was found at a certain place (*mentioning it*); and requiring all persons claiming the treasure, or any part thereof or any interest therein, to appear personally or by agent before the Collector on a day and at a place therein mentioned, such day not being earlier than six months after the date of the publication of such notice;

(*b*) where the place in which the treasure was found was at the date of the finding in the possession of some person other than the finder, the Collector shall also serve on such person a special notice in writing to the same effect.

Power to declare intention to acquire the treasure on behalf of Government.

6. The Collector may, at any time before the day so notified, by writing under his hand declare his intention to acquire on behalf of Government the said treasure or any specified portion thereof, by payment to the persons interested therein

of a sum equal to the intrinsic value of the said treasure or portion, and to one-fifth of such value; and thereupon, subject to the payment aforesaid, the said treasure or portion shall be deemed to be the property of Government.

Procedure on enquiry into value of treasure and persons entitled thereto.

7. On the day notified under section five, the Collector shall cause the treasure to be produced before him, and shall proceed to inquire into the value of the treasure, and (subject to the rules hereinafter prescribed) to determine the persons interested therein, and the amount payable to them respectively.

For the purpose of such enquiry, the Collector may summon and enforce the attendance of witnesses, and compel the production of documents, by the same means, and (as far as may be) in the same manner, as is provided in the case of a Civil Court under the Code of Civil Procedure; and the Collector may, if no claimant attends pursuant to the summons, or for any other cause, he thinks fit, adjourn or postpone the enquiry to a day to be fixed by him.

Rules for guidance of Collector.

In finally determining claims under this Act, and the amount to which the claimants are entitled, the Collector shall be guided by the following rules (namely):—

(*a*) if there is reason to think that the treasure was concealed more than one hundred years before the date of the finding, he shall not admit the claim of any person other than the finder of the treasure and the owner of the place in which the treasure was found;

(*b*) if the treasure was found in the process of executing some work (such as a road, a railway or a canal) for the benefit of the public, and if there be no claimant other than the finder, three-fourths of the amount, or, if the Collector prefers, the value of the treasure, shall be awarded to the finder and the residue to the Government;

(*c*) if the treasure was found in a place belonging to a private person, and such person and the finder have not entered into any agreement then in force as to the allotment of the treasure, three-fourths of the treasure shall be allotted to the finder and the residue to the owner of the place in which it was found. If such owner and the finder have entered into any such agreement, the treasure shall be allotted in accordance therewith;

(*d*) if the Collector has, under section six, declared his intention to acquire the whole or any portion of the treasure, the Collector shall (notwithstanding anything contained in clauses (*a*), (*b*) and (*c*) of this section) give effect to such declaration, and in such case the provisions of the same clauses as to the treasure shall be deemed to apply to the money to be paid for such treasure or portion in accordance with section six.

Bar of appeal against decision of Collector and of suits against him for acts done *bonâ fide*.

9. There shall be no appeal against any decision of the Collector under this Act, and no suit or other proceeding shall lie against him for anything done in good faith in exercise of the powers hereby conferred.

Penalties.

Penalty on finder failing to give notice, make deposit or give security.

10. If the finder of any treasure to which this Act applies fails to give the notice, or to make the deposit, or to give the security, required by section four, the share of such treasure, or of the price payable for such treasure or any part thereof under section six, to which he would otherwise be entitled, shall vest in the Government,

and he shall, on conviction before a Magistrate, be liable to fine not exceeding the intrinsic value of such treasure, and, in default of payment, to imprisonment for a term which may extend to twelve months.

Penalty on owner abetting offence under section 10.

11. If the owner of the place in which any treasure to which this Act applies is found abets, within the meaning of the Penal Code, any failure to give the notice, make the deposit, or give the security, required by section four, the share of such treasure, or of the price payable for such treasure or any part thereof under section six, to which he would otherwise be entitled, shall vest in the Government,

and he shall, on conviction before a Magistrate, be liable to fine not exceeding the intrinsic value of such treasure, and, in default of payment, to imprisonment for a term which may extend to six months.

SCHEDULE.

Number and date of enactments.	Title.	Extent of repeal.
Bengal Regulation V of 1817.	A Regulation for declaring the rights of Government and of individuals with respect to hidden treasure, and for prescribing the rules to be observed on the discovery of such treasure.	The whole.
Madras Regulation XI of 1832.	A Regulation for declaring the rights of Government and of individuals with respect to hidden treasure, and for prescribing the rules to be observed on discovery of such treasure.	The whole.
Act XII of 1838	Hidden Treasure (Madras)	The whole.
Act IV of 1872	An Act for declaring which of certain rules, laws and regulations have the force of law in the Panjáb, and for other purposes.	So far as regards Bengal Reg. V of 1817.
Act XV of 1874	The Laws Local Extent Act ...	The second schedule so far as regards Madras Reg. XI of 1832. The fourth schedule so far as regards Bengal Reg. V of 1817.
Act XVII of 1875	An Act to consolidate and amend the law relating to the Courts in British Burma and for other purposes.	So far as regards Bengal Reg. V of 1817.
Act XX of 1875	An Act [illegible] and [illegible] in the Central Provinces.	Ditto.
Act XVIII of 1876.	The Laws Local Act ...	Ditto.

STATEMENT OF OBJECTS AND REASONS.

The law of treasure-trove is in a very unsatisfactory state. At present, there is one law in Madras and another in Bengal, while it is doubtful what the law is in Bombay, and in the three Presidency towns probably the English law prevails. Moreover, the law everywhere is bad and ineffective, and gives every inducement to finders to conceal or make away with their discoveries; and yet there is a good deal treasure buried in India, and much of it of very high antiquarian and historical interest.

2. Under these circumstances, the present Bill has been prepared. It provides, among other things, that—

(*a*) the finder shall give notice to the Collector of the District of the discovery of treasure, and either deposit the treasure in the Government Treasury, or give security for producing it when required;

(*b*) notice shall be given by the Collector to the owner or owners of the land where the treasure was found;

(*c*) the discovery of the treasure shall be advertised, and all claimants desired to come forward within six months;

(*d*) if there is reason to believe that the treasure was hidden or deposited more than a hundred years previously, no claim of any outside person shall be admitted;

(*e*) in the case of treasure found in a public place, such as in digging a road, or a railway or a canal, such treasure shall vest, if more than a hundred years old or if claimants [illegible] portion of three-fourths in the finder and one-fourth in Government; and

(*f*) if the land or other property on which the treasure is found belongs to a private person, then the latter shall receive the Government share, unless the finder has made any previous agreement with such owner or occupier, in which case the division shall be regulated according to that agreement.

3. The Bill adopts the principle of certain recent legislation in the north of Europe, which has practically worked well.

E. C. BAILEY.

Calcutta, 22nd November 1876.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 9, 1876. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th November 1876, and was referred to a Select Committee with instructions to make their report thereon in two months:—

No. 13 of 1876.

A Bill to amend the law relating to Treasure-trove.

WHEREAS it is expedient to amend the law relating to treasure-trove; It is hereby enacted as follows:— Preamble.

Preliminary.

1. This Act may be called "The Indian Treasure-trove Act, 1877:" Short title.

It extends to the whole of British India; Extent.

And it shall come into force at once. Commencement.

2. The enactments specified in the schedule hereto annexed shall be repealed to the extent mentioned in the third column of the same schedule. Repeal of enactments.

3. In this Act— Interpretation-clause.

"treasure" includes gold coin, silver coin, bullion, gold and silver in a manufactured state, precious stones and other valuable property; "Treasure."

"Collector" means (1) the Collector of a District, (2) a Deputy Commissioner, and (3) any officer appointed by the Local Government to perform the functions of a Collector under this Act. "Collector."

Procedure on finding Treasure.

4. Whenever any treasure exceeding in amount or value twenty-five rupees is found buried in the earth or otherwise concealed, the finder shall, as soon as practicable, give to the Collector notice in writing— Notice by finder of treasure.

(*a*) of the nature, amount or approximate value of the treasure so found;

(*b*) of the place in which it was found;

(*c*) of the date of the finding;

and shall either deposit the treasure in the Government Treasury, or give the Collector such security as the Collector thinks fit to produce the treasure at such time and place as he may from time to time require.

5. On receiving a notice under section four, the Collector shall take the following steps (namely):— Collector's procedure on receipt of notice.

(*a*) he shall publish a notification in such manner as the Local Government from time to time prescribes in this behalf, to the effect that, on a certain date (*mentioning it*), certain treasure (*mentioning its nature, amount and approximate value*) was found at a certain place (*mentioning it*); and requiring all persons claiming the treasure, or any part thereof or any interest therein, to appear personally or by agent before the Collector on a day and at a place therein mentioned, such day not being earlier than six months after the date of the publication of such notice;

(*b*) where the place in which the treasure was found was at the date of the finding in the possession of some person other than the finder, the Collector shall also serve on such person a special notice in writing to the same effect.

6. The Collector may, at any time before the day so notified, by writing under his hand declare his intention to acquire on behalf of Government the said treasure or any specified portion thereof, by payment to the persons interested therein Power to declare intention to acquire the treasure on behalf of Government.

of a sum equal to the intrinsic value of the said treasure or portion, and to one-fifth of such value; and thereupon, subject to the payment aforesaid, the said treasure or portion shall be deemed to be the property of Government.

Procedure on enquiry into value of treasure and persons entitled thereto.

7. On the day notified under section five, the Collector shall cause the treasure to be produced before him, and shall proceed to inquire into the value of the treasure, and (subject to the rules hereinafter prescribed) to determine the persons interested therein, and the amount payable to them respectively.

For the purpose of such enquiry, the Collector may summon and enforce the attendance of witnesses, and compel the production of documents, by the same means, and (as far as may be) in the same manner, as is provided in the case of a Civil Court under the Code of Civil Procedure; and the Collector may, if no claimant attends pursuant to the notice, or if, for any other cause, he thinks fit, from time to time postpone the enquiry to a day to be fixed by him.

Rules for guidance of Collector.

8. In determining claims under this Act, and the amount to which the claimants are entitled, the Collector shall be guided by the following rules (namely):—

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11. If the owner of the place in which any treasure to which this Act applies is found abets, within the meaning of the Penal Code, any failure to give the notice, make the deposit, or give the security, required by section four, the share of such treasure, or of the price payable for such treasure or any part thereof under section six, to which he would otherwise be entitled, shall vest in the Government,

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2. Under these circumstances, the present Bill has been prepared. It provides, among other things, that—

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(*f*) if the land or other property on which the treasure is found belongs to a private party, then the latter shall receive the Government share, unless the finder has made any previous agreement with such owner or owners, in which case the division shall be regulated according to that agreement.

3. The Bill adopts the principle of certain recent legislation in the north of Europe, which has practically worked well.

E. C. BAYLEY.

Calcutta, 22nd November 1876.

WHITLEY STOKES,
Secy. to the Govt. of India.

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th December 1876, and was referred to a Select Committee with instructions to make their report thereon in three months:—

No. 14 OF 1876.

THE BURMA FOREST BILL, 1877.

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SCHEDULE—ACTS REPEALED.

A Bill to consolidate and amend the law relating to the management and preservation of Government forests in the province of British Burma.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the management and preservation of Government forests in the province of British Burma, to the transit of forest-produce through the said province, and to the duty leviable on timber imported thereinto; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Burma Forest Act, 1877:"

Local extent.

It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma;

Commencement.

And it shall come into force on such date as the said Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the *British Burma Gazette*, direct.

Repeal.

2. On and from such date the Acts mentioned in the schedule hereto annexed, and all rules made under or validated by any of the said Acts, shall, except as provided by section 24, be repealed, but not so as to affect any thing duly done under any such Act or Rules.

Interpretation-clause.

3. In this Act—unless there be something repugnant in the subject or context—

"Forest officer." "Forest officer" means any person whom the Chief Commissioner may from time to time appoint by name, or as holding an office, to do

(1) anything required by this Act to be done by a Forest officer;

(2) anything to be done by a Government officer under this Act, or under any rule made under this Act, and for the doing of which no agency is specially provided by this Act:

"Tree." "Tree" includes bamboos and brushwood:

"Timber." "Timber" includes trees and bamboos when they have fallen or have been felled, and all wood when cut up, or when fashioned or hollowed out for cart-wheels, mortars, canoes, or other purposes:

"Forest-produce." "Forest-produce" includes the following when found in, or brought from, a forest, that is to say—

Limestone, laterite and other minerals and surface-soil, trees, timber, grass, reeds, leaves, flowers, fruits, juice, bark, honey, wax, lac, gum, wood-oil, resin and varnish:

"Forest-offence." "Forest-offence" means an offence punishable under this Act, or under any rule made under this Act:

"Cattle." "Cattle" includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids:

"River." "River" includes streams, canals, creeks and other channels, natural or artificial.

CHAPTER II.

OF RESERVED FORESTS.

Power to reserve forests.

4. The Chief Commissioner may from time to time constitute any forest a reserved forest in manner hereinafter provided. Reserved forests, unless assigned to villages as provided in section 27, may be called State forests.

Demarcation of boundaries.

5. Whenever it is proposed to constitute any forest a reserved forest, and the limits of such forest have not been defined by boundary-marks, and are not, in the opinion of the Chief Commissioner, already sufficiently marked by roads, rivers, or other such boundaries, the Chief Commissioner may cause such limits to be demarcated in such manner as he thinks fit.

Notification by Chief Commissioner.

6. When the Chief Commissioner has ascertained that the limits of such forest are already sufficiently defined or marked as aforesaid, or when such limits have been demarcated under section 5, he may publish a notification in the *British Burma Gazette*—

(*a*) declaring that it is proposed to reserve such forest under this Act;

(*b*) specifying the limits of such forest;

(*c*) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person to or over any land comprised within such limits, or to or over any forest-produce; and

(*d*) appointing three persons (hereinafter called "the Forest Court") to hear appeals from the decisions of such officer.

Bar of accrual of forest-rights.

7. During the interval between the publication of such notification and the date fixed by the notification under section 18, no right shall be acquired to, over, or in respect of, the forest comprised in such notification, except under a grant or contract in writing made or entered into by or on behalf of Government or of some person in whom such right was vested when the former notification was issued, and no fresh gardens or toungyas shall be cut in such forest.

Proclamation by Forest Settlement Officer.

8. When a notification has been issued under section 6, the Forest Settlement Officer shall publish in every town and village in the neighbourhood of the forest mentioned therein a proclamation in the language of the country—

(*a*) specifying the limits of such forest,

(*b*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*c*) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right as aforesaid, to present to such officer within such period a written notice stating the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

Rights not claimed, extinguished.

9. Any such right in respect of which no such notice is presented within the said period shall be deemed to be extinguished.

Power to acquire land over which right is claimed.

10. When any such notice is presented as aforesaid, the Forest Settlement Officer shall inquire into the merits of the claim, and may, if he considers it proved and if he thinks fit to do so, in the case of a claim to or over any land, pass an order to that effect and proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870, or, in the case of a claim to rights of way or of pasture, or to forest-produce, proceed in the manner prescribed in sections 11 and 12.

For the purpose of so acquiring such land—

(*a*) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(*b*) the claimant shall be deemed to be a person interested and attending before him in pursuance of a notice issued under section 9 of that Act, and

(*c*) the conditions prescribed by the preceding sections of that Act shall be deemed to have been fulfilled.

Enquiry into claims.

11. In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement Officer shall enquire into the nature and extent of such rights, and shall pass an order, admitting, rejecting or modifying the claim.

Record to be made by Forest Settlement Officer.

12. The Forest Settlement Officer, when passing any such order, shall record the name, residence and occupation of the person claiming the right, the designation (if any), position and area of all fields or groups of fields, and the designation and position of all buildings, in respect of which the exercise of such rights is claimed.

No such claim shall be admitted, unless

(*a*) the claimant was, at the time when the limits of the forest were notified under section 6, in the habitual exercise of the right claimed, and

(*b*) unless the exercise of the right is required for the beneficial use of the land or premises, or of the person claiming the same.

Record where he admits claim.

13. If the Forest Settlement Officer admits any such claim with or without modification, he shall also record the extent to which such rights have been admitted by him, specifying the quantity of timber, bamboos, grass and other forest-produce annually required, the number and description of cattle admitted to graze in the forest and the season during which such pasture is required.

Exercise of rights admitted or modified.

14. After making such record, the Forest Settlement Officer shall, to the best of his ability, and having due regard to the maintenance of the Reserved Forest in respect of which the claim is made, make such arrangements as will ensure the continued exercise of the rights so admitted or modified. For this purpose, the Forest Settlement Officer may—

(*a*) so alter the limits of the proposed reserved forest as to exclude forest-land of sufficient extent, and conveniently situated for the purposes of the claimants; or

(*b*) record an order, conferring upon such claimants a right to pasture or to forest-produce, (as the case may be) to the extent so admitted, at such seasons and within such portions of the reserved forest as may from time to time be fixed for that purpose by competent authority; or

(*c*) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient for the purposes of such claimants, and record an order conferring upon them a right to pasture or to forest-produce (as the case may be) to the extent so admitted.

Commutation of rights.

15. In case the Settlement Officer finds it impossible, having due regard to the maintenance of the reserved forest, to make such arrangements as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Chief Commissioner may from time to time prescribe in this behalf) commute such rights either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as may be agreed upon.

Appeal to Forest Court from order passed under section 10, 11 or 14.

16. Any person who has made a claim under this Act, or any Forest Officer or other person generally or specially empowered by the Chief Commissioner in this behalf, may, within three months from the date of the order passed on such petition by the Forest Settlement Officer under section 10, 11 or 14, prefer an appeal from such order to the Forest Court.

Every such appeal shall be made by petition in writing, and shall be chargeable with a Court-fee of eight annas, and shall be presented to and forwarded by the Forest Settlement Officer.

The Forest Court shall fix a day for hearing the appeal, and shall give notice of such day to the parties, and shall hear such appeal in the neighbourhood of the forest. The order passed thereon by such Court, or by the majority of the members of such Court, shall (subject to review by the Chief Commissioner) be final, and the Forest Settlement Officer shall forthwith proceed to carry out the orders of the Court.

Power to appoint pleader on behalf of Government.

17. The Chief Commissioner may appoint any person to appear, plead and act on behalf of the Government before the Forest Settlement Officer or the Forest Court in the course of any inquiry or appeal under this Act.

Notification declaring forest reserved.

18. When—

(*a*) the period fixed under section 8 for presenting notices has elapsed, and all claims (if any) made within such period have been disposed of by the Forest Settlement Officer, and

(*b*) (if any such claims have been made) the period limited by section 16 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the Forest Court, and

(*c*) all lands (if any) included in the forest, which the Forest Settlement Officer has, under section 10, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section 16 of that Act,

the Chief Commissioner may publish a notification in the *British Burma Gazette* declaring the forest, or any portion thereof, to be reserved from a date fixed by such notification, and from the date so fixed, such forest or such portion thereof shall be deemed to be a reserved forest.

Publication of such notification in neighbourhood of forest.

19. The Forest Officer shall, before the date fixed by such notification, cause a translation of such notification into the language of the district to be affixed in some conspicuous place in every town and village in the neighbourhood of the forest.

No right acquired over reserved forest, except as here provided.

20. No right of any description shall be acquired to, over, or in respect of, a reserved forest, except under a grant or contract in writing made by or on behalf of the Government.

Rights not to be alienated.

21. No right, conferred under section 14, clause (*b*), shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Chief Commissioner, and no produce obtained by virtue of such a right shall be sold or bartered except to such extent as a right to sell or barter may have been admitted in the order recorded under section 13.

Power to stop ways and watercourses in such forests.

22. The Forest Officer may from time to time, with the previous sanction of the Deputy Commissioner, stop any public or private way or watercourse in a Reserved Forest, provided that he has already assigned or constructed another way or watercourse (as the case may be) in lieu thereof, and that such other way or watercourse is a reasonably convenient substitute for the way or watercourse so stopped.

Acts prohibited in such forest.

23. Any person who

(*a*) sets fire to a Reserved Forest, or kindles any fire therein in such manner as to endanger the same, or

(*b*) kindles, keeps or carries any fire therein between the first day of February and the first day of June,

(*c*) burns any lime, bricks or charcoal therein,

(*d*) trespasses or grazes his cattle or permits his cattle to trespass therein,

(*e*) causes any damage therein by negligence in felling any trees or cutting or dragging any timber,

(*f*) fells, girdles, lops, taps or burns any trees therein, or strips off the bark or leaves from, or otherwise interferes with, the same,

(*g*) collects any forest-produce therein,

(*h*) cuts any toungya therein,

shall be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both, in addition to such damages for injury done to the forest as the Court may direct to be paid.

Nothing in this section shall be deemed to prohibit any act done by permission in writing of the Forest Officer, or the exercise of any right conferred under section 14, clause (*b*), or created by written grant or contract made by or on behalf of Government.

Maintenance of rule 13, dated 2nd August 1865.

24. The thirteenth of the rules for the better management and preservation of the Government forests in British Burma, dated the second day of August 1865, shall continue to apply to every forest constituted a Reserved Forest under any law in force previous to the date on which this Act comes into force, until the Chief Commissioner, by notification in the *British Burma Gazette*, declares such forest to be a Reserved Forest under the provisions hereinafter contained.

Every offence against such rule shall be deemed to be an offence punishable under rules made under this Act.

Formation and extension of Reserved Forests under Land Acquisition Act.

25. The formation and extension of a Reserved Forest shall be deemed a public purpose within the meaning of the Land Acquisition Act, 1870, section 4.

Power to declare forest no longer reserved.

26. The Chief Commissioner may, by notification in the *British Burma Gazette*, direct that, from a date fixed by such notification, any forest or any portion of any forest reserved under this Act, shall cease to be a Reserved Forest.

From the date so fixed, such forest or portion thereof shall cease to be reserved, but the rights (if any) which have been extinguished in such forest shall not in consequence of such cessation be deemed to revive.

Village Forests.

Demarcation of village-forests.

27. The Chief Commissioner may assign any Reserved Forest or portion thereof for the use of any village or villages situated in the vicinity of such forest. Such forests shall be called village-forests. The Chief Commissioner may make rules for regulating the management of such village-forests, prescribing the conditions under which the inhabitants of the villages for the benefit of which any such forest is assigned, may be provided with timber, pasture or other forest-produce, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to Reserved Forests shall (so far as they are consistent with rules so made) apply to village-forests.

CHAPTER III.

OF DISTRICT FORESTS.

"District Forest" defined.

28. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*, declare the provisions of this chapter applicable to any forest or waste-land which is not included in a Reserved Forest, and which the Government has not granted, sold or leased.

The forests and waste-lands comprised in any such notification shall be called "District Forests."

Power to issue notification—

29. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*—

reserving trees,

(*a*) declare any class of trees in a district-forest, or any trees in any such forest, to be reserved from a day fixed by such notification;

prohibiting collection of forest-produce.

(*b*) prohibit, from a date fixed as aforesaid, the quarrying of limestone, laterite or any other stone, or the burning of lime or charcoal, or the collection of any description of forest-produce, in any such forest or in any portion thereof.

Teak to be reserved.

Unless and until the Chief Commissioner by notification under this section declares otherwise, teak shall be deemed to be reserved in all district-forests.

Publication of such notification in neighbourhood.

30. The Deputy Commissioner shall cause a translation into the language of the district, of every notification issued under section 29, to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest to which such notification applies.

Power to make rules regulating disposal of produce of district-forests.

31. The Chief Commissioner may from time to time make rules to regulate the following matters:—

(*a*) the cutting and removal of trees and timber, and the collection and removal of forest-produce from the district-forests;

(*b*) the granting of free permits to the inhabitants of towns and villages in the vicinity of district-forests, and the production and return of such permits by such persons;

(*c*) the granting of trade-permits to persons felling or removing trees or timber or forest-produce from such forests for the purposes of trade, and the production and return of such permits by such persons;

(*d*) fees payable by such persons, for permission to cut such trees, or to collect and remove such timber or forest-produce, and

(*e*) the other payments, if any, to be made by them in respect of such timber and produce, and the places where such payments shall be made.

Penalties for acts in contravention of notification under section 29.

32. Any person who

(*a*) fells, girdles, lops, taps or burns any tree reserved under section 29, or strips off the bark or leaves from, or otherwise interferes with, any such tree, or

(*b*) makes gardens or toungyas in any forest containing trees reserved as aforesaid, or sets fire to such forest, or

(*c*) kindles a fire without taking all such reasonable precautions as are requisite to prevent its spreading to any trees so reserved, or to any timber of such trees in the vicinity, or

(*d*) leaves burning any fire kindled by him in the vicinity of any such trees or timber, or

(*e*) fells any tree or drags any timber in such a manner as to injure any tree reserved as aforesaid, or

(*f*) permits cattle belonging to him or under his charge to injure any such tree, or

(*g*) quarries any stone, or burns any lime or charcoal, or collects or removes any forest-produce when such quarrying, burning or collecting has been prohibited by a notification under section 29,

shall be punished with imprisonment which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest Officer, or in accordance with rules made under section 31, or in the exercise of a right recognized by section 6 of the Burma Land-Revenue Act, 1876.

CHAPTER IV.

OF THE DUTY ON TIMBER.

Power to impose duty on timber.

33. On all timber the produce of forests situated within British territory or brought from any forest situated beyond the frontier of British Burma, a duty may be levied in such manner, at such places and at such rates, as the Chief Commissioner, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the *British Burma Gazette:*

Limit of such duty when levied on each log.

Provided that if such duty is directed to be levied on each log of such timber, it shall not exceed five rupees per log of five feet in girth and upwards, and two rupees eight annas per log of less than five feet in girth:

When levied *ad valorem*.

Provided also that if such duty is directed to be levied *ad valorem*, it shall not exceed ten per cent. of the value.

Power to fix value for *ad valorem* duty.

34. In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, with the like sanction, from time to time fix by like notification the value on which such duty shall be assessed.

CHAPTER V.

OF THE TRANSIT OF TIMBER AND FOREST-PRODUCE.

Power to make rules to regulate transit of forest-produce.

35. The Chief Commissioner may from time to time make rules to regulate the transit of all timber and other forest-produce.

Such rules may (among other matters)

(*a*) prescribe the routes by which only timber and other forest-produce may be imported, exported or moved into, from or within, British Burma;

(*b*) prohibit the import, export, or moving of such timber or other produce without a pass from the Forest Officer, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes and for the payment of fees therefor;

(*d*) provide for the stoppage and examination of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof or on account of any duty, fee or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;

(*e*) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it;

(*f*) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches and leaves into any such river, or any act which may cause such river to be closed or obstructed; and

(*g*) provide for the removal of any obstruction of the channel or banks of any such river, and for recovering from the person causing such obstruction the cost of such removal.

Government and its officers not liable for damage to forest-produce at depôt.

36. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depôt established under a rule made under section 35, and no Forest Officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

All persons bound to aid in case of accident at depôt.

37. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall assist any forest or police officer demanding his aid in averting such danger and securing such property from damage.

CHAPTER VI.

OF THE COLLECTION OF FLOATING AND STRANDED TIMBER.

Drift or stranded timber, or timber unmarked, or with marks obliterated, to become property of Government until title thereto proved.

38. All timber and wood found adrift or stranded on any river, or off the sea-coast of any part of the said territories, and all unmarked wood and timber, or wood or timber on which the marks have been obliterated, altered, or defaced, by fire or otherwise, and all timber beached, stranded or sunk in any river, or on the sea-coast as aforesaid, shall be deemed to be the property of Government unless and until any person establish his right and title thereto.

Licenses to collect timber floating loose.

39. When any timber is floating loose and unrafted in any river or in the sea, or having been so floating has become stranded or has sunk, the Forest Officer may grant a license, either to the owner of such timber, or to any other person he thinks fit, to collect the same, upon such terms as to its continuance, production, return or otherwise, as the Chief Commissioner may from time to time direct.

Timber in danger of escaping beyond control may be collected without license.

40. Except on any rivers and in any place which the Chief Commissioner may by rule exempt from the operation of this section, any person may without a license collect any timber floating, stranded or sunk as aforesaid, which, there is reason to believe, would, if not so collected, escape beyond the possibility of being recovered in the usual course.

Timber collected under sections 39 and 40 how dealt with.

41. Any person collecting any timber under a license granted under section 39, unless he is the owner or the agent of the owner of such timber, and

any person collecting any timber under section 40,

shall at once inform the Forest Officer that he has collected such timber, shall retain the same pending the receipt of an order from such officer as to the disposal thereof, and, on the receipt of such order, shall dispose of such timber in accordance therewith.

Forest Officer may collect.

42. The Forest Officer may collect any timber floating, stranded or sunk as aforesaid.

Penalty for offences against preceding sections.

43. Any person who—

(*a*) except as provided in sections 40 and 41, or under and in accordance with the provisions of a license granted under section 39, collects any timber, whether belonging to himself or to any other person, which is floating, stranded or sunk as aforesaid, or,

(*b*) having collected any such timber, is guilty of any act or omission in respect of the same contrary to the provisions of section 41,

shall be punished with imprisonment which may extend to six months, or with fine which may amount to five hundred rupees, or with both.

Forest Officer how to deal with timber collected by or made over to him.

44. When the Forest Officer has collected any timber under section 42, or when any timber has been delivered to him in compliance with an order issued under section 41, and the person entitled to the possession of such timber is known to him, he shall, subject to the provisions of sections 48 and 74, deliver the same to such person or as he shall direct.

When person entitled to possession is known.

When the person entitled to the possession of such timber is not known to the Forest Officer, he shall publish a notice in the *British Burma Gazette* and shall affix a translation of the same into the language of the country at the place where such timber then is, describing such timber, and calling upon any person having a claim to the possession of the same to present to him within three months from the date of such notice a written statement of such claim.

When such person is not known.

45. When any such statement is presented as aforesaid, the Forest Officer may, after making such enquiry as he thinks fit, either reject the claim, or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any damages or costs against the Government, or against any Forest Officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

On rejection of claim to such timber, claimant may institute suit.

Government and its officers not liable for damage to such timber.

46. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 42 or delivered to a Forest Officer in compliance with an order issued under section 41, and no Forest Officer shall be responsible for any such loss or damage, unless he causes such loss or damage negligently, maliciously or fraudulently.

Effect of omission to prosecute claim to such timber.

47. If the person entitled to the possession of any timber collected or delivered as aforesaid omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 44, or, on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 45, the ownership of such timber shall vest in the Government, or, when such timber has been delivered to another person under section 45, in such other person, free from all encumbrances of every description.

Fees to be paid by claimant before timber is delivered to him.

48. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest Officer such fees on account of the collection thereof as the Chief Commissioner may from time time by rule prescribe.

CHAPTER VII.

GENERAL.

A.—Of Penalties.

Forest-produce, tools, &c., when liable to confiscation.

49. All forest-produce in respect of which a forest-offence has been committed, and all tools, boats, carts and cattle used in committing any such offence, shall be liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

Seizure of property liable to confiscation.

50. When there is reason to believe that any property is liable to confiscation under section 49 for any offence, it may be seized by any Police or Forest Officer.

Application for confiscation.

Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, apply for the confiscation of the same to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

51. If on receiving an application under section 50, and on making such inquiry as he deems fit, such Magistrate has reason to believe that such property is liable to confiscation under this Act, he shall cause a notice of such application to be affixed at the place of seizure and served upon every person known or believed to be interested in such property.

Procedure on such application.

52. Any person so interested may within one month from the date of serving such notice present a petition to such Magistrate claiming to be heard in opposition to the application.

Person interested may oppose confiscation.

53. On the expiry of the said period of one month, if no such petition has been presented, or, if any such petition has been presented, after hearing the petitioner and considering any evidence he may adduce, the Magistrate may pass an order for the confiscation of the property or for its release.

Order for confiscation.

54. The officer who made the seizure under section 50, or any of his official superiors, or any person who has presented a petition under section 52, may within one month from the date of such order appeal therefrom to the Sessions Judge, and the order passed on such appeal shall be final.

Appeal from such order.

55. When an order for the confiscation of any property has been passed under section 53, and the period limited by section 54 for an appeal from such order has elapsed and no such appeal has been preferred, or when, on such an appeal being preferred, the Sessions Judge confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances of every description.

Property when to vest in Government.

56. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Chief Commissioner from directing at any time the immediate release of any property seized under section 50.

Saving of power to release property seized.

57. Any Police or Forest Officer who vexatiously or unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act, shall be punished with imprisonment for a term not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

Punishment for wrongful seizure.

58. Whoever, with intent to cause damage or injury to the public or to any person—

Penalty for counterfeiting or defacing marks on trees and timber and for altering, &c., boundary-marks.

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest Officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or

(*b*) alters, defaces or obliterates any such mark placed on a tree or on timber by or under the authority of a Forest Officer, or

(*c*) alters, moves, destroys or defaces any boundary-mark of a Reserved Forest,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

B.— Of Criminal Procedure.

59. Any Police or Forest Officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest-offence punishable with imprisonment for one month or upwards.

Power to arrest without warrant.

Every officer making an arrest under this section shall without unnecessary delay take or send the person arrested before the Magistrate having jurisdiction in the case.

60. Every Police and Forest Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

61. Every such officer knowing of a design to commit any such offence may arrest without orders from a Magistrate and without a warrant the person entertaining such design, if the commission of such offence cannot be otherwise prevented.

Power to arrest person designing to commit offence.

62. The Magistrate of the District and any Magistrate of the first class specially empowered in this behalf by the Chief Commissioner may try, in the summary way prescribed by the eighteenth chapter of the Code of Criminal Procedure, any forest-offence punishable with imprisonment for not more than six months, or with fine not exceeding five hundred rupees.

Power to try offences summarily.

63. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*, empower any Forest Officer of such grade as the Chief Commissioner may from time to time direct, to accept from any person charged with any forest-offence other than an offence under section 57 or section 58 a sum of money by way of composition for such offence.

Power to compound offences.

On the payment of such sum of money to such officer, the accused person, if in custody, shall be discharged, any property seized as liable to confiscation in respect of such offence shall be released, and no further proceedings of any description shall be taken under this Act against such person or property; but nothing herein contained shall exempt such person from prosecution on the same facts under any other law for the time being in force.

64. When in any proceedings instituted under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber is the property of the Government, such timber shall be presumed to be the property of the Government until the contrary is proved.

Presumption that timber belongs to Government.

C.—Of Cattle-trespass.

65. Cattle trespassing in a Reserved Forest, or doing damage to any trees reserved under section 29, shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle Trespass Act, 1871, and may be seized and impounded as such by any Police or Forest Officer.

Cattle Trespass Act, 1871, to apply.

66. The Chief Commissioner may from time to time by rule direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 65 of this Act, such fines as to him may seem fit, but not exceeding the following, that is to say,

Power to alter fines fixed by that Act.

For each elephant	...	... ten rupees.
,, buffalo	...	... two ,,
,, horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer		... one rupee.
,, calf, ass, or pig		... eight annas.
,, ram, ewe, sheep, lamb, goat or kid	...	... one rupee.

D.—Miscellaneous.

67. Every person who exercises any right in a district-forest, or in a forest reserved under this Act or under any law in force previous to the date on which this Act comes into force, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest,

Persons interested in forest bound to assist Forest and Police Officers.

and every person who is employed by any such person in such forest,

shall be bound to communicate without unnecessary delay to the nearest Forest or Police Officer any information he may possess respecting the commission of or intention to commit any forest-offence, and shall assist any Police or Forest Officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest,

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest,

(*c*) in preventing the commission in such forest of any forest-offence,

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

68. The Chief Commissioner may, subject to any restrictions from time to time imposed by the Governor General in Council, invest a Forest Settlement Officer, or any member of a Forest Court, or any Forest Officer, by name or as holding any office, with any of the following powers to be exercised by him for the purposes of this Act in any part of British Burma, or in any class of cases, that is to say,

Chief Commissioner may confer additional powers.

(*a*) power to enter upon any land and to survey, demarcate and make a map of the same,

(*b*) any power exercised by a Civil Court in the trial of suits or the hearing of appeals,

(*d*) power to delegate the exercise of any power or the performance of any duty to a subordinate officer.

69. The Chief Commissioner may from time to time, by order published in the *British Burma Gazette*, remove or suspend any person from the office of Forest Settlement Officer or member of a Forest Court, and, whenever such office becomes vacant, whether by the removal of the incumbent or otherwise, may by like order appoint another person thereto.

Power to remove officers and fill vacancies.

70. In addition to the other matters for which the Chief Commissioner is empowered by this Act to make rules, he may from time to time make rules—

Additional powers to make rules.

(*a*) to prohibit, absolutely or subject to conditions, within certain local limits, the establishment of sawpits for the sawing up of timber, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking hammers or other implements used for marking timber;

(*b*) to regulate the use of property-marks for timber, and to provide for the registration of such marks and for the levy of fees from persons registering the same;

(*c*) to determine the persons by whom, and the manner in which, rights over district-forests and over forests reserved under this Act or under any law in force previous to the date on which this Act comes into force, may be conferred, and the mode in which rights so conferred shall be exercised;

(*d*) to determine the person by whom, and the time, place and manner at and in which, anything to be done under this Act, and for which no express provision is made in these respects, shall be done; and

(*e*) generally to carry out the provisions of this Act.

71. The Chief Commissioner may, in making any rule under this Act, attach to the breach of it, in addition to any other consequences that would ensue from such breach, a punishment on conviction before a Magistrate not exceeding one month's imprisonment, or two hundred rupees fine, or both.

Power to impose penalties for breach of rules.

72. All rules made by the Chief Commissioner under this Act shall, when sanctioned by the Governor General in Council, be published in the *British Burma Gazette*, and shall thereupon, so far as they are consistent with this Act, have the force of law.

Rules when to have force of law.

73. All money payable to the Government under this Act, or under any rule made under this Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered as if it were an arrear within the meaning of the fourth part of the Burma Land and Revenue Act, 1876.

Recovery of money due to Government.

74. When any such money is payable for or in respect of any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest Officer until such amount has been paid.

Lien on forest-produce for such money.

If such amount is not paid when due, the Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

Power to sell such produce.

The surplus (if any) if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Her Majesty.

Bribing Forest Officers.

75. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code, sections 161 to 165 (both inclusive).

SCHEDULE.

(See section 2.)

ACTS REPEALED.

Number and year.	Title.
VII of 1865 ...	An Act to give effect to Rules for the management and preservation of Government forests.
VII of 1869 ...	An Act to give validity to certain Rules relating to forests in British Burma.
XIII of 1873 ...	An Act to amend the law relating to timber floated down the rivers of British Burma.

STATEMENT OF OBJECTS AND REASONS.

The Province of Burma is, as compared with other parts of India, in a peculiar position, and the whole of the specifically unalienated forest-land is the property of Government, subject only to certain rights of user, or privileges exercised in some parts by individuals or village-communities. This right was proclaimed at the time of the annexation of the various territories which now form the Province of British Burma, and has never been gainsaid. The history of the previous legislation in regard to the forest-lands is this: In 1865, when the general Government Forest Act was passed, certain rules were made under it for Burma, which did not apply to the whole of the forests there, and it was eventually found that in part they were not covered by the Act itself. It therefore became necessary to pass an Act in 1869 to validate them. Subsequently, Act XIII of 1873 was passed to amend the law relating to timber floated and imported from foreign territory into British Burma, and that Act repealed Act VII of 1869, and partly also Act XXX of 1854. Later on, in 1874, the duty on foreign timber was made *ad valorem*, and finally, in 1875, further rules were made, under the Act of 1865, for the forests which had not been included in the old rules.

However, the whole has been at best but a piecemeal process, and legislation is still required upon five principal points, besides a number of small ones. First, it is necessary to clear up doubts regarding the reservation of trees other than teak. The system of recovering a part of the price of Government timber in the form of a duty also has to be provided for. Forest-duties are necessary to defray the expense of extra police. But perhaps the most important subject for which legal provisions have been found necessary, is the enquiry into, and decision of, claims of persons to the various rights of servitude and user in the Government forests. It is likewise essential to bar the acquisition by prescription of new rights in reserved forests. Finally, the penalties provided by the present law have been found to be insufficient. The Bill provides for all these points; it also repeals and re-enacts, with the necessary amendments, the three Acts relating to forests and timber, which are now in force in British Burma.

T. C. HOPE.

CALCUTTA; *4th December* 1876.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 16, 1876. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th November 1876, and was referred to a Select Committee with instructions to make their report thereon in two months:—

No. 13 OF 1876.

A Bill to amend the law relating to Treasure-trove.

WHEREAS it is expedient to amend the law relating to treasure-trove; It is hereby enacted as follows:—

Preamble.

Preliminary.

1. This Act may be called "The Indian Treasure-trove Act, 1877:"

Short title.

It extends to the whole of British India;

Extent.

And it shall come into force at once.

Commencement.

2. The enactments specified in the schedule hereto annexed shall be repealed to the extent mentioned in the third column of the same schedule.

Repeal of enactments.

Interpretation-clause.

3. In this Act—

"treasure" includes gold-coin, silver-coin, bullion, gold and silver in a manufactured state, precious stones and other valuable property;

"Treasure."

"Collector" means (1) the Collector of a District, (2) a Deputy Commissioner, and (3) any officer appointed by the Local Government to perform the functions of a Collector under this Act.

"Collector."

Procedure on finding Treasure.

Notice by finder of treasure.

4. Whenever any treasure exceeding in amount or value twenty-five rupees is found buried in the earth or otherwise concealed, the finder shall, as soon as practicable, give to the Collector notice in writing—

(*a*) of the nature, amount or approximate value of the treasure so found;

(*b*) of the place in which it was found;

(*c*) of the date of the finding;

and shall either deposit the treasure in the Government Treasury, or give the Collector such security as the Collector thinks fit to produce the treasure at such time and place as he may from time to time require.

Collector's procedure on receipt of notice.

5. On receiving a notice under section four, the Collector shall take the following steps (namely):—

(*a*) he shall publish a notification in such manner as the Local Government from time to time prescribes in this behalf, to the effect that, on a certain date (*mentioning it*), certain treasure (*mentioning its nature, amount and approximate value*) was found at a certain place (*mentioning it*); and requiring all persons claiming the treasure, or any part thereof or any interest therein, to appear personally or by agent before the Collector on a day and at a place therein mentioned, such day not being earlier than six months after the date of the publication of such notice;

(*b*) where the place in which the treasure was found was at the date of the finding in the possession of some person other than the finder, the Collector shall also serve on such person a special notice in writing to the same effect.

Power to declare intention to acquire the treasure on behalf of Government.

6. The Collector may, at any time before the day so notified, by writing under his hand declare his intention to acquire on behalf of Government the said treasure or any specified portion thereof, by payment to the persons interested therein.

of a sum equal to the intrinsic value of the said treasure or portion, and to one-fifth of such value; and thereupon, subject to the payment aforesaid, the said treasure or portion shall be deemed to be the property of Government.

Procedure on enquiry into value of treasure and persons entitled thereto.

7. On the day notified under section five, the Collector shall cause the treasure to be produced before him, and shall proceed to inquire into the value of the treasure, and (subject to the rules hereinafter prescribed) to determine the persons interested therein, and the amount payable to them respectively.

For the purpose of such enquiry, the Collector may summon and enforce the attendance of witnesses, and compel the production of documents, by the same means, and (as far as may be) in the same manner, as is provided in the case of a Civil Court under the Code of Civil Procedure; and the Collector may, if no claimant attends pursuant to the notice, or if, for any other cause, he thinks fit, from time to time postpone the enquiry to a day to be fixed by him.

Rules for guidance of Collector.

8. In determining claims under this Act, and the amount to which the claimants are entitled, the Collector shall be guided by the following rules (namely) :—

(*a*) if there is reason to think that the treasure was concealed more than one hundred years before the date of the finding, he shall not admit the claim of any person other than the finder of the treasure and the owner of the place in which the treasure was found;

(*b*) if the treasure was found in the process of executing some work (such as a road, a railway or a canal) for the benefit of the public, and if there be no claimant other than the finder, three-fourths of the amount, or, if the Collector prefers, the value of the treasure, shall be awarded to the finder and the residue to the Government;

(*c*) if the treasure was found in a place belonging to a private person, and such person and the finder have not entered into any agreement then in force as to the allotment of the treasure, three-fourths of the treasure shall be allotted to the finder and the residue to the owner of the place in which it was found. If such owner and the finder have entered into any such agreement, the treasure shall be allotted in accordance therewith;

(*d*) if the Collector has, under section six, declared his intention to acquire the whole or any portion of the treasure, the Collector shall (notwithstanding anything contained in clauses (*a*), (*b*) and (*c*) of this section) give effect to such declaration, and in such case the provisions of the same clauses as to the treasure shall be deemed to apply to the payment to be made for such treasure or portion in accordance with section six.

Bar of appeal against decision of Collector and of suits against him for acts done *bonâ fide*.

9. There shall be no appeal against any decision of the Collector under this Act, and no suit or other proceeding shall lie against him for anything done in good faith in exercise of the powers hereby conferred.

Penalties.

Penalty on finder failing to give notice, make deposit or give security.

10. If the finder of any treasure to which this Act applies fails to give the notice, or to make the deposit, or to give the security, required by section four, the share of such treasure, or of the price payable for such treasure or any part thereof under section six, to which he would otherwise be entitled, shall vest in the Government,

and he shall, on conviction before a Magistrate, be liable to fine not exceeding the intrinsic value of such treasure, and, in default of payment, to imprisonment for a term which may extend to twelve months.

Penalty on owner abetting offence under section 10.

11. If the owner of the place in which any treasure to which this Act applies is found abets, within the meaning of the Penal Code, any failure to give the notice, make the deposit, or give the security, required by section four, the share of such treasure, or of the price payable for such treasure or any part thereof under section six, to which he would otherwise be entitled, shall vest in the Government,

and he shall, on conviction before a Magistrate, be liable to fine not exceeding the intrinsic value of such treasure, and, in default of payment, to imprisonment for a term which may extend to six months.

SCHEDULE.

Number and date of enactments.	Title.	Extent of repeal.
Bengal Regulation V of 1817.	A Regulation for declaring the rights of Government and of individuals with respect to hidden treasure, and for prescribing the rules to be observed on the discovery of such treasure.	The whole.
Madras Regulation XI of 1832.	A Regulation for declaring the rights of Government and of individuals with respect to hidden treasure, and for prescribing the rules to be observed on discovery of such treasure.	The whole.
Act XII of 1838	Hidden Treasure (Madras)	The whole.
Act IV of 1872...	An Act for declaring which of certain rules, laws and regulations have the force of law in the Panjáb, and for other purposes.	So far as regards Bengal Reg. V of 1817.
Act XV of 1874...	Laws Local Extent ...	The second schedule so far as regards Madras Reg. XI of 1832. The fourth schedule so far as regards Bengal Reg. V of 1817.
Act XVII of 1875	An Act to consolidate and amend the law relating to the Courts in British Burma, and for other purposes.	So far as regards Bengal Reg. V of 1817.
Act XX of 1875...	An Act to declare and amend the law in force in the Central Provinces.	Ditto.
Act XVIII of 1876.	Oudh Laws Act ...	Ditto.

STATEMENT OF OBJECTS AND REASONS.

The law of treasure-trove is in a very unsatisfactory state. At present, there is one law in Madras and another in Bengal, while it is doubtful what the law is in Bombay, and in the three Presidency towns probably the English law prevails. Moreover, the law everywhere is bad and ineffective, and gives every inducement to finders to conceal or make away with their discoveries; and yet there is a good deal of treasure buried in India, and much of it (if we may judge by what has already been found) of very high antiquarian and historical interest.

2. Under these circumstances, the present Bill has been prepared. It provides, among other things, that—

(*a*) the finder shall give notice to the Collector of the District of the discovery of treasure, and either deposit the treasure in the Government Treasury, or give security for producing it when required;

(*b*) notice shall be given by the Collector to the owner or owners of the land where the treasure was found;

(*c*) the discovery of the treasure shall be advertised, and all claimants desired to come forward within six months;

(*d*) if there is reason to believe that the treasure was hidden or deposited more than a hundred years previously, no claim of any outside person shall be admitted;

(*e*) in the case of treasure found in a public place, such as in digging a road, a railway, or a canal, such treasure shall vest, if more than a hundred years old, or if unclaimed, in the proportion of three-fourths in the finder and one-fourth in Government; and

(*f*) if the land or other property on which the treasure is found belongs to a private party, then the latter shall receive the Government share, unless the finder has made any previous agreement with such owner or owners, in which case the division shall be regulated according to that agreement.

3. The Bill adopts the principle of certain recent legislation in the north of Europe, which has practically worked well.

E. C. BAYLEY.

Calcutta, 22nd November 1876.

WHITLEY STOKES,
Secy. to the Govt. of India.

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th December 1876, and was referred to a Select Committee with instructions to make their report thereon in three months :—

No. 14 OF 1876.

THE BURMA FOREST BILL, 1877.

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SCHEDULE—ACTS REPEALED.

A Bill to consolidate and amend the law relating to the management and preservation of Government forests in the province of British Burma.

WHEREAS it is expedient to consolidate and amend the law relating to the management and preservation of Government forests in the province of British Burma, to the transit of forest-produce through the said province, and to the duty leviable on timber imported thereinto; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Burma Forest Act, 1877:" Short title.

It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma; Local extent..

And it shall come into force on such date as the said Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the *British Burma Gazette*, direct. Commencement.

2. On and from such date the Acts mentioned in the schedule hereto annexed, and all rules made under or validated by any of the said Acts, shall, except as provided by section 24, be repealed, but not so as to affect any thing duly done under any such Act or Rules. Repeal.

3. In this Act—unless there be something repugnant in the subject or context— Interpretation-clause.

"Forest officer" means any person whom the Chief Commissioner may from time to time appoint by name, or as holding an office, to do "Forest officer."

(1) anything required by this Act to be done by a Forest officer;

(2) anything to be done by a Government officer under this Act, or under any rule made under this Act, and for the doing of which no agency is specially provided by this Act:

"Tree" includes bamboos and brushwood: "Tree."

"Timber" includes trees and bamboos when they have fallen or have been felled, and all wood when cut up, or when fashioned or hollowed out for cart-wheels, mortars, canoes, or other purposes: "Timber."

"Forest-produce" includes the following when found in, or brought from, a forest, that is to say— "Forest-produce."

Limestone, laterite and other minerals and surface-soil, trees, timber, grass, reeds, leaves, flowers, fruits, juice, bark, honey, wax, lac, gum, wood-oil, resin and varnish:

"Forest-offence" means an offence punishable under this Act, or under any rule made under this Act: "Forest-offence."

"Cattle" includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids: "Cattle."

"River" includes streams, canals, creeks and other channels, natural or artificial. "River."

CHAPTER II.

OF RESERVED FORESTS.

4. The Chief Commissioner may from time to time constitute any forest a reserved forest in manner hereinafter provided. Reserved forests, unless assigned to villages as provided in section 27, may be called State forests. Power to reserve forests.

5. Whenever it is proposed to constitute any forest a reserved forest, and the limits of such forest have not been defined by boundary-marks, and are not, in the opinion of the Chief Commissioner, already sufficiently marked by roads, rivers, or other such boundaries, the Chief Commissioner may cause such limits to be demarcated in such manner as he thinks fit. Demarcation of boundaries.

6. When the Chief Commissioner has ascertained that the limits of such forest are already sufficiently defined or marked as aforesaid, or when such limits have been demarcated under section 5, he may publish a notification in the *British Burma Gazette*— Notification by Chief Commissioner.

(*a*) declaring that it is proposed to reserve such forest under this Act;

(*b*) specifying the limits of such forest;

(*c*) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person to or over any land comprised within such limits, or to or over any forest-produce; and

(*d*) appointing three persons (hereinafter called "the Forest Court") to hear appeals from the decisions of such officer.

7. During the interval between the publication of such notification and the date fixed by the notification under section 18, no right shall be acquired to, over, or in respect of, the forest comprised in such notification, except under a grant or contract in writing made or entered into by or on behalf of Government or of some person in whom such right was vested when the former notification was issued, and no fresh gardens or toungyas shall be cut in such forest. Bar of accrual of forest-rights.

8. When a notification has been issued under section 6, the Forest Settlement Officer shall publish in every town and village in the neighbourhood of the forest mentioned therein a proclamation in the language of the country— Proclamation by Forest Settlement Officer.

(*a*) specifying the limits of such forest,

(*b*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*c*) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right as aforesaid, to present to such officer within such period a written notice stating the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

9. Any such right in respect of which no such notice is presented within the said period shall be deemed to be extinguished. Rights not claimed, extinguished.

10. When any such notice is presented as aforesaid, the Forest Settlement Officer shall inquire into the merits of the claim, and may, if he considers it proved and if he thinks fit to do so, in the case of a claim to or over any land, pass an order to that effect and proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870, or, in the case of a claim to rights of way or of pasture, or to forest-produce, proceed in the manner prescribed in sections 11 and 12. Power to acquire land over which right is claimed.

For the purpose of so acquiring such land—

(*a*) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(*b*) the claimant shall be deemed to be a person interested and attending before him in pursuance of a notice issued under section 9 of that Act, and

(*c*) the conditions prescribed by the preceding sections of that Act shall be deemed to have been fulfilled.

11. In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement Officer shall enquire into the nature and extent of such rights, and shall pass an order, admitting, rejecting or modifying the claim. Enquiry into claims.

12. The Forest Settlement Officer, when passing any such order, shall record the name, residence and occupation of the person claiming the right, the designation (if any), position and area of all fields or groups of fields, and the designation and position of all buildings, in respect of which the exercise of such rights is claimed. Record to be made by Forest Settlement Officer.

No such claim shall be admitted, unless

(*a*) the claimant was, at the time when the limits of the forest were notified under section 6, in the habitual exercise of the right claimed, and

(*b*) unless the exercise of the right is required for the beneficial use of the land or premises, or of the person claiming the same.

Record where he admits claim.

13. If the Forest Settlement Officer admits any such claim with or without modification, he shall also record the extent to which such rights have been admitted by him, specifying the quantity of timber, bamboos, grass and other forest-produce annually required, the number and description of cattle admitted to graze in the forest and the season during which such pasture is required.

Exercise of rights admitted or modified.

14. After making such record, the Forest Settlement Officer shall, to the best of his ability, and having due regard to the maintenance of the Reserved Forest in respect of which the claim is made, make such arrangements as will ensure the continued exercise of the rights so admitted or modified. For this purpose, the Forest Settlement Officer may—

(*a*) so alter the limits of the proposed reserved forest as to exclude forest-land of sufficient extent, and conveniently situated for the purposes of the claimants; or

(*b*) record an order, conferring upon such claimants a right to pasture or to forest-produce, (as the case may be) to the extent so admitted, at such seasons and within such portions of the reserved forest as may from time to time be fixed for that purpose by competent authority; or

(*c*) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient for the purposes of such claimants, and record an order conferring upon them a right to pasture or to forest-produce (as the case may be) to the extent so admitted.

Commutation of rights.

15. In case the Settlement Officer finds it impossible, having due regard to the maintenance of the reserved forest, to make such arrangements as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Chief Commissioner may from time to time prescribe in this behalf) commute such rights either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as may be agreed upon.

Appeal to Forest Court from order passed under section 10, 11 or 14.

16. Any person who has made a claim under this Act, or any Forest Officer or other person generally or specially empowered by the Chief Commissioner in this behalf, may, within three months from the date of the order passed on such petition by the Forest Settlement Officer under section 10, 11 or 14, prefer an appeal from such order to the Forest Court.

Every such appeal shall be made by petition in writing, and shall be chargeable with a Court-fee of eight annas, and shall be presented to and forwarded by the Forest Settlement Officer.

The Forest Court shall fix a day for hearing the appeal, and shall give notice of such day to the parties, and shall hear such appeal in the neighbourhood of the forest. The order passed thereon by such Court, or by the majority of the members of such Court, shall (subject to review by the Chief Commissioner) be final, and the Forest Settlement Officer shall forthwith proceed to carry out the orders of the Court.

Power to appoint pleader on behalf of Government.

17. The Chief Commissioner may appoint any person to appear, plead and act on behalf of the Government before the Forest Settlement Officer or the Forest Court in the course of any inquiry or appeal under this Act.

Notification declaring forest reserved.

18. When—

(*a*) the period fixed under section 8 for presenting notices has elapsed, and all claims (if any) made within such period have been disposed of by the Forest Settlement Officer, and

(*b*) (if any such claims have been made) the period limited by section 16 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the Forest Court, and

(*c*) all lands (if any) included in the forest, which the Forest Settlement Officer has, under section 10, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section 16 of that Act,

the Chief Commissioner may publish a notification in the *British Burma Gazette* declaring the forest, or any portion thereof, to be reserved from a date fixed by such notification, and from the date so fixed, such forest or such portion thereof shall be deemed to be a reserved forest.

Publication of such notification in neighbourhood of forest.

19. The Forest Officer shall, before the date fixed by such notification, cause a translation of such notification into the language of the district to be affixed in some conspicuous place in every town and village in the neighbourhood of the forest.

No right acquired over reserved forest, except as here provided.

20. No right of any description shall be acquired to, over, or in respect of, a reserved forest, except under a grant or contract in writing made by or on behalf of the Government.

Rights not to be alienated.

21. No right, conferred under section 14, clause (*b*), shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Chief Commissioner, and no produce obtained by virtue of such a right shall be sold or bartered except to such extent as a right to sell or barter may have been admitted in the order recorded under section 18.

Power to stop ways and watercourses in such forests.

22. The Forest Officer may from time to time, with the previous sanction of the Deputy Commissioner, stop any public or private way or watercourse in a Reserved Forest, provided that he has already assigned or constructed another way or watercourse (as the case may be) in lieu thereof, and that such other way or watercourse is a reasonably convenient substitute for the way or watercourse so stopped.

Acts prohibited in such forest.

23. Any person who

(*a*) sets fire to a Reserved Forest, or kindles any fire therein in such manner as to endanger the same, or

(*b*) kindles, keeps or carries any fire therein between the first day of February and the first day of June,

(*c*) burns any lime, bricks or charcoal therein,

(*d*) trespasses or grazes his cattle or permits his cattle to trespass therein,

(*e*) causes any damage therein by negligence in felling any trees or cutting or dragging any timber,

(*f*) fells, girdles, lops, taps or burns any trees therein, or strips off the bark or leaves from, or otherwise interferes with, the same,

(*g*) collects any forest-produce therein,

(*h*) cuts any toungya therein,

shall be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both, in addition to such damages for injury done to the forest as the Court may direct to be paid.

Nothing in this section shall be deemed to prohibit any act done by permission in writing of the Forest Officer, or the exercise of any right conferred under section 14, clause (*b*), or created by written grant or contract made by or on behalf of Government.

Maintenance of rule 13, dated 2nd August 1865.

24. The thirteenth of the rules for the better management and preservation of the Government forests in British Burma, dated the second day of August 1865, shall continue to apply to every forest constituted a Reserved Forest under any law in force previous to the date on which this Act comes into force, until the Chief Commissioner, by notification in the *British Burma Gazette*, declares such forest to be a Reserved Forest under the provisions hereinafter contained.

Every offence against such rule shall be deemed to be an offence punishable under rules made under this Act.

Formation and extension of Reserved Forests under Land Acquisition Act.

25. The formation and extension of a Reserved Forest shall be deemed a public purpose within the meaning of the Land Acquisition Act, 1870, section 4.

Power to declare forest no longer reserved.

26. The Chief Commissioner may, by notification in the *British Burma Gazette*, direct that, from a date fixed by such notification, any forest or any portion of any forest reserved under this Act, shall cease to be a Reserved Forest.

From the date so fixed, such forest or portion thereof shall cease to be reserved, but the rights (if any) which have been extinguished in such forest shall not in consequence of such cessation be deemed to revive.

Village Forests.

Demarcation of village-forests.

27. The Chief Commissioner may assign any Reserved Forest or portion thereof for the use of any village or villages situated in the vicinity of such forest. Such forests shall be called village-forests. The Chief Commissioner may make rules for regulating the management of such village-forests, prescribing the conditions under which the inhabitants of the villages for the benefit of which any such forest is assigned, may be provided with timber, pasture or other forest-produce, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to Reserved Forests shall (so far as they are consistent with rules so made) apply to village-forests.

CHAPTER III.

OF DISTRICT FORESTS.

"District Forest" defined.

28. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*, declare the provisions of this chapter applicable to any forest or waste-land which is not included in a Reserved Forest, and which the Government has not granted, sold or leased.

The forests and waste-lands comprised in any such notification shall be called "District Forests."

Power to issue notification—

reserving trees,

29. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*—

(*a*) declare any class of trees in a district-forest, or any trees in any such forest, to be reserved from a day fixed by such notification;

prohibiting collection of forest-produce.

(*b*) prohibit, from a date fixed as aforesaid, the quarrying of limestone, laterite or any other stone, or the burning of lime or charcoal, or the collection of any description of forest-produce, in any such forest or in any portion thereof.

Teak to be reserved.

Unless and until the Chief Commissioner by notification under this section declares otherwise, teak shall be deemed to be reserved in all district-forests.

Publication of such notification in neighbourhood.

30. The Deputy Commissioner shall cause a translation into the language of the district, of every notification issued under section 29, to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest to which such notification applies.

Power to make rules regulating disposal of produce of district-forests.

31. The Chief Commissioner may from time to time make rules to regulate the following matters:—

(*a*) the cutting and removal of trees and timber, and the collection and removal of forest-produce from the district-forests;

(*b*) the granting of free permits to the inhabitants of towns and villages in the vicinity of district-forests, and the production and return of such permits by such persons;

(*c*) the granting of trade-permits to persons felling or removing trees or timber or forest-produce from such forests for the purposes of trade, and the production and return of such permits by such persons;

(*d*) fees payable by such persons, for permission to cut such trees, or to collect and remove such timber or forest-produce, and

(*e*) the other payments, if any, to be made by them in respect of such timber and produce, and the places where such payments shall be made.

Penalties for acts in contravention of notification under section 29.

32. Any person who

(*a*) fells, girdles, lops, taps or burns any tree reserved under section 29, or strips off the bark or leaves from, or otherwise interferes with, any such tree, or

(*b*) makes gardens or toungyas in any forest containing trees reserved as aforesaid, or sets fire to such forest, or

(*c*) kindles a fire without taking all such reasonable precautions as are requisite to prevent its spreading to any trees so reserved, or to any timber of such trees in the vicinity, or

(*d*) leaves burning any fire kindled by him in the vicinity of any such trees or timber, or

(*e*) fells any tree or drags any timber in such a manner as to injure any tree reserved as aforesaid, or

(*f*) permits cattle belonging to him or under his charge to injure any such tree, or

(*g*) quarries any stone, or burns any lime or charcoal, or collects or removes any forest-produce when such quarrying, burning or collecting has been prohibited by a notification under section 29,

shall be punished with imprisonment which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest Officer, or in accordance with rules made under section 31, or in the exercise of a right recognized by section 6 of the Burma Land-Revenue Act, 1876.

CHAPTER IV.

OF THE DUTY ON TIMBER.

Power to impose duty on timber.

33. On all timber the produce of forests situated within British territory or brought from any forest situated beyond the frontier of British Burma, a duty may be levied in such manner, at such places and at such rates, as the Chief Commissioner, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the *British Burma Gazette:*

Limit of such duty when levied on each log.

Provided that if such duty is directed to be levied on each log of such timber, it shall not exceed five rupees per log of five feet in girth and upwards, and two rupees eight annas per log of less than five feet in girth:

When levied *ad valorem*.

Provided also that if such duty is directed to be levied *ad valorem*, it shall not exceed ten per cent. of the value.

Power to fix value for *ad valorem* duty.

34. In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, with the like sanction, from time to time fix by like notification the value on which such duty shall be assessed.

CHAPTER V.

OF THE TRANSIT OF TIMBER AND FOREST-PRODUCE.

Power to make rules to regulate transit of forest-produce.

35. The Chief Commissioner may from time to time make rules to regulate the transit of all timber and other forest-produce.

Such rules may (among other matters)

(*a*) prescribe the routes by which only timber and other forest-produce may be imported, exported or moved into, from or within, British Burma;

(*b*) prohibit the import, export, or moving of such timber or other produce without a pass from the Forest Officer, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes and for the payment of fees therefor;

(*d*) provide for the stoppage and examination of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof or on account of any duty, fee or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;

(*e*) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it;

(*f*) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches and leaves into any such river, or any act which may cause such river to be closed or obstructed; and

(*g*) provide for the removal of any obstruction of the channel or banks of any such river, and for recovering from the person causing such obstruction the cost of such removal.

Government and its officers not liable for damage to forest-produce at depôt.

36. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depôt established under a rule made under section 35, and no Forest Officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

All persons bound to aid in case of accident at depôt.

37. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall assist any forest or police officer demanding his aid in averting such danger and securing such property from damage.

CHAPTER VI.

OF THE COLLECTION OF FLOATING AND STRANDED TIMBER.

Drift or stranded timber, or timber unmarked, or with marks obliterated, to become property of Government until title thereto proved.

38. All timber and wood found adrift or stranded on any river, or off the sea-coast of any part of the said territories, and all unmarked wood and timber, or wood or timber on which the marks have been obliterated, altered, or defaced, by fire or otherwise, and all timber beached, stranded or sunk in any river, or on the sea-coast as aforesaid, shall be deemed to be the property of Government unless and until any person establish his right and title thereto.

Licenses to collect timber floating loose.

39. When any timber is floating loose and unrafted in any river or in the sea, or having been so floating has become stranded or has sunk, the Forest Officer may grant a license, either to the owner of such timber, or to any other person he thinks fit, to collect the same, upon such terms as to its continuance, production, return or otherwise, as the Chief Commissioner may from time to time direct.

Timber in danger of escaping beyond control may be collected without license.

40. Except on any rivers and in any place which the Chief Commissioner may by rule exempt from the operation of this section, any person may without a license collect any timber floating, stranded or sunk as aforesaid, which, there is reason to believe, would, if not so collected, escape beyond the possibility of being recovered in the usual course.

Timber collected under sections 39 and 40 how dealt with.

41. Any person collecting any timber under a license granted under section 39, unless he is the owner or the agent of the owner of such timber, and

any person collecting any timber under section 40,

shall at once inform the Forest Officer that he has collected such timber, shall retain the same pending the receipt of an order from such officer as to the disposal thereof, and, on the receipt of such order, shall dispose of such timber in accordance therewith.

Forest Officer may collect.

42. The Forest Officer may collect any timber floating, stranded or sunk as aforesaid.

Penalty for offences against preceding sections.

43. Any person who—

(*a*) except as provided in sections 40 and 41, or under and in accordance with the provisions of a license granted under section 39, collects any timber, whether belonging to himself or to any other person, which is floating, stranded or sunk as aforesaid, or,

(*b*) having collected any such timber, is guilty of any act or omission in respect of the same contrary to the provisions of section 41,

shall be punished with imprisonment which may extend to six months, or with fine which may amount to five hundred rupees, or with both.

Forest Officer how to deal with timber collected by or made over to him.

When person entitled to possession is known.

44. When the Forest Officer has collected any timber under section 42, or when any timber has been delivered to him in compliance with an order issued under section 41, and the person entitled to the possession of such timber is known to him, he shall, subject to the provisions of sections 48 and 74, deliver the same to such person or as he shall direct.

When such person is not known.

When the person entitled to the possession of such timber is not known to the Forest Officer, he shall publish a notice in the *British Burma Gazette* and shall affix a translation of the same into the language of the country at the place where such timber then is, describing such timber, and calling upon any person having a claim to the possession of the same to present to him within three months from the date of such notice a written statement of such claim.

Procedure on claim preferred to such timber.

45. When any such statement is presented as aforesaid, the Forest Officer may, after making such enquiry as he thinks fit, either reject the claim, or deliver the timber to the claimant.

On rejection of claim to such timber, claimant may institute suit.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any damages or costs against the Government, or against any Forest Officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

Government and its officers not liable for damage to such timber.

46. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 42 or delivered to a Forest Officer in compliance with an order issued under section 41, and no Forest Officer shall be responsible for any such loss or damage, unless he causes such loss or damage negligently, maliciously or fraudulently.

Effect of omission to prosecute claim to such timber.

47. If the person entitled to the possession of any timber collected or delivered as aforesaid omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 44, or, on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 45, the ownership of such timber shall vest in the Government, or, when such timber has been delivered to another person under section 45, in such other person, free from all encumbrances of every description.

Fees to be paid by claimant before timber is delivered to him.

48. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest Officer such fees on account of the collection thereof as the Chief Commissioner may from time time by rule prescribe.

CHAPTER VII.

GENERAL.

A.—Of Penalties.

Forest-produce, tools, &c., when liable to confiscation.

49. All forest-produce in respect of which a forest-offence has been committed, and all tools, boats, carts and cattle used in committing any such offence, shall be liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

Seizure of property liable to confiscation.

50. When there is reason to believe that any property is liable to confiscation under section 49 for any offence, it may be seized by any Police or Forest Officer.

Application for confiscation.

Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, apply for the confiscation of the same to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

51. If on receiving an application under section 50, and on making such inquiry as he deems fit, such Magistrate has reason to believe that such property is liable to confiscation under this Act, he shall cause a notice of such application to be affixed at the place of seizure and served upon every person known or believed to be interested in such property.

Procedure on such application.

52. Any person so interested may within one month from the date of serving such notice present a petition to such Magistrate claiming to be heard in opposition to the application.

Person interested may oppose confiscation.

53. On the expiry of the said period of one month, if no such petition has been presented, or, if any such petition has been presented, after hearing the petitioner and considering any evidence he may adduce, the Magistrate may pass an order for the confiscation of the property or for its release.

Order for confiscation.

54. The officer who made the seizure under section 50, or any of his official superiors, or any person who has presented a petition under section 52, may within one month from the date of such order appeal therefrom to the Sessions Judge, and the order passed on such appeal shall be final.

Appeal from such order.

55. When an order for the confiscation of any property has been passed under section 53, and the period limited by section 54 for an appeal from such order has elapsed and no such appeal has been preferred, or when, on such an appeal being preferred, the Sessions Judge confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances of every description.

Property when to vest in Government.

56. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Chief Commissioner from directing at any time the immediate release of any property seized under section 50.

Saving of power to release property seized.

57. Any Police or Forest Officer who vexatiously or unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act, shall be punished with imprisonment for a term not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

Punishment for wrongful seizure.

58. Whoever, with intent to cause damage or injury to the public or to any person—

Penalty for counterfeiting or defacing marks on trees and timber and for altering, &c., boundary-marks.

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest Officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or

(*b*) alters, defaces or obliterates any such mark placed on a tree or on timber by or under the authority of a Forest Officer, or

(*c*) alters, moves, destroys or defaces any boundary-mark of a Reserved Forest,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

B.—Of Criminal Procedure.

59. Any Police or Forest Officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest-offence punishable with imprisonment for one month or upwards.

Power to arrest without warrant.

Every officer making an arrest under this section shall without unnecessary delay take or send the person arrested before the Magistrate having jurisdiction in the case.

60. Every Police and Forest Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

61. Every such officer knowing of a design to commit any such offence may arrest without orders from a Magistrate and without a warrant the person entertaining such design, if the commission of such offence cannot be otherwise prevented.

Power to arrest person designing to commit offence.

62. The Magistrate of the District and any Magistrate of the first class specially empowered in this behalf by the Chief Commissioner may try, in the summary way prescribed by the eighteenth chapter of the Code of Criminal Procedure, any forest-offence punishable with imprisonment for not more than six months, or with fine not exceeding five hundred rupees.

Power to try offences summarily.

63. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*, empower any Forest Officer of such grade as the Chief Commissioner may from time to time direct, to accept from any person charged with any forest-offence other than an offence under section 57 or section 58 a sum of money by way of composition for such offence.

Power to compound offences.

On the payment of such sum of money to such officer, the accused person, if in custody, shall be discharged, any property seized as liable to confiscation in respect of such offence shall be released, and no further proceedings of any description shall be taken under this Act against such person or property; but nothing herein contained shall exempt such person from prosecution on the same facts under any other law for the time being in force.

64. When in any proceedings instituted under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber is the property of the Government, such timber shall be presumed to be the property of the Government until the contrary is proved.

Presumption that timber belongs to Government.

C.—Of Cattle-trespass.

65. Cattle trespassing in a Reserved Forest, or doing damage to any trees reserved under section 29, shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle Trespass Act, 1871, and may be seized and impounded as such by any Police or Forest Officer.

Cattle Trespass Act, 1871, to apply,

66. The Chief Commissioner may from time to time by rule direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 65 of this Act, such fines as to him may seem fit, but not exceeding the following, that is to say,

Power to alter fines fixed by that Act.

For each elephant	...	... ten rupees.
„ buffalo	...	... two „
„ horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer		... one rupee.
„ calf, ass, or pig		... eight annas.
„ ram, ewe, sheep, lamb, goat or kid	...	... one rupee.

D.—Miscellaneous.

67. Every person who exercises any right in a district-forest, or in a forest reserved under this Act or under any law in force previous to the date on which this Act comes into force, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest,

Persons interested in forest bound to assist Forest and Police Officers.

and every person who is employed by any such person in such forest,

shall be bound to communicate without unnecessary delay to the nearest Forest or Police Officer any information he may possess respecting the commission of or intention to commit any forest-offence, and shall assist any Police or Forest Officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest,

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest,

(*c*) in preventing the commission in such forest of any forest-offence,

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

68. The Chief Commissioner may, subject to any restrictions from time to time imposed by the Governor General in Council, invest a Forest Settlement Officer, or any member of a Forest Court, or any Forest Officer, by name or as holding any office, with any of the following powers to be exercised by him for the purposes of this Act in any part of British Burma, or in any class of cases, that is to say,

Chief Commissioner may confer additional powers.

(*a*) power to enter upon any land and to survey, demarcate and make a map of the same,

(*b*) any power exercised by a Civil Court in the trial of suits or the hearing of appeals,

(*d*) power to delegate the exercise of any power or the performance of any duty to a subordinate officer.

69. The Chief Commissioner may from time to time, by order published in the *British Burma Gazette*, remove or suspend any person from the office of Forest Settlement Officer or member of a Forest Court, and, whenever such office becomes vacant, whether by the removal of the incumbent or otherwise, may by like order appoint another person thereto.

Power to remove officers and fill vacancies.

70. In addition to the other matters for which the Chief Commissioner is empowered by this Act to make rules, he may from time to time make rules—

Additional powers to make rules.

(*a*) to prohibit, absolutely or subject to conditions, within certain local limits, the establishment of sawpits for the sawing up of timber, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking hammers or other implements used for marking timber;

(*b*) to regulate the use of property-marks for timber, and to provide for the registration of such marks and for the levy of fees from persons registering the same;

(*c*) to determine the persons by whom, and the manner in which, rights over district-forests and over forests reserved under this Act or under any law in force previous to the date on which this Act comes into force, may be conferred, and the mode in which rights so conferred shall be exercised;

(*d*) to determine the person by whom, and the time, place and manner at and in which, anything to be done under this Act, and for which no express provision is made in these respects, shall be done; and

(*e*) generally to carry out the provisions of this Act.

71. The Chief Commissioner may, in making any rule under this Act, attach to the breach of it, in addition to any other consequences that would ensue from such breach, a punishment on conviction before a Magistrate not exceeding one month's imprisonment, or two hundred rupees fine, or both.

Power to impose penalties for breach of rules.

72. All rules made by the Chief Commissioner under this Act shall, when sanctioned by the Governor General in Council, be published in the *British Burma Gazette*, and shall thereupon, so far as they are consistent with this Act, have the force of law.

Rules when to have force of law.

73. All money payable to the Government under this Act, or under any rule made under this Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered as if it were an arrear within the meaning of the fourth part of the Burma Land and Revenue Act, 1876.

Recovery of money due to Government.

74. When any such money is payable for or in respect of any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest Officer until such amount has been paid.

Lien on forest-produce for such money.

If such amount is not paid when due, the Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

Power to sell such produce.

The surplus (if any) if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Her Majesty.

Bribing Forest Officers.

75. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code, sections 161 to 165 (both inclusive).

SCHEDULE.

(See section 2.)

ACTS REPEALED.

Number and year.	Title.
VII of 1865 ...	An Act to give effect to Rules for the management and preservation of Government forests.
VII of 1869 ...	An Act to give validity to certain Rules relating to forests in British Burma.
XIII of 1873 ...	An Act to amend the law relating to timber floated down the rivers of British Burma.

STATEMENT OF OBJECTS AND REASONS.

The Province of Burma is, as compared with other parts of India, in a peculiar position, and the whole of the specifically unalienated forest-land is the property of Government, subject only to certain rights of user, or privileges exercised in some parts by individuals or village-communities. This right was proclaimed at the time of the annexation of the various territories which now form the Province of British Burma, and has never been gainsaid. The history of the previous legislation in regard to the forest-lands is this: In 1865, when the general Government Forest Act was passed, certain rules were made under it for Burma, which did not apply to the whole of the forests there, and it was eventually found that in part they were not covered by the Act itself. It therefore became necessary to pass an Act in 1869 to validate them. Subsequently, Act XIII of 1873 was passed to amend the law relating to timber floated and imported from foreign territory into British Burma, and that Act repealed Act VII of 1869, and partly also Act XXX of 1854. Later on, in 1874, the duty on foreign timber was made *ad valorem*, and finally, in 1875, further rules were made, under the Act of 1865, for the forests which had not been included in the old rules.

However, the whole has been at best but a piecemeal process, and legislation is still required upon five principal points, besides a number of small ones. First, it is necessary to clear up doubts regarding the reservation of trees other than teak. The system of recovering a part of the price of Government timber in the form of a duty also has to be provided for. Forest-duties are necessary to defray the expense of extra police. But perhaps the most important subject for which legal provisions have been found necessary, is the enquiry into, and decision of, claims of persons to the various rights of servitude and user in the Government forests. It is likewise essential to bar the acquisition by prescription of new rights in reserved forests. Finally, the penalties provided by the present law have been found to be insufficient. The Bill provides for all these points; it also repeals and re-enacts, with the necessary amendments, the three Acts relating to forests and timber, which are now in force in British Burma.

T. C. HOPE.

CALCUTTA; *4th December* 1876.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 23, 1876. { Register No. 38.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA:

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th December 1876, and was referred to a Select Committee with instructions to make their report thereon in three months:—

No. 14 OF 1876.

THE BURMA FOREST BILL, 1877.

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SCHEDULE—ACTS REPEALED.

A Bill to consolidate and amend the law relating to the management and preservation of Government forests in the province of British Burma.

WHEREAS it is expedient to consolidate and amend the law relating to the management and preservation of Government forests in the province of British Burma, to the transit of forest-produce through the said province, and to the duty leviable on timber imported thereinto; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Burma Forest Act, 1877:"

Short title.

It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma;

Local extent.

And it shall come into force on such date as the said Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the *British Burma Gazette*, direct.

Commencement.

2. On and from such date the Acts mentioned in the schedule hereto annexed, and all rules made under or validated by any of the said Acts, shall, except as provided by section 24, be repealed, but not so as to affect any thing duly done under any such Act or Rules.

Repeal.

3. In this Act—unless there be something repugnant in the subject or context—

Interpretation-clause.

"Forest officer" means any person whom the Chief Commissioner may from time to time appoint by name, or as holding an office, to do

"Forest officer."

(1) anything required by this Act to be done by a Forest officer;

(2) anything to be done by a Government officer under this Act, or under any rule made under this Act, and for the doing of which no agency is specially provided by this Act:

"Tree" includes bamboos and brushwood:

"Tree."

"Timber" includes trees and bamboos when they have fallen or have been felled, and all wood when cut up, or when fashioned or hollowed out for cart-wheels, mortars, canoes, or other purposes:

"Timber."

"Forest-produce" includes the following when found in, or brought from, a forest, that is to say—

"Forest-produce."

Limestone, laterite and other minerals and surface-soil, trees, timber, grass, reeds, leaves, flowers, fruits, juice, bark, honey, wax, lac, gum, wood-oil, resin and varnish:

"Forest-offence" means an offence punishable under this Act, or under any rule made under this Act:

"Forest-offence."

"Cattle" includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids:

"Cattle."

"River" includes streams, canals, creeks and other channels, natural or artificial.

"River."

CHAPTER II.

OF RESERVED FORESTS.

4. The Chief Commissioner may from time to time constitute any forest a reserved forest in manner hereinafter provided. Reserved forests, unless assigned to villages as provided in section 27, may be called State forests.

Power to reserve forests.

5. Whenever it is proposed to constitute any forest a reserved forest, and the limits of such forest have not been defined by boundary-marks, and are not, in the opinion of the Chief Commissioner, already sufficiently marked by roads, rivers, or other such boundaries, the Chief Commissioner may cause such limits to be demarcated in such manner as he thinks fit.

Demarcation of boundaries.

6. When the Chief Commissioner has ascertained that the limits of such forest are already sufficiently defined or marked as aforesaid, or when such limits have been demarcated under section 5, he may publish a notification in the *British Burma Gazette*—

Notification by Chief Commissioner.

(*a*) declaring that it is proposed to reserve such forest under this Act;

(*b*) specifying the limits of such forest;

(*c*) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person to or over any land comprised within such limits, or to or over any forest-produce; and

(*d*) appointing three persons (hereinafter called "the Forest Court") to hear appeals from the decisions of such officer.

7. During the interval between the publication of such notification and the date fixed by the notification under section 18, no right shall be acquired to, over, or in respect of, the forest comprised in such notification, except under a grant or contract in writing made or entered into by or on behalf of Government or of some person in whom such right was vested when the former notification was issued, and no fresh gardens or toungyas shall be cut in such forest.

Bar of accrual of forest-rights.

8. When a notification has been issued under section 6, the Forest Settlement Officer shall publish in every town and village in the neighbourhood of the forest mentioned therein a proclamation in the language of the country—

Proclamation by Forest Settlement Officer.

(*a*) specifying the limits of such forest,

(*b*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*c*) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right as aforesaid, to present to such officer within such period a written notice stating the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

9. Any such right in respect of which no such notice is presented within the said period shall be deemed to be extinguished.

Rights not claimed, extinguished.

10. When any such notice is presented as aforesaid, the Forest Settlement Officer shall inquire into the merits of the claim, and may, if he considers it proved and if he thinks fit to do so, in the case of a claim to or over any land, pass an order to that effect and proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870, or, in the case of a claim to rights of way or of pasture, or to forest-produce, proceed in the manner prescribed in sections 11 and 12.

Power to acquire land over which right is claimed.

For the purpose of so acquiring such land—

(*a*) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(*b*) the claimant shall be deemed to be a person interested and attending before him in pursuance of a notice issued under section 9 of that Act, and

(*c*) the conditions prescribed by the preceding sections of that Act shall be deemed to have been fulfilled.

11. In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement Officer shall enquire into the nature and extent of such rights, and shall pass an order, admitting, rejecting or modifying the claim.

Enquiry into claims.

12. The Forest Settlement Officer, when passing any such order, shall record the name, residence and occupation of the person claiming the right, the designation (if any), position and area of all fields or groups of fields, and the designation and position of all buildings, in respect of which the exercise of such rights is claimed.

Record to be made by Forest Settlement Officer.

No such claim shall be admitted, unless

(*a*) the claimant was, at the time when the limits of the forest were notified under section 6, in the habitual exercise of the right claimed, and

(*b*) unless the exercise of the right is required for the beneficial use of the land or premises, or of the person claiming the same.

13. If the Forest Settlement Officer admits any such claim with or without modification, he shall also record the extent to which such rights have been admitted by him, specifying the quantity of timber, bamboos, grass and other forest-produce annually required, the number and description of cattle admitted to graze in the forest and the season during which such pasture is required.

Record where he admits claim.

14. After making such record, the Forest Settlement Officer shall, to the best of his ability, and having due regard to the maintenance of the Reserved Forest in respect of which the claim is made, make such arrangements as will ensure the continued exercise of the rights so admitted or modified. For this purpose, the Forest Settlement Officer may—

Exercise of rights admitted or modified.

(*a*) so alter the limits of the proposed reserved forest as to exclude forest-land of sufficient extent, and conveniently situated for the purposes of the claimants; or

(*b*) record an order, conferring upon such claimants a right to pasture or to forest-produce, (as the case may be) to the extent so admitted, at such seasons and within such portions of the reserved forest as may from time to time be fixed for that purpose by competent authority; or

(*c*) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient for the purposes of such claimants, and record an order conferring upon them a right to pasture or to forest-produce (as the case may be) to the extent so admitted.

15. In case the Settlement Officer finds it impossible, having due regard to the maintenance of the reserved forest, to make such arrangements as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Chief Commissioner may from time to time prescribe in this behalf) commute such rights either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as may be agreed upon.

Commutation of rights.

16. Any person who has made a claim under this Act, or any Forest Officer or other person generally or specially empowered by the Chief Commissioner in this behalf, may, within three months from the date of the order passed on such petition by the Forest Settlement Officer under section 10, 11 or 14, prefer an appeal from such order to the Forest Court.

Appeal to Forest Court from order passed under section 10, 11 or 14.

Every such appeal shall be made by petition in writing, and shall be chargeable with a Court-fee of eight annas, and shall be presented to and forwarded by the Forest Settlement Officer.

The Forest Court shall fix a day for hearing the appeal, and shall give notice of such day to the parties, and shall hear such appeal in the neighbourhood of the forest. The order passed thereon by such Court, or by the majority of the members of such Court, shall (subject to review by the Chief Commissioner) be final, and the Forest Settlement Officer shall forthwith proceed to carry out the orders of the Court.

17. The Chief Commissioner may appoint any person to appear, plead and act on behalf of the Government before the Forest Settlement Officer or the Forest Court in the course of any inquiry or appeal under this Act.

Power to appoint pleader on behalf of Government.

18. When—

Notification declaring forest reserved.

(*a*) the period fixed under section 8 for presenting notices has elapsed, and all claims (if any) made within such period have been disposed of by the Forest Settlement Officer, and

(*b*) (if any such claims have been made) the period limited by section 16 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the Forest Court, and

(*c*) all lands (if any) included in the forest, which the Forest Settlement Officer has, under section 10, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section 16 of that Act,

the Chief Commissioner may publish a notification in the *British Burma Gazette* declaring the forest, or any portion thereof, to be reserved from a date fixed by such notification, and from the date so fixed, such forest or such portion thereof shall be deemed to be a reserved forest.

19. The Forest Officer shall, before the date fixed by such notification, cause a translation of such notification into the language of the district to be affixed in some conspicuous place in every town and village in the neighbourhood of the forest.

Publication of such notification in neighbourhood of forest.

20. No right of any description shall be acquired to, over, or in respect of, a reserved forest, except under a grant or contract in writing made by or on behalf of the Government.

No right acquired over reserved forest, except as here provided.

21. No right, conferred under section 14, clause (*b*), shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Chief Commissioner, and no produce obtained by virtue of such a right shall be sold or bartered except to such extent as a right to sell or barter may have been admitted in the order recorded under section 13.

Rights not to be alienated.

22. The Forest Officer may from time to time, with the previous sanction of the Deputy Commissioner, stop any public or private way or watercourse in a Reserved Forest, provided that he has already assigned or constructed another way or watercourse (as the case may be) in lieu thereof, and that such other way or watercourse is a reasonably convenient substitute for the way or watercourse so stopped.

Power to stop ways and watercourses in such forests.

23. Any person who

Acts prohibited in such forest.

(*a*) sets fire to a Reserved Forest, or kindles any fire therein in such manner as to endanger the same, or

(*b*) kindles, keeps or carries any fire therein between the first day of February and the first day of June,

(*c*) burns any lime, bricks or charcoal therein,

(*d*) trespasses or grazes his cattle or permits his cattle to trespass therein,

(*e*) causes any damage therein by negligence in felling any trees or cutting or dragging any timber,

(*f*) fells, girdles, lops, taps or burns any trees therein, or strips off the bark or leaves from, or otherwise interferes with, the same,

(*g*) collects any forest-produce therein,

(*h*) cuts any toungya therein,

shall be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both, in addition to such damages for injury done to the forest as the Court may direct to be paid.

Nothing in this section shall be deemed to prohibit any act done by permission in writing of the Forest Officer, or the exercise of any right conferred under section 14, clause (*b*), or created by written grant or contract made by or on behalf of Government.

24. The thirteenth of the rules for the better management and preservation of the Government forests in British Burma, dated the second day of August 1865, shall continue to apply to every forest constituted a Reserved Forest under any law in force previous to the date on which this Act comes into force, until the Chief Commissioner, by notification in the *British Burma Gazette*, declares such forest to be a Reserved Forest under the provisions hereinafter contained.

Maintenance of rule 13, dated 2nd August 1865.

Every offence against such rule shall be deemed to be an offence punishable under rules made under this Act.

25. The formation and extension of a Reserved Forest shall be deemed a public purpose within the meaning of the Land Acquisition Act, 1870, section 4.

Formation and extension of Reserved Forests under Land Acquisition Act.

26. The Chief Commissioner may, by notification in the *British Burma Gazette*, direct that, from a date fixed by such notification, any forest or any portion of any forest reserved under this Act, shall cease to be a Reserved Forest.

Power to declare forest no longer reserved.

From the date so fixed, such forest or portion thereof shall cease to be reserved, but the rights (if any) which have been extinguished in such forest shall not in consequence of such cessation be deemed to revive.

Village Forests.

27. The Chief Commissioner may assign any Reserved Forest or portion thereof for the use of any village or villages situated in the vicinity of such forest. Such forests shall be called village-forests. The Chief Commissioner may make rules for regulating the management of such village-forests, prescribing the conditions under which the inhabitants of the villages for the benefit of which any such forest is assigned, may be provided with timber, pasture or other forest-produce, and their duties for the protection and improvement of such forest.

Demarcation of village-forests.

All provisions of this Act relating to Reserved Forests shall (so far as they are consistent with rules so made) apply to village-forests.

CHAPTER III.

OF DISTRICT FORESTS.

28. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*, declare the provisions of this chapter applicable to any forest or waste-land which is not included in a Reserved Forest, and which the Government has not granted, sold or leased.

"District Forest" defined.

The forests and waste-lands comprised in any such notification shall be called "District Forests."

29. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*—

Power to issue notification—

(*a*) declare any class of trees in a district-forest, or any trees in any such forest, to be reserved from a day fixed by such notification;

reserving trees,

(*b*) prohibit, from a date fixed as aforesaid, the quarrying of limestone, laterite or any other stone, or the burning of lime or charcoal, or the collection of any description of forest-produce, in any such forest or in any portion thereof.

prohibiting collection of forest-produce.

Unless and until the Chief Commissioner by notification under this section declares otherwise, teak shall be deemed to be reserved in all district-forests.

Teak to be reserved.

30. The Deputy Commissioner shall cause a translation into the language of the district, of every notification issued under section 29, to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest to which such notification applies.

Publication of such notification in neighbourhood.

31. The Chief Commissioner may from time to time make rules to regulate the following matters:—

Power to make rules regulating disposal of produce of district-forests.

(*a*) the cutting and removal of trees and timber, and the collection and removal of forest-produce from the district-forests;

(*b*) the granting of free permits to the inhabitants of towns and villages in the vicinity of district-forests, and the production and return of such permits by such persons;

(*c*) the granting of trade-permits to persons felling or removing trees or timber or forest-produce from such forests for the purposes of trade, and the production and return of such permits by such persons;

(*d*) fees payable by such persons, for permission to cut such trees, or to collect and remove such timber or forest-produce, and

(*e*) the other payments, if any, to be made by them in respect of such timber and produce, and the places where such payments shall be made.

32. Any person who

Penalties for acts in contravention of notification under section 29.

(*a*) fells, girdles, lops, taps or burns any tree reserved under section 29, or strips off the bark or leaves from, or otherwise interferes with, any such tree, or

(*b*) makes gardens or toungyas in any forest containing trees reserved as aforesaid, or sets fire to such forest, or

(*c*) kindles a fire without taking all such reasonable precautions as are requisite to prevent its spreading to any trees so reserved, or to any timber of such trees in the vicinity, or

(*d*) leaves burning any fire kindled by him in the vicinity of any such trees or timber, or

(*e*) fells any tree or drags any timber in such a manner as to injure any tree reserved as aforesaid, or

(*f*) permits cattle belonging to him or under his charge to injure any such tree, or

(*g*) quarries any stone, or burns any lime or charcoal, or collects or removes any forest-produce when such quarrying, burning or collecting has been prohibited by a notification under section 29,

shall be punished with imprisonment which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest Officer, or in accordance with rules made under section 31, or in the exercise of a right recognized by section 6 of the Burma Land-Revenue Act, 1876.

CHAPTER IV.

OF THE DUTY ON TIMBER.

Power to impose duty on timber.

33. On all timber the produce of forests situated within British territory or brought from any forest situated beyond the frontier of British Burma, a duty may be levied in such manner, at such places and at such rates, as the Chief Commissioner, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the *British Burma Gazette*:

Limit of such duty when levied on each log.

Provided that if such duty is directed to be levied on each log of such timber, it shall not exceed five rupees per log of five feet in girth and upwards, and two rupees eight annas per log of less than five feet in girth:

When levied *ad valorem*.

Provided also that if such duty is directed to be levied *ad valorem*, it shall not exceed ten per cent. of the value.

Power to fix value for *ad valorem* duty.

34. In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, with the like sanction, from time to time fix by like notification the value on which such duty shall be assessed.

CHAPTER V.

OF THE TRANSIT OF TIMBER AND FOREST-PRODUCE.

Power to make rules to regulate transit of forest-produce.

35. The Chief Commissioner may from time to time make rules to regulate the transit of all timber and other forest-produce.

Such rules may (among other matters)

(*a*) prescribe the routes by which only timber and other forest-produce may be imported, exported or moved into, from or within, British Burma;

(*b*) prohibit the import, export, or moving of such timber or other produce without a pass from the Forest Officer, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes and for the payment of fees therefor;

(*d*) provide for the stoppage and examination of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof or on account of any duty, fee or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;

(*e*) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it;

(*f*) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches and leaves into any such river, or any act which may cause such river to be closed or obstructed; and

(*g*) provide for the removal of any obstruction of the channel or banks of any such river, and for recovering from the person causing such obstruction the cost of such removal.

Government and its officers not liable for damage to forest-produce at depôt.

36. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depôt established under a rule made under section 35, and no Forest Officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

All persons bound to aid in case of accident at depôt.

37. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall assist any forest or police officer demanding his aid in averting such danger and securing such property from damage.

CHAPTER VI.

OF THE COLLECTION OF FLOATING AND STRANDED TIMBER.

Drift or stranded timber, or timber unmarked, or with marks obliterated, to become property of Government until title thereto proved.

38. All timber and wood found adrift or stranded on any river, or off the sea-coast of any part of the said territories, and all unmarked wood and timber, or wood or timber on which the marks have been obliterated, altered, or defaced, by fire or otherwise, and all timber beached, stranded or sunk in any river, or on the sea-coast as aforesaid, shall be deemed to be the property of Government unless and until any person establish his right and title thereto.

Licenses to collect timber floating loose.

39. When any timber is floating loose and unrafted in any river or in the sea, or having been so floating has become stranded or has sunk, the Forest Officer may grant a license, either to the owner of such timber, or to any other person he thinks fit, to collect the same, upon such terms as to its continuance, production, return or otherwise, as the Chief Commissioner may from time to time direct.

Timber in danger of escaping beyond control may be collected without license.

40. Except on any rivers and in any place which the Chief Commissioner may by rule exempt from the operation of this section, any person may without a license collect any timber floating, stranded or sunk as aforesaid, which, there is reason to believe, would, if not so collected, escape beyond the possibility of being recovered in the usual course.

Timber collected under sections 39 and 40 how dealt with.

41. Any person collecting any timber under a license granted under section 39, unless he is the owner or the agent of the owner of such timber, and

any person collecting any timber under section 40,

shall at once inform the Forest Officer that he has collected such timber, shall retain the same pending the receipt of an order from such officer as to the disposal thereof, and, on the receipt of such order, shall dispose of such timber in accordance therewith.

Forest Officer may collect.

42. The Forest Officer may collect any timber floating, stranded or sunk as aforesaid.

Penalty for offences against preceding sections.

43. Any person who—

(*a*) except as provided in sections 40 and 41, or under and in accordance with the provisions of a license granted under section 39, collects any timber, whether belonging to himself or to any other person, which is floating, stranded or sunk as aforesaid, or,

(*b*) having collected any such timber, is guilty of any act or omission in respect of the same contrary to the provisions of section 41,

shall be punished with imprisonment which may extend to six months, or with fine which may amount to five hundred rupees, or with both.

Forest Officer how to deal with timber collected by or made over to him.

44. When the Forest Officer has collected any timber under section 42, or when any timber has been delivered to him in compliance with an order issued under section 41, and the person entitled to the possession of such timber is known to him, he shall, subject to the provisions of sections 48 and 74, deliver the same to such person or as he shall direct.

When person entitled to possession is known.

When such person is not known.

When the person entitled to the possession of such timber is not known to the Forest Officer, he shall publish a notice in the *British Burma Gazette* and shall affix a translation of the same into the language of the country at the place where such timber then is, describing such timber, and calling upon any person having a claim to the possession of the same to present to him within three months from the date of such notice a written statement of such claim.

Procedure on claim preferred to such timber.

45. When any such statement is presented as aforesaid, the Forest Officer may, after making such enquiry as he thinks fit, either reject the claim, or deliver the timber to the claimant.

On rejection of claim to such timber, claimant may institute suit.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any damages or costs against the Government, or against any Forest Officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

Government and its officers not liable for damage to such timber.

46. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 42 or delivered to a Forest Officer in compliance with an order issued under section 41, and no Forest Officer shall be responsible for any such loss or damage, unless he causes such loss or damage negligently, maliciously or fraudulently.

Effect of omission to prosecute claim to such timber.

47. If the person entitled to the possession of any timber collected or delivered as aforesaid omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 44, or, on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 45, the ownership of such timber shall vest in the Government, or, when such timber has been delivered to another person under section 45, in such other person, free from all encumbrances of every description.

Fees to be paid by claimant before timber is delivered to him.

48. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest Officer such fees on account of the collection thereof as the Chief Commissioner may from time to time by rule prescribe.

CHAPTER VII.

GENERAL.

A.—Of Penalties.

Forest-produce, tools, &c., when liable to confiscation.

49. All forest-produce in respect of which a forest-offence has been committed, and all tools, boats, carts and cattle used in committing any such offence, shall be liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

Seizure of property liable to confiscation.

50. When there is reason to believe that any property is liable to confiscation under section 49 for any offence, it may be seized by any Police or Forest Officer.

Application for confiscation.

Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, apply for the confiscation of the same to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

51. If on receiving an application under section 50, and on making such inquiry as he deems fit, such Magistrate has reason to believe that such property is liable to confiscation under this Act, he shall cause a notice of such application to be affixed at the place of seizure and served upon every person known or believed to be interested in such property.

Procedure on such application.

52. Any person so interested may within one month from the date of serving such notice present a petition to such Magistrate claiming to be heard in opposition to the application.

Person interested may oppose confiscation.

53. On the expiry of the said period of one month, if no such petition has been presented, or, if any such petition has been presented, after hearing the petitioner and considering any evidence he may adduce, the Magistrate may pass an order for the confiscation of the property or for its release.

Order for confiscation.

54. The officer who made the seizure under section 50, or any of his official superiors, or any person who has presented a petition under section 52, may within one month from the date of such order appeal therefrom to the Sessions Judge, and the order passed on such appeal shall be final.

Appeal from such order.

55. When an order for the confiscation of any property has been passed under section 53, and the period limited by section 54 for an appeal from such order has elapsed and no such appeal has been preferred, or when, on such an appeal being preferred, the Sessions Judge confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances of every description.

Property when to vest in Government.

56. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Chief Commissioner from directing at any time the immediate release of any property seized under section 50.

Saving of power to release property seized.

57. Any Police or Forest Officer who vexatiously or unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act, shall be punished with imprisonment for a term not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

Punishment for wrongful seizure.

58. Whoever, with intent to cause damage or injury to the public or to any person—

Penalty for counterfeiting or defacing marks on trees and timber and for altering, &c., boundary-marks.

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest Officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or

(*b*) alters, defaces or obliterates any such mark placed on a tree or on timber by or under the authority of a Forest Officer, or

(*c*) alters, moves, destroys or defaces any boundary-mark of a Reserved Forest,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

B.—Of Criminal Procedure.

59. Any Police or Forest Officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest-offence punishable with imprisonment for one month or upwards.

Power to arrest without warrant.

Every officer making an arrest under this section shall without unnecessary delay take or send the person arrested before the Magistrate having jurisdiction in the case.

60. Every Police and Forest Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

61. Every such officer knowing of a design to commit any such offence may arrest without orders from a Magistrate and without a warrant the person entertaining such design, if the commission of such offence cannot be otherwise prevented.

Power to arrest person designing to commit offence.

62. The Magistrate of the District and any Magistrate of the first class specially empowered in this behalf by the Chief Commissioner may try, in the summary way prescribed by the eighteenth chapter of the Code of Criminal Procedure, any forest-offence punishable with imprisonment for not more than six months, or with fine not exceeding five hundred rupees.

Power to try offences summarily.

63. The Chief Commissioner may from time to time, by notification in the *British Burma Gazette*, empower any Forest Officer of such grade as the Chief Commissioner may from time to time direct, to accept from any person charged with any forest-offence other than an offence under section 57 or section 58 a sum of money by way of composition for such offence.

Power to compound offences.

On the payment of such sum of money to such officer, the accused person, if in custody, shall be discharged, any property seized as liable to confiscation in respect of such offence shall be released, and no further proceedings of any description shall be taken under this Act against such person or property; but nothing herein contained shall exempt such person from prosecution on the same facts under any other law for the time being in force.

64. When in any proceedings instituted under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber is the property of the Government, such timber shall be presumed to be the property of the Government until the contrary is proved.

Presumption that timber belongs to Government.

C.—Of Cattle-trespass.

65. Cattle trespassing in a Reserved Forest, or doing damage to any trees reserved under section 29, shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle

Cattle Trespass Act, 1871, to apply,

Trespass Act, 1871, and may be seized and impounded as such by any Police or Forest Officer.

66. The Chief Commissioner may from time to time by rule direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 65 of this Act, such fines as to him may seem fit, but not exceeding the following, that is to say,

Power to alter fines fixed by that Act.

For each elephant	...	... ten rupees.
„ buffalo	...	... two „
„ horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer		... one rupee.
„ calf, ass, or pig		... eight annas.
„ ram, ewe, sheep, lamb, goat or kid	...	... one rupee.

D.—Miscellaneous.

67. Every person who exercises any right in a district-forest, or in a forest reserved under this Act or under any law in force previous to the date on which this Act comes into force, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest,

Persons interested in forest bound to assist Forest and Police Officers.

and every person who is employed by any such person in such forest,

shall be bound to communicate without unnecessary delay to the nearest Forest or Police Officer any information he may possess respecting the commission of or intention to commit any forest-offence, and shall assist any Police or Forest Officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest,

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest,

(*c*) in preventing the commission in such forest of any forest-offence,

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

68. The Chief Commissioner may, subject to any restrictions from time to time imposed by the Governor General in Council, invest a Forest Settlement Officer, or any member of a Forest Court, or any Forest Officer, by name or as holding any office, with any of the following powers to be exercised by him for the purposes of this Act in any part of British Burma, or in any class of cases, that is to say,

Chief Commissioner may confer additional powers.

(*a*) power to enter upon any land and to survey, demarcate and make a map of the same,

(*b*) any power exercised by a Civil Court in the trial of suits or the hearing of appeals,

(*d*) power to delegate the exercise of any power or the performance of any duty to a subordinate officer.

69. The Chief Commissioner may from time to time, by order published in the *British Burma Gazette*, remove or suspend any person from the office of Forest Settlement Officer or member of a Forest Court, and, whenever such office becomes vacant, whether by the removal of the incumbent or otherwise, may by like order appoint another person thereto.

Power to remove officers and fill vacancies.

70. In addition to the other matters for which the Chief Commissioner is empowered by this Act to make rules, he may from time to time make rules—

Additional powers to make rules.

(*a*) to prohibit, absolutely or subject to conditions, within certain local limits, the establishment of sawpits for the sawing up of timber, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking hammers or other implements used for marking timber;

(*b*) to regulate the use of property-marks for timber, and to provide for the registration of such marks and for the levy of fees from persons registering the same;

(*c*) to determine the persons by whom, and the manner in which, rights over district-forests and over forests reserved under this Act or under any law in force previous to the date on which this Act comes into force, may be conferred, and the mode in which rights so conferred shall be exercised;

(*d*) to determine the person by whom, and the time, place and manner at and in which, anything to be done under this Act, and for which no express provision is made in these respects, shall be done; and

(*e*) generally to carry out the provisions of this Act.

71. The Chief Commissioner may, in making any rule under this Act, attach to the breach of it, in addition to any other consequences that would ensue from such breach, a punishment on conviction before a Magistrate not exceeding one month's imprisonment, or two hundred rupees fine, or both.

Power to impose penalties for breach of rules.

72. All rules made by the Chief Commissioner under this Act shall, when sanctioned by the Governor General in Council, be published in the *British Burma Gazette*, and shall thereupon, so far as they are consistent with this Act, have the force of law.

Rules when to have force of law.

73. All money payable to the Government under this Act, or under any rule made under this Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered as if it were an arrear within the meaning of the fourth part of the Burma Land and Revenue Act, 1876.

Recovery of money due to Government.

74. When any such money is payable for or in respect of any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest Officer until such amount has been paid.

Lien on forest-produce for such money.

If such amount is not paid when due, the Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

Power to sell such produce.

The surplus (if any) if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Her Majesty.

Bribing Forest Officers.

75. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code, sections 161 to 165 (both inclusive).

SCHEDULE.

(See section 2.)

ACTS REPEALED.

Number and year.	Title.
VII of 1865 ...	An Act to give effect to Rules for the management and preservation of Government forests.
VII of 1869 ...	An Act to give validity to certain Rules relating to forests in British Burma.
XIII of 1873 ...	An Act to amend the law relating to timber floated down the rivers of British Burma.

STATEMENT OF OBJECTS AND REASONS.

The Province of Burma is, as compared with other parts of India, in a peculiar position, and the whole of the specifically unalienated forest-land is the property of Government, subject only to certain rights of user, or privileges exercised in some parts by individuals or village-communities. This right was proclaimed at the time of the annexation of the various territories which now form the Province of British Burma, and has never been gainsaid. The history of the previous legislation in regard to the forest-lands is this: In 1865, when the general Government Forest Act was passed, certain rules were made under it for Burma, which did not apply to the whole of the forests there, and it was eventually found that in part they were not covered by the Act itself. It therefore became necessary to pass an Act in 1869 to validate them. Subsequently, Act XIII of 1873 was passed to amend the law relating to timber floated and imported from foreign territory into British Burma, and that Act repealed Act VII of 1869, and partly also Act XXX of 1854. Later on, in 1874, the duty on foreign timber was made *ad valorem*, and finally, in 1875, further rules were made, under the Act of 1865, for the forests which had not been included in the old rules.

However, the whole has been at best but a piecemeal process, and legislation is still required upon five principal points, besides a number of small ones. First, it is necessary to clear up doubts regarding the reservation of trees other than teak. The system of recovering a part of the price of Government timber in the form of a duty also has to be provided for. Forest-duties are necessary to defray the expense of extra police. But perhaps the most important subject for which legal provisions have been found necessary, is the enquiry into, and decision of, claims of persons to the various rights of servitude and user in the Government forests. It is likewise essential to bar the acquisition by prescription of new rights in reserved forests. Finally, the penalties provided by the present law have been found to be insufficient. The Bill provides for all these points; it also repeals and re-enacts, with the necessary amendments, the three Acts relating to forests and timber, which are now in force in British Burma.

T. C. HOPE.

CALCUTTA;
4th December 1876.

WHITLEY STOKES,
Secy. to the Govt. of India.

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September 22nd, 1876.—Observation on the causes of the depression of silver relatively to gold, and its effects upon the financial, commercial and social interests of the Indian Empire.

September 26th, 1876.—Notifies that His Excellency the Viceroy will leave Simla upon his autumn tour.

October 17th, 1876.—His Excellency the Governor General will visit certain parts of India unaccompanied by his Council. Major General the Hon'ble Sir H. W. Norman, K.C.B., to be President of Council during such visit, and Governor General and President to exercise certain powers.

December 6th, 1876.—Certain scheduled villages in Káthiáwar ceded to the Thákur of Bhaunagar, his heirs and successors.

December 15th, 1876.—Notifies expected arrival at Calcutta of His Grace the Duke of Buckingham and Chandos, G.C.S.I., Governor of Mádras, and arrangements for his reception.

December 26th, 1876.—Notifies public entry of His Excellency the Viceroy and Governor General into Delhi and arrangements and procession connected therewith.

December 27th, 1876.—Notifies that a deputation from His Excellency the Viceroy and Governor General proceeded to [illegible] to convey to him expressions after the health of certain Chiefs (list of names attached).

December 30th, 1876.—Notifies visits received and returned by His Excellency the Viceroy and Governor General, and the conferring of banners and medals.

Government Central Press.—No. 151 S. of S.—26-1-77.—1,286.